



Topic: Authority Board Agenda Item 7-1

2019 August 26

Subject: Authority Employee Handbook

Requested Action:

Consider approval of the Authority Employee Handbook.

Detailed Description/Background:

The Authority is taking steps towards becoming an employer. Before the Authority can be an employer, various benefits plans, policies, and procedures need to be in place. The Authority's Ad Hoc Policy and Governance Committee has developed a draft Sites Project Authority Employee Handbook to serve as the overarching framework to ensure all requirements are met to then allow the Authority to become an employer. Approving the attached Employee Handbook allows the Authority to take the next steps to develop the processes that will ensure compliance with all requirements. Once completed, the Authority can then hire employees.

Prior Authority Board Action:

None.

Fiscal Impact/Funding Source:

None.

Staff Contact:

Jim Watson

Attachments:

Attachment A: Draft Sites JPA Employee Handbook.



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I. INTRODUCTION

A. PURPOSE

Pursuant to the Joint Exercise of Powers Act (“Act”), California Government Code Section 6500 et seq., a public entity was created known as the Sites Project Authority (“Authority”). The purpose of this Authority is to effectively study, promote, develop, design, finance, acquire, construct, manage, and operate Sites Reservoir and related facilities such as recreation and power generation. The Authority’s mission is to see this project completed in order to increase and develop water supplies; to improve the operation of the state’s water system; and to provide a net improvement in ecosystem and water quality conditions in the Sacramento River system and the Delta.

In the pursuit of reaching the above stated goals, it is our sincere desire to provide a beneficial and stimulating environment that will promote competence and stability in the workplace. This Employee Handbook has been prepared to give you an understanding of the general principles under which we function. The Handbook is designed as a guide to the benefits, rules and important policies of the Authority. However, this Handbook is informational only, and is not an employment contract.

Changed circumstances may require that the policies, practices and benefits described in this Handbook be modified or updated. Consequently, the Authority reserves the right to amend, supplement or rescind any provision of this Handbook at its sole discretion and without advance notice. As policies and benefits are revised, modified or updated, pages signed by the Manager will be distributed to you for substitution of pages in your Handbook.

B. OPEN DOOR POLICY

The Authority promotes an atmosphere in which you can talk freely with management. You are encouraged to openly discuss with your Supervisor and/or Superintendent any problems so appropriate action may be taken. If they cannot be of assistance, the General Manager is available for consultation and guidance. The Authority is interested in all of its employees’ success and happiness.

C. EQUAL EMPLOYMENT OPPORTUNITY

It is the continuing policy of the Authority to provide equal employment opportunities for all individuals who have the necessary qualifications with respect to recruitment hiring, performance appraisal, promotion, training, termination, compensation, or other personnel-related activities regardless of the actual or perceived ancestry, national origin, race, color, religion, religious creed (including religious dress and grooming practices), sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity and expression, sexual orientation, marital status, age (40 and over), genetic information, medical condition, veteran/military status, physical or mental disability (including HIV and AIDS), denial of Family and Medical Care Leave or any other consideration made unlawful by federal, state, or local laws. All employee decisions will be based upon policies and practices that further the principles of equal employment opportunity.

Every member of management is held responsible for assuring non-discrimination in employment opportunities. In addition, all staff members, regardless of position, share in the responsibility of maintaining a discrimination-free work environment.

D. EMPLOYMENT AT WILL

All employees are hired on an “at will” basis. You are free to terminate your employment with the Authority at any time, with or without reason, and the Authority has the right to terminate your employment at any time, with or without reason. At the end of this Handbook you will find a copy of an “at will” Employment Agreement. Please read this carefully, sign and return to the HR Coordinator. An additional copy is provided for your records.

No one other than the Board of Directors can make any agreement or representations contrary to this policy. The Authority’s policy of “at will” employment may be changed only in writing and signed by the President of the Board of Directors.

Apart from the policy of at will employment and those policies required by law, the Authority may change the policies or practices at any time with or without advance notice.

E. EMPLOYMENT APPLICATION

The Authority relies upon the accuracy of information contained in the employment application and other data presented throughout the hiring and employment process. Any misrepresentation, falsification, or material omission in any of this information or data may result in exclusion of the individual from further consideration for employment, or termination of employment if the Authority hired the individual.

F. PRE-EMPLOYMENT MEDICAL EXAMINATIONS AND DRUG TEST

All positions within the Authority require an applicant to successfully complete a medical exam and pass a drug test, at the cost of the Authority. It is the Authority’s intention to protect both the prospective employee and the Authority from the consequences of placing individuals in jobs that might impair their health. The Authority will use the exam only to determine whether the applicant can perform the essential functions of the job. Such an exam will only occur after the Authority makes a conditional offer of employment.

Any offer of employment will be conditioned upon passing a drug test, background check and designation of “medically qualified” through a pre-employment physical exam and other conditions set forth in the offer letter.

The Authority will require employees in job classifications that require a Class A or B driver’s license, applicable to farm vehicles and most heavy vehicles with three or more axles, to submit to a medical examination to comply with licensing requirements.

G. PERSONNEL INFORMATION

The Authority maintains a file for every employee. The file contains information pertaining to the employee’s employment with the Authority. The information in an employee’s personnel file is confidential and must be kept up to date. Employees should inform their Supervisor or the Office immediately whenever there are changes in personal data such as address, telephone number, person(s) to notify in case of an emergency, marital status or dependents. Employees have the right to inspect their personnel files at reasonable times, and on reasonable notice. In addition, employees have the right to receive a copy of the contents of their personnel file upon request. Employee should

submit such requests to the HR Coordinator. Personnel files are the property of the Authority and may not be removed from the Authority's premises without written authorization from the General Manager.

II. EMPLOYEE CATEGORIES

A. EMPLOYEE CLASSIFICATIONS

Every employee should be familiar with their employment status. There are six status positions which relate to employee benefits and eligibility for leaves:

- a. Full-time. A full-time employee is one who fills an established job classification position and is regularly scheduled to work thirty hours or more during the standard work week for an unspecified period of time. Full time employees are eligible for employee benefits as described later in this Handbook.
- b. Part-time. A part-time employee is one who fills an established job classification position and is regularly scheduled to work less than forty hours but more than twenty-five hours per week, for an unspecified period of time.
- c. Introductory. An introductory employee is a full-time employee or part-time employee who has not completed six (6) months of employment with the Authority.
- d. Temporary. A temporary employee is one who is hired to fill a short-term position for a specific period of time. Regular temporary employees are limited to six months on the job for full-time employment (30 hours or more per week) or 1,000 hours or 125 days in a fiscal year. They are not eligible for vacation benefits but will be paid holiday pay based on their normal work hours
- e. Rehired Employees. Employees who are rehired following a break in service in excess of one (1) year, other than an approved leave of absence, must serve another initial introductory period whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their re-employment for all purposes, including the purposes of measuring benefits, with the exception of the Retirement Program. Any rehired employee that had participated in the retirement program will be eligible for retirement benefits immediately upon rehire.
- f. Exempt/Non-Exempt Employee. Employees whose jobs are governed by the Fair Labor Standards Act (FLSA) are either "exempt" or "non-exempt." Non-exempt employees are entitled to overtime pay. Exempt employees are not. Most employees covered by the FLSA are non-exempt. Some jobs are classified as exempt by definition. For most employees, however, whether they are exempt or non-exempt depends on (a) how much they are paid, (b) how they are paid, and (c) what kind of work they do.

The requirements to determine this status are outlined in the FLSA Regulations (promulgated by the U.S. Department of Labor). See the HR Coordinator and/or Office Staff if you have questions.

B. NEW EMPLOYEE ORIENTATION

As a new employee you will be provided a formal orientation that will include: introduction to administrative staff, an initial meeting with your immediate supervisor, a tour of the Authority's Headquarters and a tour of the areas and facilities the Authority serves. Specialized training will be provided as needed for your position as well as the items outlined in the Employee Handbook.

C. INTRODUCTORY PERIOD

New and rehired employees are considered Introductory Employees for the first six (6) months after their date of hire. The Introductory or working test period is: (1) an integral part of the examination process and provides an opportunity to observe closely the employee's work; and (2) in place to secure the most effective adjustment of a newer, promoted employee to his/her position.

Your Supervisor will review your performance after you have been employed six (6) months to determine if you have completed your introductory period satisfactorily and should be promoted to full time status.

D. EMPLOYMENT OF RELATIVES

The Authority's policy is to hire, promote, and transfer employees on the basis of individual merit and to avoid any hint of favoritism or discrimination in making such decisions. Even if favoritism or discrimination is not shown, the existence of the situation may precipitate a perception where questions may be difficult to answer or may cause some discomfort for the individuals involved.

The Authority may refuse to hire relatives of present employees if doing so could result in actual or potential problems in supervision, security, safety, or moral or if doing so could create potential conflicts of interest. The Authority defines "relatives" as spouses, registered domestic partners, children, siblings, parents, in-laws, step-relatives, or whose relationship with the employee is similar to that of persons who are related by blood or marriage, including cohabitation.

a. Marriage or Development of Involved Personal Relationships While employed:

If two persons should marry while both are employed by the Authority, they may continue their employment in the same job provided that such employment does not adversely affect safety, morale, security, internal financial control, or supervision; and such spouses or relatives neither initiate nor participate in making institutional recommendations or decisions which would directly affect employment status of their partner.

If these criteria are not met, one of the spouses must change jobs, change Authority locations (change in crew or job assignment), or leave the Authority. The Authority will notify the couple whether or not they meet these criteria. Once notified, the couple will be required to decide within thirty (30) days of the notification as to which of the two of them will change positions. If this decision is not made within 30 days, based upon its business needs, the Authority reserves the right to determine which employee will be transferred or whose employment will be terminated.

b. Exceptions: The General Manager may make an exception to this policy if it is

found that:

- The position to be filled requires a person with specialized training and experience not generally available in the employment market;
- There is a vital Authority need to fill the position;
- Substantial bona fide efforts have been made to locate and employ such a person who is not a relative of any employee; and
- The relationship between the relative and the applicant or employee is unlikely to materially affect his or her employment by the Authority.

III. CHANGES IN EMPLOYMENT

A. PROMOTIONS/TRANSFERS

It is the Authority's intent to promote from within whenever possible. However, it is in the Authority's best interest to fill positions with the best qualified individual. When opportunities occur within the organization, promotions and transfers will be based upon an employee's qualifications and performance. In general, employees who have been at their present job assignment for at least six (6) months will be considered. Should there be two or more employees equally qualified for the promotion or transfer, the Authority may allow each employee a trial period before making a final decision.

B. TEMPORARY UPGRADES/TRANSFERS

Whenever temporary positions are available within the Authority or regular positions are filled on a temporary basis, it is the Authority's intent to give employees an opportunity to apply for such positions.

If management feels that none of the applying employees are fully qualified for the temporary position, he/she may recruit outside candidates with the qualifications necessary to fill the position.

If you do not agree with the management's decision on who was selected for the temporary upgrade, you should discuss this with your Superintendent. If resolution is not reached, the Superintendent should arrange to have you discuss the matter with the General Manager.

When the temporary positions end, it is the Authority's intent to give the employees who were temporarily advanced an opportunity to return to their former positions.

IV. HOURS OF WORK, COMPENSATION, OVERTIME AND PAYDAY

A. WORK SCHEDULE/ALTERNATE SCHEDULES

Employees are expected to be at work as scheduled, to arrange their personal schedules to accommodate established work hours, and to notify their supervisor, at least 24 hours in advance, if possible, if they expect to be absent or tardy. Employees are to be at their assigned work station i.e. office, shop, plant or field location, ready to begin work at the beginning of each day and shall work through the scheduled work period at the assigned location(s).

Office Employees - The regular business hours of the Authority Office are Monday through Friday, 8:00 a.m. through 5:00 p.m., excluding holidays. The standard work week for office employees is forty (40) hours, eight (8) hours per day, allowing for a

meal period of one hour but inclusive of two 10-minute breaks. Office personnel may work an alternative work schedule, such as four ten-hour days, if approved by management and does not impact office hours. It is important to note that the Alternative Workweek Schedule is not appropriate for all positions, or in all settings, or for all employees.

Maintenance Employees and Field Technicians - The standard work schedule for Maintenance employees and Field Technicians is Monday through Friday from 7:00 a.m. through 4:30 p.m. The standard work hours are forty-five (45) hours per week, nine (9) hours per day, exclusive of a 30-minute meal period with two 10-minute breaks. Weekly time is comprised of forty (40) hours of regular time and five (5) hours of overtime for employees who are not exempt from overtime.

B. BREAKS AND MEAL PERIODS

Nonexempt (hourly) employees will receive lunch and meal periods consistent with state law. The meal period must begin between the third and fifth hour of work. Thus, if your start time is 9:00 a.m., you must begin your lunch no later than 1:59 p.m. Employees who work more than 10 hours are authorized and permitted to take a second, unpaid meal period of 30 minutes. The lunch break may not be skipped either to shorten the workday or to make up time.

Hours worked	Meal Periods	Timing
5 hours or fewer	None	Not applicable
+5 to 10 hours	1 (may waive if 6 hours completes the workday)	Begin before the end of the 5th hour
+10	2	Begin before the end of the 10th hour

Non-exempt (hourly) employees must take one paid ten-minute rest break for every 4 hours worked or major fraction thereof. The ten-minute breaks cannot be consolidated. Non-exempt (hourly) employees who work an eight-hour day receive two paid 10-minute breaks, one in the morning and one in the afternoon. When practical, employees should take each rest period in the middle of the four-hour work period or major fraction thereof. State law prohibits the employer from permitting employees to skip breaks to shorten the workday or to make up time.

C. WAGE SCHEDULE FIELD EMPLOYEES

Field Employees shall be compensated for their services in accordance with the Wage Schedules established by the Authority which may be modified from time to time. Wage increases for all employees shall be considered in relation to annual performance evaluations as set forth in this Handbook under Section VII(E).

D. OVERTIME/COMP TIME

Overtime for Authority employees is regulated by the Fair Labor Standards Act ("FLSA"). If employees are not exempt from the FLSA, they receive overtime pay; if employees are exempt from the FLSA, they do not receive overtime pay. Employees whose positions are defined as executive, administrative or professional, and who are

compensated at least \$880 per week are considered exempt employees. Employees who operate or maintain ditches, canals, reservoirs or waterways used exclusively for agricultural purposes are also exempt. All other employees are not exempt and receive overtime pay. In general, the FLSA requires employers to pay employees for any time worked in excess of a regular workweek at a rate of at least 1½ times the employee's regular base pay rate, unless the employee holds a position which is considered exempt from FLSA overtime requirements.

It is the policy of the Authority to avoid overtime beyond the standard work week. However, on construction projects and when emergencies arise, it may be necessary to have employees work longer than the standard work hours. Overtime is defined as hours worked outside of normal scheduling and in excess of forty (40) hours per week.

Overtime authorized in advance will be compensated at the rate of one and one-half times the regular hourly rate for hours over 40-hours and under 60-hours, or twice the hourly rate for hours over 12-hours per day, as required by law. Overtime compensation will not be paid unless it is specifically authorized in advance by either the Deputy Manager and/or the Manager.

Except in special emergency situations when authorized in advance by the Deputy Manager or Manager, work of fieldmen and other operations employees will not draw overtime compensation.

The following supervisor positions are considered to be exempt from FLSA overtime requirements, and the personnel occupying these positions are responsible for the proper performance of work assigned, without additional compensation, except in special situations authorized by the Manager. Compensation for authorized special situation work would be in the form of a bonus. Every effort will be made, however, to limit the number of hours worked by these individuals to forty-eight (48) hours a week. The positions are as follows:

- (1) Manager
- (2) Deputy Manager
- (3) Program Operations Manager
- (4) Public Affairs and Real Estate Manager
- (5) EPP Manager

E. ON-CALL DUTY

All Maintenance employees and fieldmen are subject to being required to be on-call after hours, over weekends and holidays at times as designated by the Manager. Employees shall not receive extra compensation for on-call duty since all employees are subject to such on-call status and the Authority recognizes and compensates for such time through the wage schedule. Employees who are not required to remain within the Authority boundaries but are obliged to be readily accessible in case the Authority needs their services and should give notice of how they may be contacted. Employees will be compensated for hours actually worked at the Authority's request.

F. EMERGENCY CALLBACK PAY

Except as otherwise provide in this section, an employee who is called back to work after leaving his or her place of employment following the completion of the employee's work shift, shall be credited with compensation at a rate of time and one-half pay for the time worked with a minimum pay equivalent to two (2) hours at straight time. Such overtime shall be computed for work performed from the time of reporting at the place of work to the time of completion of the work at such place with the exception of Watermen during the Water Season.

G. PAY ADVANCES

Neither pay advances nor extensions of credit on unearned wages will be provided to employees.

V. PLACE AND TIME FOR PAYMENT OF WAGE

A. TIME SHEETS AND REQUEST FOR TIME OFF

Time sheets are used as a means of accurately recording hours worked and calculating pay. They will be used to record daily activities including vacation, holidays, sick leave, absences and non-carpooling days. All employees must complete a time sheet, which must be approved by their supervisor before a payroll check is issued. **All Employees MUST record all time worked on your weekly time sheet, including time worked over or under your normal schedule and required meal breaks. TIME SHEETS MUST BE COMPLETED AT THE END OF EACH WORK DAY.** A request form for time off must be submitted and approved by your Supervisor prior to taking time off.

It is important that the time sheets not be lost, falsified or mutilated. If there is a mistake on the time sheet, an employee should inform their supervisor, make and initial the necessary corrections. The supervisor will initial all corrections.

Any time-off noted on the Time Sheet should have a completed Time Off Request Form approved by the Supervisor and Deputy Manager. (Exhibit Sec III-B)

B. PAY PERIOD/PAY DAY

The standard work week begins at 12:01 a.m. Sunday and ends at 12 midnight the following Saturday. Pay will be computed and pay checks will be distributed on a bi-weekly basis, with payday occurring every other Tuesday. If a payday falls on a holiday, paychecks will be distributed on the last preceding work day. Paychecks will be issued no later than 4:30 p.m. The Authority pays through December 31.

If a regular payday falls during an employee's vacation, the employee may receive his or her earned wages before departing for vacation if a request is submitted to the Superintendent for field staff, or General Manager for office staff, at least one-week prior to departing for vacation.

C. PAY DEDUCTIONS

The law requires that the Authority make certain deductions from every employee's compensation. Among these are applicable federal, State, and local income taxes. The Authority must also deduct Social Security taxes from each employee's earnings and any wage garnishments when required to do so by official State or Federal court orders.

The Authority offers programs and benefits, such as: **Deferred Compensation, Aflac, and additional life insurance**, beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs.

VI. BENEFITS

A. ELIGIBILITY OF BENEFITS

Full-time Employees begin accruing Vacation Time and Sick Time from date of hire. Accrued time is not booked until the end of the month earned. Employees working 30 hours or more, but less than 40, will be prorated based on the number of hours worked. In calculation of earned hours, days off that are covered with Vacation and Sick time will not decrease time earned.

Part-time and Temporary employees will earn Sick Time at a prorated rate based on hours worked. Sick Time balances may be carried over for one year.

B. HOLIDAYS

All regular scheduled full-time, part-time and seasonal employees are entitled to the following eight paid holidays each year:

New Year's Day	January 1
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Christmas Eve	December 24
Christmas Day	December 25

Holidays which fall on a weekday (Monday through Friday) will be observed on the day of the holiday. If any of the above holidays fall on a weekend, the Authority may, at its discretion, declare the preceding or following weekday to be a paid holiday.

If a paid holiday falls during an employee's vacation period, that day will be paid as a holiday and not as vacation time.

When computing overtime pay, you do not receive credit for hours worked on holidays that are not actually worked.

Employees on unpaid leave of absence for any reason at the time of the holiday observance will be ineligible for holiday pay.

C. VACATION

The Authority recognizes the value of rest and relaxation and encourages employees to use all accrued vacation benefits. Only full-time employees are entitled to earn paid vacation as follows:

<u>Service Credit</u>	<u>Accrued Annually</u>	<u>Accrued Monthly</u>
First through 9 years	10 days/yr.	.833 days
Year 10 and after	15 days/yr.	1.250 days

The Manager has the authority to authorize additional vacation or compensation time with approval of the Personnel Committee and/or Board President

Regular full-time employees working less than 40 hours and more than 30 hours are prorated according to scheduled hours.

Vacation is accrued on a monthly basis as shown in the table above. Daily accrual equates to eight (8) hours for full-time Office Employees and nine (9) hours for full-time Maintenance Employees and Fieldmen. Vacation benefits are only available following the month accrued. Unused vacation may be carried forward annually, but an employee may not accrue more than 30 vacation days at any single point in time. Once an employee reaches the maximum amount of accrued vacation, no further vacation shall accrue until the employee uses a portion of his or her previously accrued vacation time.

Vacation time is paid at an employee's base pay rate at the time of vacation (Office Staff 40 hours per week, Field Staff 40 hours plus 5 hours overtime per week, for Field Staff, all additional overtime would be based on worked time).

Requested vacation time must be scheduled as far in advance as possible and must be approved by the Supervisor or General. Although efforts will be made to accommodate requests to take vacation at a specified time, the needs of the Authority must be considered when evaluating vacation requests.

All accrued vacation benefits shall be paid upon termination of employment.

D. SICK LEAVE

Sick leave is a form of insurance that employees accumulate in order to minimize the economic hardships that may result from out of the ordinary, unexpected, or emergency need to take time off, such as illness or injury to employees or their immediate family. Immediate family for sick leave purposes is defined as a, child, parent or domestic partner. Time off for medical appointments will be treated as sick leave. Sick leave is not intended to be used in lieu of vacation. Employees are required to use accrued sick leave for time off as noted below and will require Family Medical Leave (FML) approval for time off beyond six days.

Full-time Office Employees accrue paid sick leave at the rate of eight (8) hours per month. Field Staff accrue paid sick leave at the rate of nine (9) hours per month. Sick leave is accumulated on a monthly basis during each calendar month and is only available following the month earned.

Part-time, Seasonal and Temporary Employees earn sick leave on a prorated rate based on hours worked. Sick time is maintained for one year, if a Part-time, Seasonal or Temporary employee returns to work within a year, he retains sick time that he earned during his past year employment.

Sick leave benefits shall continue to accrue to a maximum of 30-days. No further useable sick leave shall accrue once an employee reaches this limit. However, employees will continue to accrue sick leave in the form of credit hours in excess of the 30-day limit through the end of the year. On the final payday of the year, employees who have accumulated sick leave credit hours will receive extra pay equal to one-half of their regular hourly pay rate for each sick leave credit hour.

Sick leave time-off will be deducted from accrued sick leave of no more than 9 hours per day. Employees who have no accrued sick leave may use either accrued vacation time or take leave without pay during a period of illness.

An employee who falsely claims illness will be subject to disciplinary action up to and including dismissal. Supervisors may request and the employee must furnish a statement of support from a licensed physician after an employee has been absent for three consecutive days. Employees are encouraged to consult a licensed physician for injuries and for any illness involving sick leave which exceeds two consecutive days.

Sick leave benefits may be used to supplement any payments that any employee is eligible to receive from State Disability or Workers' Compensation. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

If you are unable to report for work because of illness or injury, you must notify your supervisor prior to your scheduled work time as soon as possible, but no later than two-hours after your normal starting time. A phone call, email, or text message is acceptable providing you receive a response back from your supervisor. If you get sick at work, notify your supervisor prior to leaving work.

Sick time is required to be used for the three-day waiting period of a workers' compensation claim.

E. RETIREMENT PROGRAM

The Authority offers a Defined Contribution retirement plan to all full-time employees. Employees are eligible after one full year of continuous employment and will enter the Plan on October 1 or April 1 following your full year anniversary. This is fully funded by the Authority with no employee contributions. The Plan is intended to be a qualified retirement plan under Internal Revenue Code section 401(a). The Board will determine the contribution rate annually. Employees become fully vested after seven years of credited service. For a copy of the full Plan, contact the office.

There is no mandatory retirement age for Authority employees. Employees who wish to retire must notify the Manager in writing of their intention to retire at least ninety (90) days prior to the effective date of retirement. Eligible participating employees should consult the Retirement Program administrators for information regarding specific benefits and options which will become available upon retirement.

Employees with **10 years** or more of continuous employment with the Authority will receive a bonus upon retirement in the amount of **one hundred dollars (\$100) for each full year of employment.**

F. TAX DEFERRED COMPENSATION PROGRAM

The Authority provides the opportunity for all employees to enroll in a payroll tax deferral plan called, "Deferred Compensation 457". All contributions to this plan are made by the employee on a voluntary basis. Contributions are made by payroll deduction. Such amounts deducted are not included currently in your taxable income. Thus, if you elect to participate in this plan and have amounts deducted from your pay, you will see a reduction in salary, but not to the extent of the total amount deducted.

The tax benefit to the employee is that Compensation deferred under the plan, together with all earnings (interest) on such contributions, are subject to Federal and State income taxes only in the year in which such amounts are paid or made available to you or your beneficiary. Check IRS for annual maximum contribution amounts and withdrawal rules and regulations.

G. EDUCATION

The Authority will pay the expenses for job-related education required by the Authority. Any proposed educational benefits not strictly required by the Authority must be submitted and approved by the Manager if the expenses are to be reimbursed.

VII. BENEFITS – HEALTH PLANS

A. INSURANCE AND BENEFIT PLANS

The Authority provides the following mandated benefits for all employees in compliance with various State and federal rules and regulations: Social Security Insurance, Unemployment Insurance, State Disability Insurance, Workers' Compensation Insurance. In addition, the Authority provides the following at no cost for the employees and eligible dependents.

Health Insurance

- 50 Percent Cost Benefit if Employee has Coverage Elsewhere

Vision Insurance

Dental Insurance

Life Insurance (employee only)

Retirement Program (eligible after a full year employment)

Deferred Compensation (**Employee contributions only**)

Eligible employees are defined as regular full-time employees, as defined in Section II.A

Eligible dependents are defined as:

- Spouse,
- Children to their 26th birthday, including children placed in the home for adoption;
- Unmarried children enrolled before age 26 and are incapable of self-sustaining employment due to physical or mental condition. Must be confirmed by physician in writing.

- Children eligible for coverage as a result of a valid qualified medical child support order.
- Domestic Partner as defined by the State of California for state registration requirements
- Those designated according to the law.
- For an eligible dependent to be eligible for coverages, a copy of a marriage license, State of California Declaration of Domestic Partnership form, birth certificate or other identifying paperwork is required.

NOTE: It is the employee's responsibility to notify the Authority in writing upon divorce, termination of Domestic Partnership, over-age dependent, or any event that changes the status of dependency. It is the responsibility of the employee to turn in the required paperwork prior to the start of insurance coverage. If the required paperwork is not received in the office prior to the start of coverage, coverage will not begin until the first of the month following submittal of the paper work. The Authority will NOT back date coverage.

These benefits are subject to change at the discretion of the Authority, with or without prior notice. For the details of your insurance and benefit plans, please refer to the terms of your individual plan or contact the office.

B. BENEFITS CONTINUATION (COBRA)

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) was enacted to protect employees and their eligible family members by allowing them to continue their group health insurance under the employer's plan at affordable group rates. Employees are notified at hiring of their rights under this law and it is the employee's responsibility to notify the Authority's HR Coordinator of any qualifying event (defined below) within 60 days of the event. Specifics of COBRA include:

Qualifications

Any employee/eligible family member who loses regular group eligibility because of a qualifying event is eligible for enrollment under COBRA.

Qualifying Event

Qualifying event is defined by COBRA regulations and includes loss of coverage due to: termination of employment; reduction of hours; death of employee; employee's Medicare entitlement; divorce or legal separation; child ceasing to be eligible; bankruptcy of employer; and expiration of leave criteria. It is the employee's or eligible family member's responsibility to inform the Authority HR Coordinator within 60 days when a qualifying event takes place.

Selection Period

The Authority will send written notification to the employee/eligible family member of their right to elect continued coverage, the election period, and premium payments.

Cost

The employee/eligible family member must pay a full monthly premium for each coverage selected plus a 2% administrative charge to the Authority by the first day of each month that the premium(s) are due.

Coverage Available

At the time of the qualifying event, whichever health insurance the employee/dependent is enrolled in (Kaiser, United Ag, Delta Dental, and Vision Plan) will be considered the

coverages available.

Open Enrollment

Purpose: COBRA continues the same rights under the plan as active employees. This includes rights during open enrollment periods. When an open enrollment period occurs, COBRA participants must be informed of their rights.

The Open Enrollment Notification should inform COBRA continues of the open enrollment period, the options available during the open enrollment period and the monthly premium rates for those options.

C. SHORT TERM DISABILITY - AFLAC

The Authority offers AFLAC Programs to employees at the employees' cost. Should an employee choose to participate in an AFLAC Program, premiums will be deducted from their paycheck. If there is an interest in AFLAC contact the office for AFLAC representative contact information.

D. WORKERS' COMPENSATION INSURANCE

The Authority provides Workers' Compensation coverage. This coverage protects you if you are injured or disabled on the job. It also provides medical, surgical, and hospital treatment in addition to payment for loss of earnings that result from work related injuries. Compensation payments begin from the first day of your hospitalization or after the third day following the injury if you are not hospitalized.

The cost of this coverage is completely paid by the Authority. Accumulated "Sick/Vacation may be used for the three-day waiting period, and to bring the employee's compensation up to, but not greater than, the employee's regular gross pay, at the discretion of the Manager. Employees needing follow-up medical appointments will be charged the time off from their accumulated "Sick/Paid Time Off" leave. Any overpayment of benefits will require reimbursement to the Authority.

If you are injured while working, you must immediately report such injuries to your Supervisor, or Superintendent, regardless of how minor the injury might be. If you have any questions regarding the Workers' Compensation coverage, you should contact the Office. Workers' Compensation leave will run concurrently with other appropriate leaves such as Family Leave. Medical Insurance will be continued as required for twelve (12) weeks with the Board of Trustees reserving the right to cancel after the twelve (12) weeks.

E. REQUEST FOR REASONABLE ACCOMMODATION

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Authority will make reasonable accommodations for known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the General Manager or Superintendent to discuss the need for an accommodation. The Authority will engage in an interactive process with the employee to identify possible accommodations, if any, that will help the applicant or employee perform the job.

F. INTERACTIVE PROCESS

An interactive good faith communication process between the Authority and a disabled employee is required in selecting an appropriate reasonable accommodation, if one exists.

This is a timely individual process where management and the individual discuss the request and effective reasonable accommodation(s). An interactive process may be appropriate when: (1) an applicant or employee with a known disability requests a reasonable accommodation, (2) the Authority otherwise becomes aware of the need for an accommodation through a third party or by observation, or (3) the Authority becomes aware of the possible need for an accommodation because the employee has a disability and has exhausted leave under the Workers' Compensation Act, FMLA, or other federal, state or employer leave provisions, if applicable.

The following is a non-exclusive list of the considerations when reviewing a request for accommodation:

- The essential functions of the job.
 - Conduct an independent assessment.
 - How the disability limits performance of the essential functions.
 - Identify accommodation options that overcome limitations and determine the reasonableness of the proposed accommodations.
 - Select the most appropriate reasonable accommodation, if one exists.

If an accommodation request is made, the Authority will initiate the interactive process and confer with the individual applicant or employee, as necessary, until the interactive process is complete and/or a reasonable accommodation, if any, is determined.

VIII. UNPAID TIME OFF

Several types of non-statutory unpaid leaves of absence are available to eligible employees under the Authority's policies. The types of leaves that are available include personal, family, medical, and military.

Summary of Rules

A summary of the rules and restrictions applicable to all unpaid leaves of absence is provided below:

- a. The Authority will attempt to reasonably accommodate employees who are released for partial or modified duty by their treating physician.
- b. Impact on Benefits: **The period that you are on a leave of absence, even if wage replacement is utilized, is not considered time worked for purposes of determining eligibility for or the amount of certain benefits, such as vacation and sick benefits.** When you return from a leave of absence, the eligibility and accrual dates will be adjusted forward to reflect the period of the leave. An exception would be if the time off is eighteen hours or less during the two-week pay period.
- c. Holiday Benefits: **If a paid holiday falls during the period you are on leave of absence, you will not be eligible for the holiday pay.**

- d. **Health Insurance: You will be required to pay for the entire cost of group health insurance** for (1) the period of any family medical leave or other mandated leave of absence beyond the end of the third calendar month following the month in which the leave begins, and (2) for the entire period of any personal leave beyond the end of the calendar month in which the leave begins. This will be offered through COBRA and you are requested to arrange all necessary payments before your leave commences.
- e. **Misrepresentations:** Misrepresenting reasons for applying for a leave of absence may result in disciplinary action, including possible termination.

A. FAMILY AND MEDICAL LEAVE (FML)

The Authority will grant employees, with at least one year of continuous service or a minimum of 1250 hours up to 12 weeks/60 days/480 hours of non- statutory unpaid leave in a 12-month period for family care responsibilities and for the employee’s own serious medical condition. The purpose of the FML is to provide you with the right to take time off from work to bond with a child, to care for a family member or to recover from a serious illness without jeopardizing your job.

When leaves are foreseeable, the employee must provide at least 30-days advance notice. If the leave is not foreseeable, the employee must provide notice as soon as practicable. See the Office for appropriate forms and specific information.

Leave may be taken for one or more of the following reasons:

- a. The birth of the employee’s child, or placement of a child with the employee for adoption or foster care;
- b. To care for the employee’s spouse, child, parent, grandparent, grandchild, sibling, or parent-in-law who has a serious health condition;
- c. To care for the employee’s registered domestic partner;
- d. For a serious health condition that makes the employee unable to perform his or her job;
- e. For any “qualifying exigency” (defined by federal regulation) because the employee is the spouse, son, daughter, or parent of an individual on active military duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation; or
- f. An employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the service member.

- Calculating the 12-month Period

The 12-month period is measured forward from the date the leave begins. Successive 12-month periods commence on the date of an employee’s first use of such leave after the preceding 12-month period has ended.

Under most circumstances, leave under federal and state law will run at the same time and the eligible employee will be entitled to a total of 12 weeks of FML in the designated 12-month period.

For a qualifying exigency or leave to care for a covered service member, the 12-month period begins on the first day of the leave, regardless of how the 12-month period is calculated for other leaves. Leave to care for a covered service member is for a maximum of 26 workweeks during a 12-month period.

B. LEAVE FOR EMPLOYEE'S OWN HEALTH CONDITION

The following procedure shall apply when an employee requests FML:

Please contact the Superintendent as soon as you realize the need for FML.

a. If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee must notify the Authority at least 30 days before leave is to begin. The employee must consult with his or her supervisor regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to the operation of the Authority. Any such scheduling is subject to the approval of the health care provider of the employee or the health care provider of the employee's child, parent,

or spouse. If the employee cannot provide 30 days' notice, the Authority must be informed as soon as it is practical.

b. If the FML request is made because of the employee's own serious health condition, the Authority may require, at its expense, a second opinion from a health care provider that the Authority chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the Authority.

- If the second opinion differs from the first opinion, the Authority may require, at its expense, the employee to obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider shall be considered final and binding on the Authority and the employee.

- The Authority requires the employee to provide certification within 15 days of any request for FML, unless it is not practicable to do so. The Authority may require recertification from the health care provider if additional leave is required. (For example, if an employee needs two weeks of FML, but following the two weeks the employee needs intermittent leave, a new medical certification may be requested and required.) If the employee does not provide medical certification in a timely manner to substantiate the need for FML, the Authority may delay approval of the leave, or continuation thereof, until certification is received. If certification is never received, the leave may not be considered FML.

C. LEAVE TO CARE FOR A FAMILY MEMBER

If the leave is needed to care for a sick child, spouse, parent, grandparent, grandchild, sibling, or parent-in-law, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition;
- Estimated amount of time for care by the health care provider; and
- Confirmation that the serious health condition warrants the participation of the employee.

When both parents are employed by the Authority and request simultaneous leave for the birth or placement for adoption or foster care for a child, the Authority will not grant more than a total of 12 workweeks family/medical leave for this reason.

If an employee cites his/her own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating;

- Date of commencement of the serious health condition;
- Probable duration of the condition, and
- Inability of the employee to work at all or perform any one or more of the essential functions of his/her position because of the serious health condition.

The Authority will require certification by the employee's health care provider that the employee is fit to return to his or her job.

Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

D. PREGNANCY DISABILITY LEAVE (statutory)

Any full or part-time employee who is disabled by pregnancy, childbirth, or a related medical condition will, upon request and approval, be granted a pregnancy disability leave (PDL) without pay not to exceed four (4) months.

An employee who is granted a PDL is required to utilize any accrued sick leave benefits during the period of her leave. For any portion of the leave that occurs after all sick leave benefits have been exhausted the Authority may grant an employee request to use vacation leave.

Employees who take time off for pregnancy disability leave and who are eligible for FML will also be placed on FML that runs at the same time as their pregnancy disability leave. Group insurance benefits provided by the Authority will remain in effect until the end of the month in which the leave terminates. You are expected to pay the full costs of these coverages thereafter. You are requested to notify the General Manager and/or Superintendent that arrangements have been made with the Office to pay for the cost of such coverages before the leave begins.

If you require a PDL, you must notify your Supervisor as soon as possible in writing, at least 30 days in advance if foreseeable. The written notice should specify the commencement date of the leave, the expected duration of the leave and be accompanied

by a signed physician's statement. The Office will provide appropriate paperwork that coincides with FML.

For employees on PDL, the Authority guarantees reinstatement to the same or similar job with the same or similar duties, pay, and location unless granting such a leave would substantially undermine the Authority's ability to operate the business safely and efficiently. Employees on PDL will be credited with all service prior to the commencement of their disability, but not for the period of their disability.

1. Health and Benefit Plans

The Authority will maintain coverage under any group health plan for the duration of the leave (maximum of 12 weeks for FML and 16 weeks for PDL) and under the condition that coverage would have been provided had you been employed continuously during the leave. If you fail to return to work at the end of the leave period, the Authority has the right to collect from you the cost of the health benefit premiums. An employee who returns to work for at least 30 days is considered to have "returned to work."

E. REINSTATEMENT

Under most circumstances, upon return from FML and PDL, an employee will be reinstated to his/her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

However, an employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave. For example, if an employee on FML would have been laid off had he or she not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of FML will not result in the loss of any employment benefit that the employee earned before using FML.

Reinstatement after FML and PDL may be denied to certain salaried "key" employees under the following conditions:

- An employee requesting reinstatement was among the highest-paid 10 percent of salaried employees employed within 75 miles of the work site at which the employee worked at the time of the leave request;
- The refusal to reinstate is necessary because reinstatement would cause substantial and grievous economic injury to the Authority's operations;
- The employee is notified of the Authority's intent to refuse reinstatement at the time the Authority determines the refusal is necessary; and
- If leave has already begun, the Authority gives the employee a reasonable opportunity to return to work following the notice described previously.

For additional information about eligibility for FML and PDL, contact the Office.

F. CARRYOVER

Leave granted under any of the reasons provided by FML and/or PDL will be considered as part of the 12-workweek entitlement in a 12-month period; PDL provides a 16-

workweek entitlement in a 12-month period. The 12- month period is measured forward from the date any employee's first FML and/or PDL leave begins. Successive 12-month periods commence on the date of an employee's first use of such leave after the preceding 12-month period has ended. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

G. INTERMITTENT LEAVE

Employees may take FML and/or PDL intermittently (in blocks of time/minimum 15-minute increments, or by reducing their normal weekly or daily work schedule) if the leave is for the serious health condition of the employee's immediate family (as noted above), and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. This is deemed unpaid leave. Employee may exercise wage replacement as set forth above.

H. WAGE REPLACEMENT DURING LEAVE

Use of wage replacement during a leave does not change the status of the leave from Unpaid to Paid.

If the employee is receiving benefits from a paid disability plan such as Worker's Compensation or provided supplemental disability insurance, the employee may use sick pay to supplement partial wage replacement benefits as long as the employee does not receive more than he/she would normally earn at work. If sick pay has been exhausted the employee may use vacation pay to supplement partial wage replacement benefits as long as the employee does not receive more than he/she would normally earn at work.

- If the employee is on PDL leave, the employee shall use sick leave. If sick leave has been exhausted, the employee may request use of vacation pay.
- If the employee is on PDL/FML leave, the employee shall use sick leave. If sick leave has been exhausted, the employee may request use of vacation pay.
- If the employee is on FML for baby bonding by mother after delivery, employee shall use sick leave and then vacation leave if the employee is not receiving any paid leave. If the employee is receiving paid leave, the employee may use sick leave and then vacation leave to supplement paid leave.
- If the employee is on FML for baby bonding by father of child, the employee shall use sick leave. If sick leave has been exhausted, the employee may request use of vacation pay.
- If the employee is on FML for employee's own illness or injury and not receiving payments from a paid disability plan, the employee shall use sick leave. If sick leave is exhausted, the employee shall use vacation leave.
- If the employee is on FML for care of a family member, the employee shall use sick leave. If sick leave is exhausted, the employee shall use vacation leave.
- All requests for wage replacement must be made in writing (email is acceptable) to the Superintendent and/or General Manager before the close of the relevant pay period(s).

I. FIT-FOR-DUTY EXAM

Before an employee returns to work from FML and/or PDL for the employee's own serious health condition, the employee may be required to submit a fit-for-duty certification from the health care provider stating the employee is able to resume work.

J. AUTHORITY NOTIFICATION AND UPDATES OF EMPLOYEE CONDITION

The Authority reserves the right to require at least regular monthly updates regarding the employee's medical status while he or she is out on leave. The updates shall include status, anticipated date of return to work and continued intent to return to work.

Accruals for benefit calculations, such as vacation, or holiday benefits, will not be affected by the taking of medical leave, if the medical leave is not considered elective, and provided the employee returns to active employment for a minimum of 60 days.

Transfers - All positions within the Authority require varying amounts of physical labor. If a disabled employee requests a transfer to a less hazardous or strenuous position, the Authority will adjust the disabled employee's work assignment to accommodate the disability, provided that a suitable position is available and the transfer does not undermine the Authority's capability to operate safely and efficiently. All disability transfers are conditional upon written approval by the disabled employee's physician or health care practitioner.

The Authority also requires all employees to notify the Authority when their physical condition is such that it may affect the type of work they can safely perform. Examples of such changes in physical conditions include, but are not limited to, a heart condition or a back injury.

If an employee fails to report to work promptly at the end of a medical leave, the Authority will assume that the employee has resigned.

K. MEDICAL LEAVE: OCCUPATIONAL DISABILITY

If an employee is injured at work, the employee may be allowed to take a non-paid leave of absence (compensation will be covered in Workers Compensation Program) until (1) a recognized medical professional certifies that he or she is allowed to resume all of the duties of that employee's former position; (2) a recognized medical professional certifies that the employee will be permanently unable to come back to work in his or her prior position (i.e., the employee's medical condition is permanent and stationary); or (3) the employee resigns, quits, accepts employment elsewhere, refuses to return to work after being released for full or partial work, or otherwise indicates that he or she is not going to return to the job.

Transfers - All positions within the Authority require varying amounts of physical labor. If a disabled employee requests a transfer to a less hazardous or strenuous position, the Authority will adjust the disabled employee's work assignment to accommodate the disability, provided that a suitable position is available and the transfer does not undermine the Authority's ability to operate safely and efficiently. All disability transfers are conditional upon written approval by the disabled employee's physician or health care practitioner.

The Authority also requires all employees to notify the Authority when their physical condition is such that it may affect the type of work they can safely perform. Examples of such changes in physical conditions include, but are not limited to, a heart condition or a back injury.

L. REPORTING WHILE ON LEAVE

Employees on an approved disability leave of absence in excess of 30 days must provide medical updates to their supervisors at the end of the first calendar month and each month thereafter concerning their health status, anticipated date of return to work and continued intent to return to work. Health Insurance benefits will continue during the leave. **IF AN EMPLOYEE DOES NOT COMPLY WITH THIS REPORTING REQUIREMENT, THE AUTHORITY CAN TERMINATE THE EMPLOYMENT OF THE EMPLOYEE.**

M. PERSONAL LEAVES OF ABSENCE

- a. General: Employees who have been continuously employed with the Authority for at least one (1) year, may, due to special circumstances, request a personal leave of absence without pay, for a reasonable period of time up to one hundred and eighty (180) days. Requests for leaves of absence will be considered on the basis of length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave, and the expected impact on the Authority.
- b. Requests: A request must be submitted in writing and be approved in writing by the Superintendent and/or General Manager before a leave begins. A request for an extension of a leave of absence must be submitted in writing and approved in writing by the Superintendent and/or General Manager before the extended period begins. It is your responsibility to report to work at the end of the approved leave. If you fail to report to work on the day after your leave expires, you will be considered to have voluntarily resigned.
- c. Status of Employee Benefits During A Personal Leave: The Authority does not pay for group insurance premiums during any portion of a non- mandated, unpaid leave of absence beyond the end of the month in which the leave begins. Accordingly, the premiums beyond that point for such coverage are your complete responsibility and offered through COBRA. In order to keep the insurance in force, premiums for the period of the leave must be paid according to the schedule outlined in the COBRA notification form.

N. SCHOOL ACTIVITY LEAVE

Any employee who is the parent or guardian of a child through grade 12 may request up to 40 hours off per year for the purpose of participating in school activities, locating and/or enrolling in child care, or school emergency. This time will be unpaid unless you choose to use wage replacement through accrued vacation time or compensatory time off for this purpose. You will be limited to no more than eight hours off for this purpose in any one calendar month. Upon request, the Authority reserves the right to require documentation for this leave.

O. BEREAVEMENT LEAVE

A full-time or part-time employee may be granted up to five days of bereavement leave from his or her accumulated sick leave benefit following the death of a member of his or her immediate family.

"Immediate family" is defined as the employee's spouse, parent, child, sibling, long-time companion, step-parent, step-child, grandparent, grandchild, or legal guardian; the employee's child's spouse; the employee's spouse's parent, child or sibling.

If an employee requires more than five days, he or she may request a personal unpaid leave of absence or request the opportunity to use any accrued vacation time.

P. JURY DUTY

The Authority recognizes employees' obligations to fulfill their civic responsibilities by serving jury duty when required. Non-exempt full-time and part-time employees may request up to six days of paid jury duty leave per call with no annual limit. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Exempt employees who serve jury duty for periods of six days will receive their regular salary. Any fees received by an employee for serving on jury duty during the paid jury leave period, not including reimbursement by the court for expenses, must be turned over to the Authority. As a Public Employee, the Employee can request the court to waive court payments, other than reimbursement of mileage that is paid to the Employee. A copy of the waiver should be given to your Supervisor.

If an employee is required to serve jury duty beyond the period of paid jury duty leave, he or she may use any available paid time off (for example, vacation benefits) or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may plan to accommodate the employee's absence. Of course, the employee is expected to report for work whenever the court schedule permits.

Either the Authority or the employee may request an excuse from jury duty if, in the Authority's judgment, the employee's absence would create serious operational difficulties.

Insurance benefits will remain in effect and unchanged for the full term of the jury duty absence. Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will not be affected during jury duty leave.

Authority vehicles shall not be used as transportation for jury duty.

Q. WITNESS DUTY

The Authority recognizes employees' obligations to appear in court for witness duty when subpoenaed to do so.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to

accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

All non-exempt employees will be granted unpaid time-off to appear in court as a witness when requested by a party other than the Authority. Employees are free to use any available paid vacation benefits to receive compensation for the period of this absence.

R. MILITARY LEAVE

A military leave of absence will be granted to employees, except those occupying temporary positions, to attend scheduled drills or training or if called to active duty with the U.S. armed services.

The leave will be unpaid. However, employees may use any available vacation time for the absence.

Subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible, the Authority will continue to provide health insurance benefits until the end of the month in which the military leave begins. At that time, employees who want to continue their coverage will become responsible for the full costs of such benefits. The Authority will resume payment of these costs when the employee returns to active employment.

The accrual of benefits such as vacation, holidays, or sick leave will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on two-week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reemployment in accordance with all applicable State and federal laws.

Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of vacation accrual and job seniority rights.

S. VOTING

Upon consent of their supervisor, all employees who are registered to vote may take up to two (2) hours of paid time off at the beginning or end of their work shift to vote in state-wide elections. This allowance is only applicable if an employee does not have sufficient time to vote outside of working hours. In such instances, the employee must provide notice of their desire to take time off to vote at least two (2) days prior to the election. It is required that a voter's receipt be submitted to your supervisor.

T. ADDITIONAL LEAVES OF ABSENCE

The Company provides all leaves of absence required by law, including Civil Air Patrol Leave, Time Off For Crime Victims; Domestic Violence, Sexual Assault, and Stalking Victims' Leave for Legal Proceedings, Volunteer Civil Service Leave, Organ and Bone Marrow Donor Leave, and School Appearance Leave. Contact your supervisor to learn more about these leaves of absence.

IX. EMPLOYEE CONDUCT

A. PROFESSIONAL APPEARANCE AND UNIFORMS

Presenting a professional appearance contributes to the morale of all employees and affects the public's perception of the Authority. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

The Authority has a standard dress code under an employee uniform program. The program provides a benefit to full-time employees in the form of clean clothing for each working day. All full-time field employees are required to wear the uniform during scheduled work hours. The Authority pays the full cost of the employee uniform program. Uniforms must be kept at the Authority to prevent employees having to be taxed as a fringe benefit.

B. ALLOWANCE FOR STEEL TOE BOOTS

The Authority requires all field staff to wear steel toe boots to work. Therefore, the Authority will reimburse field staff up to \$100 per year for the purchase of steel toed boots.

C. ATTENDANCE

The Authority relies on you to consistently perform the duties assigned to you. You must routinely interact with co-workers, water users, landowners, vendors and the general public to effectively meet these objectives. Good attendance is essential to providing these objectives and is an indicator of effective employee performance.

It is recognized that you will have periodic absences for illness or personal matters, but recurring and excessive absences and/or tardiness adversely affects productivity, morale, work flow, and service and directly impacts the Authority's ability to meet its challenging goals.

The professionalism that you bring to your position and the Authority is valued and it is anticipated that you will manage your own good attendance. There are occasions, however, when attendance guidelines are beneficial and necessary to direct employees and managers.

The guidelines are intended to be straightforward and concise. They are subject to management discretion and allow for flexibility in addressing individual attendance situations. Your manager will consider State and Federal laws, family and medical leave issues, the demands of different work units, the Authority's policy, your performance, your attendance history, and individual circumstances when assessing appropriate steps to correct attendance problems.

The Authority intends to maintain a positive environment that supports its goals while recognizing individual needs and circumstances. If attendance issues arise, please speak with your manager who can discuss the impact of your attendance on the Authority's goals and your individual performance. Please note that it is your responsibility, however, to understand the guidelines outlined in the Authority's Attendance Policy.

The Authority may utilize a system of corrective action, at its sole discretion, in cases of misconduct or unacceptable performance, including absenteeism. The use of such a system does not waive either the Authority's or your right to terminate employment at any time with or without cause. If the number of absences within the most recent 12-month period, regardless of the reason, is excessive, you may be subject to corrective action, at the discretion of the Authority, to make you aware of problems and create an action plan to resolve issues. The attendance policy of the Authority will be followed only to the extent allowed by law and is not meant to circumvent or abrogate any existing provisions of the FEHA, ADA, ADEA, or other state or federal law and/or regulation.

If you fail to report to work for three consecutive workdays without notice or approval by your manager, the Authority may consider that you have abandoned your job and your employment may be terminated.

D. TRAVEL AND REIMBURSEMENT OF EXPENSES

The Authority will fully compensate employees for all reasonable and prudent expenses incurred in the course of business as described below:

Credit Card Use

Credit cards will be issued to specific employees who either travel on a regular basis on Authority business, or have the need to frequently purchase supplies or services. Credit cards should be used only for legitimate, approved business of the Authority, subject to the following regulations. These cards should be used for all approved expenses as authorized in this section.

- No personal items may be charged on the business credit card;
- All charges must be in line with travel guidelines or as approved by management; and
- Receipts must be signed by a manager and submitted to the Bookkeeper within one week of making the charge.

Employee Incurred Expenses

Expenses under the amount of \$20, which are incurred by employees for the Authority's purposes will be reimbursed through its petty cash. Expenses over that amount will be reimbursed through normal accounting procedures after you have completed and submitted an expense report. All expenses must be approved in advance by management before submitting to the Bookkeeper for reimbursement.

Mileage

The mileage reimbursement rate to operate privately-owned vehicles will be the allowable IRS rate in effect at the time the expense is incurred. The mileage distance should be calculated from destination to destination. Any employee incurring out-of-pocket expenses due to traffic accidents while on Authority business (i.e. deductibles), may be reimbursed by the Authority.

Those of you driving private vehicles on Authority business will be required to attend a formal defensive driving class every four years. You will also be enrolled in the state of California PULL program that monitors driving records for public employees. In

addition, you are required to provide the Authority with proof of insurance coverage for your personal vehicle.

You are expected to practice good defensive driving techniques and operate the vehicle in a safe and responsible manner.

Meals

The Authority will provide up to \$65 per day for full-day travel expenses and up to \$35 per day for half-day travel expenses. Special circumstances will be required to justify reimbursement for amounts above these limits.

Lodging

The reimbursement rate should not exceed \$135 per night, exclusive of tax, or whatever is a reasonable rate in the area. Staff members should always try to get a government rate whenever possible. Management approval is required for lodging fees that are far beyond the rate listed.

E. OUTSIDE EMPLOYMENT

The Authority has no objection to an employee becoming involved in outside business activities or seeking other employment requiring his or her time or attendance outside their normal working hours, as long as it does not detract from the employee's performance or effectiveness or create a conflict of interest. Employees wishing to work another job must notify the General Manager of their intentions.

Employees may not perform work or solicit outside business on the Authority's premises, or while working on the Authority's time. Employees are not permitted to use any Authority equipment or property (such as telephones, fax machines, copiers, office supplies or proprietary information) for outside work or business.

F. OFF-DUTY CONDUCT/CONFLICT OF INTEREST

While the Authority does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Authority's legitimate business interests. For this reason, employees should be aware of the following policies:

Employees are expected to conduct their personal affairs in a manner that does not adversely affect the Authority's integrity, reputation or credibility. Conduct on the part of an employee that adversely affects the Authority's legitimate business interests or the employee's ability to perform his or her job will not be tolerated.

While employed by the Authority, employees are expected to devote their energies to their jobs with the Authority. The following types of outside employment are strictly prohibited:

- Employment that conflicts with an employee's work schedule, duties and responsibilities;
- Employment that creates a conflict of interest or is incompatible with the employee's employment with the Authority;

- Employment that impairs or has a detrimental effect on the employee's work performance with the Authority;
- Employment that requires the employee to conduct work or related activities on the Authority's property during the Authority's working hours or using the Authority's facilities and/or equipment;
- Employment that directly or indirectly competes with the business or the interests of the Authority.

Employees who wish to engage in outside employment that may create a conflict of interest must submit a written request to the General Manager explaining the details of the outside employment. If the outside employment is authorized, the Authority assumes no responsibility for the outside employment. The Authority shall not provide workers' compensation coverage for injuries occurring from or arising out of outside employment. Authorization to engage in outside employment can be revoked at any time. If an employee has any doubts, it is recommended that a written request be submitted to insure there are no future problems.

G. CELLULAR PHONE/WIRELESS DEVICES

It is the Authority's policy to provide efficient and effective services. Utilizing cellular telephones can improve the quality of service delivered to our customers, the productivity of the Authority workforce and the general cost effectiveness of the Authority's operations. Cellular technology helps with disaster/emergency situations, and offers portable alternatives for immediate communication, enabling time and distance to be managed more effectively.

Excessive use of personal cellular/wireless devices during the work day, regardless of the phone or device used, can interfere with employee productivity and be distracting to others. During paid work time, employees are expected to exercise the same discretion in using personal cellular/wireless devices as is expected for the use of any Authority telephone or computer. Cellular phones may not be used at any work site where the operation of the phone is or may be a distraction to the public or other employees.

A reasonable standard the Authority encourages is to limit personal calls during work time to an average of no more than two or three short-duration calls per day as needed. This restriction does not apply during an employee's meal or rest break. Employees are expected to make personal calls on non-work time when possible and to ensure that friends and family members are aware of the Authority's policy. Flexibility will be provided in circumstances demanding immediate personal phone use, but this immediate need should be communicated to an employee's supervisor.

Employees may be issued Authority cellular phones and/or wireless devices. **EMPLOYEES HAVE NO EXPECTATION OF PRIVACY WHEN USING AUTHORITY PROVIDED CELLULAR PHONES AND/OR WIRELESS DEVICES.** The Authority has the right to review all records related to cellular and/or wireless devices including but not limited to phone logs, text messages, and internet usage logs. User should further be aware that all records may be subject to discovery under the Public Records Act.

Authority issued cellular phones and/or wireless devices shall remain the sole property of the Authority and shall be subject to inspection and/or monitoring (including related

records including text messages) at any time. Employees in possession of Authority equipment such as cellular phones are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example 24 hours) may be expected to bear the cost of a replacement.

Employees whose job responsibilities include regular or occasional driving are encouraged to refrain from using a cellular device while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to a reasonably safe location and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are required to use hands-free options in compliance with applicable law and are expected to keep the call short, refrain from discussion of complicated or emotional issues, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area. Under no circumstances are employees allowed to place themselves or the public at risk to fulfill business needs.

In situations where an Authority cell phone has been issued and the employee's job responsibilities include regular driving and accepting of business calls, hands-free equipment will be provided to facilitate the provisions of this policy.

Text messaging, reading or writing emails, or accessing the internet while driving is not allowable under any circumstances.

Employees who are charged with traffic violations resulting from the use of a cellular phone while driving on duty may be subject to disciplinary action and personal liability resulting from such traffic violations and are responsible for paying the cost of the citation.

Violations of this policy will be subject to discipline, up to and including termination.

H. PERSONAL USE OF FACILITIES AND TOOLS

The Authority facilities and tools are to be used to support its mission. Authority staff may not use the organization's resources (including any person, money, or property) under their control for personal benefit or gain, or for the benefit or gain of other individuals or organizations, except as specified below.

Employees are permitted limited use of facilities and tools for personal needs where such use does not interfere with the Authority's business, involves minimal additional expense to the Authority, involves minimal additional risk to the Authority, and conforms with applicable organizational procedures. In addition, employees may only use Authority property when they are on a non-paid break or during a scheduled time when the employee is not actively working such as a day off or after returning to work from home. Before any Authority tool or facility is utilized a Tool Loan & Shop Use Request Form must be completed. Such permission may be revoked or limited at any time by the General Manager.

The Authority believes that staff should be given the tools needed to effectively carry out their assigned responsibilities. Allowing limited personal use of these tools helps enhance

the quality of the workplace and helps the Authority to retain qualified and skilled workers.

While using Authority tools and facilities for your own use, the Authority will not be liable for personal injuries resulting from such use. You accept full responsibility for any and all liabilities for injuries or losses which occur, or for the malfunction of equipment. You are responsible for returning the equipment or tools in good condition, and you agree that you are required to pay for any damages that occur while using the equipment or tools for personal projects.

I. AUTHORITY VEHICLES

Authority vehicles are for Authority business only, and only authorized employees may drive Authority vehicles. Employees' family members and other unauthorized persons may not operate these vehicles unless an emergency arises. The transportation of non-Authority employees or members of an employee's family requires prior approval by the General Manager. **UNDER NO CIRCUMSTANCES MAY AN EMPLOYEE TRANSPORT A HITCHHIKER IN AN AUTHORITY VEHICLE.**

It is the policy of the Authority to ensure that all of its vehicles are operated in a safe and legal manner. For safety and liability reasons, the right-of-way is always given to other drivers on private roads. Seat belts shall be worn at all times in vehicles and equipment so equipped.

Employees operating Authority vehicles and equipment are solely responsible for the care and safe operation of that vehicle or equipment. Employees are expected to obey traffic laws at all times. Accordingly, employees will be held responsible for the defense of any Vehicle Code violation, and the payment of any fines consistent with California law. Employees receiving a citation while driving a Authority vehicle or operating a Authority vehicle that is involved in an accident, whether or not damage is involved, shall immediately report the incident to the General Manager.

All Vehicles have hands-off devices for use with Authority cell phones. If road or other conditions make it unsafe to operate the vehicle while using a hands-free device to participate in the phone call, safely pull off the road and park your vehicle before talking on the phone. These rules are equally applicable to the process of initiating and receiving calls while driving on Authority business or during Authority hours.

An employee assigned or authorized to drive an Authority vehicle is responsible for all aspects of that vehicle's operation and maintenance (although the employee is not required to pay for the below items or services), including, but not limited to, the following:

- The upkeep of the vehicle (gas, oil, cleaning, etc.);
- Maintenance and servicing of the vehicle, which will be performed on the Authority's premises;
- Recording of mileage on the Vehicle Log;
- Reporting all gas, oil and parts usage;
- Exercising care and good judgment while driving; and

- Submitting accident or damage reports to the Authority.

A violation of these rules or excessive or avoidable traffic and parking violations may result in disciplinary action, up to and including termination.

The vehicle fleet will be monitored by GPS tracking. For information regarding vehicle tracking refer to the Authority's Fleet Monitoring Policy.

J. PREVENTATIVE MAINTENANCE FOR VEHICLES, EQUIPMENT AND TOOLS

Tools/Equipment Care & Maintenance

All tools, equipment and vehicles must be properly maintained so that workers are not endangered. Construction regulations require inspections of vehicles, tools, machines and equipment before use. Preventative maintenance is the systematic care and protection of tools, equipment, machines and vehicles in order to keep them in a safe, usable condition, limit downtime and extend productivity. We must always be aware that maintenance tasks themselves are potentially hazardous and can result in injury.

This policy has been included in our Employee Handbook to highlight the importance of proper maintenance as a vital part of a safety program. In addition to ensuring that workers use the tools and equipment properly, it is vital that tools and equipment be properly inspected, maintained, and kept in good repair.

It is our policy to ensure that all tools, equipment and vehicles are well maintained in order to reduce the risk of accidents or injuries.

- Only properly trained workers are to use tools, equipment and vehicles.
- Inspect all tools, equipment and vehicles before using.
- For vehicles, inspection will consist of doing a circle check.
- Maintenance schedules for all tools, equipment and vehicles are to be respected.
- Supervisors are responsible for conducting a bi-weekly inspection of the tools and equipment which they are using.
- If at any time an employee judges that a tool, equipment or vehicle is unsafe for use, they are to properly tag the item and inform the supervisor immediately.
- Tools, equipment or vehicles that are tagged unsafe shall be either repaired or replaced. The Superintendent and Shop Supervisor shall be informed.

As a reminder:

- Always use Hand and Power Tools Safely
- Select the right tool for the job
- Keep tools in good condition
- Use tools the correct way
- Keep tools in a safe place

Operator Qualifications and Training

All individuals who operate our mobile equipment, cranes, vehicles etc. will have the appropriate skills, accreditation and/or certification. The approval process includes the following: Possession of a valid driver's license appropriate to the type of equipment to be operated. Possession of a valid Medical Examiner's Certificate appropriate to the vehicles and/or equipment to be operated and any other required certifications, such as Qualified Applicator Certificate for pesticide use, Crane Operator Certification etc.

The operator should be trained in the following:
Their responsibilities to operate the equipment in a safe manner;
Familiarity and comprehension of safety requirements for the piece of mobile equipment which they intend to operate;
Manufacturer's operating and maintenance procedures;
Hand signals and/or other requirements set forth by the Authority

Pre-operation checks

Pre-trip inspections are necessary to ensure the unit is safe to operate both from the personnel standpoint and for the equipment; that is, all fluids must be at the correct level and all components must be intact. Before initiating your pre-trip inspection, check the cab area for other operators and others who may be working around the equipment. The operator should walk completely around the equipment looking underneath the equipment and in the engine compartment. After completion of the walk-around check all items listed on the pre-trip inspection form and document accordingly. Give the completed pre-trip inspection forms to your supervisor at the end of your work shift.

For Watermen, pumping plants shall be checked daily during operation. This includes checking the oil levels in the pump motors and ensuring oil drippers are functioning properly. You should also be walking the perimeter and through the plant listening for noises and/or vibrations that are inconsistent with normal operations, this includes brush arm assemblies and sediment pumps. Complete all information on the Daily Water Operations Report for each pumping plant and turn in completed report sheets to your supervisor on Monday morning.

Records

The Shop Supervisor is responsible for scheduling maintenance intervals, maintaining records, and inventories. These records should document what maintenance work was performed, when, and by whom.

K. SMOKING IN AUTHORITY BUILDINGS, VEHICLES AND EQUIPMENT

California law prohibits smoking inside Authority buildings. This includes Authority vehicles and equipment as well as all buildings. Smoking is permitted in those locations that have been specifically designated as smoking areas by the Authority. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail. An employee who violates this policy may be subject to discipline, including dismissal, and may also be subject to a fine imposed by the State of California. This policy applies to employees, customers, and visitors.

X. RULES OF CONDUCT, DISCIPLINE AND TERMINATION

A. JOB PERFORMANCE EVALUATIONS

Performance reviews provide the Authority an objective, consistent, and fair way to assess each employee. The evaluation process is designed to communicate expected standards of performance and to discuss past performance, areas where improvement is needed and career development.

The employee's supervisor will evaluate all full-time and part-time employees prior to the expiration of their introductory period, and on an annual basis thereafter. The Authority may evaluate employees more frequently at the request of either the supervisor or the

employee. The Authority will ask employees to sign their evaluation forms. The employee's signature acknowledges that the review took place.

B. EMPLOYEE CONCERNS/PROBLEM RESOLUTION

The Authority encourages employees that may be experiencing work performance problems, employee-supervisory concerns, peer disturbances or other concerns to bring them to the attention of your respective supervisor. If your supervisor is involved in the situation or does not respond to the complaint in a reasonable amount of time, advise the Superintendent of the situation. If the Superintendent cannot provide an adequate resolution, employees should bring the matter to the attention of the Manager, who will try to reach a final binding solution.

C. EMPLOYEE CONDUCT

Rules outlining acceptable conduct of employees are necessary to insure proper Authority operations and for the benefit and protection of all employees. Examples of impermissible conduct that could lead to discipline are identified below to promote an understanding of what is considered unacceptable conduct and to encourage consistent action by management in the event of violations. However, it is impossible to provide an exhaustive list of types of conduct that could result in disciplinary action. The following list, therefore, only contains some examples of conduct that could lead to disciplinary action, including possible termination:

1. Unsatisfactory job performance
2. Unexcused absence
3. Excessive absenteeism/tardiness
4. Using abusive or vulgar language, or causing disruption to the workplace or to fellow employees or visitors
5. Unauthorized possession or removal of property, records, or other materials that do not belong to you
6. Sexual harassment or other unlawful harassment of another employee
7. Use or possession of illegal drugs or alcohol while on duty or appearing for work under the influence of drugs or alcohol
8. Non-compliance with safety or health rules or practices or engaging in conduct that creates a safety or health hazard
9. Insubordination, refusing to follow a manager, superintendent and/or supervisors directions, or other disrespectful conduct towards management staff
10. Carelessness or negligence when performing duties
11. Dishonesty, falsification of forms, records, or reports including, but not limited to, time sheets, employment applications and member records
12. Any action indicating a disrespect or disregard for the Authority, it's vendors, suppliers or clients
13. Release of confidential information about the Authority or its members
14. Destroying or willfully damaging the Authority's or another employee's property, records, or other materials
15. Leaving the Authority's boundaries without approval prior to the end of a scheduled work day
16. Giving false or misleading information during the application and/or selection process
17. Violation of work rules
18. Unprofessional attitude

19. Failure to report involvement in an accident occurring on the Authority's premises, or involving Authority vehicles and equipment, or giving false information in accident or insurance reports
20. Threatening or intimidating other employees or supervisors
21. Failure to immediately report the loss of a California driver's license due to suspension, withdrawal, forfeiture, or confiscation by any court of law or by the California Division of Motor Vehicles. This rule applies only to those employees who must maintain such a license as a condition of their employment.
22. Inability to get along with co-workers, staff members, water users, vendors, and/or Board Members.

Again, this list is not exhaustive. Violation of Authority policies and rules may warrant disciplinary action, which may include verbal warnings, written warnings and/or suspension. The system is not formal and the Authority may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to and including termination of employment. In the event a written warning is appropriate, an Employee Warning Notice may be prepared by the supervisor, at his/her discretion, describing the incident or violation and action to be taken. The Notice will be submitted to the employee for his/her review, comments and signature. A copy will be issued to the employee and the original placed in the employee's personnel record file.

D. UNLAWFUL HARASSMENT

The Authority is committed to providing a work environment free of harassment. The Authority therefore prohibits sexual harassment and harassment based on race, color, creed, gender, gender identity and expression, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, military or veteran status, domestic victim status or any other basis made unlawful by federal, state or local law or ordinance or regulation. Such discrimination is unlawful and will not be tolerated. This policy prohibits unlawful harassment of or by any employee of the Authority, including supervisors and co-workers. It also extends to Landowners, Water Users, vendors, independent contractors and others doing business with the Authority.

Unlawful harassment in any form, including verbal, physical and visual conduct, threats, demands and retaliation, is prohibited. Sexual harassment is defined by the Fair Employment and Housing Commission as "unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature." Unlawful harassment includes, but is not limited to:

1. Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, jokes, or comments;
2. Visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures;
3. Physical conduct such as assault (unwanted touching), blocking normal movement, or interfering with work directed at an individual because of his or her sex or any other basis;
4. Threats and demands to submit to sexual requests in order to keep a job or avoid some other loss, and offers of job benefits in return for sexual favors;
5. Retaliation for having reported or threatened to report harassment; or

6. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations.

Although not required, if an employee feels that someone's conduct is harassing or improperly offensive, the employee should promptly and firmly tell the offender that the behavior is unwelcome. Doing so places the offender on notice that someone considers his or her conduct inappropriate.

If an employee thinks he or she is being harassed on the job because of gender, race, or other protected basis, or if an employee observes behavior he or she believes to be in violation of this policy, the employee should immediately contact his or her immediate supervisor, the General Manager, or any other supervisor with whom the employee feels comfortable. The Authority will not retaliate against anyone for reporting any incidents of harassment, for making any complaints of harassment, or for participating in any investigation.

Supervisors must refer all harassment complaints to the General Manager. Upon receiving notice of any incident reported under this policy, qualified personnel shall promptly undertake a thorough, fair, and timely investigation of the harassment allegations, allowing each party to present relevant facts. The process will be completed as soon as possible to provide for timely closure of the investigation. Confidentiality will be maintained to the extent possible.

Any employee who, after an investigation has been conducted, is found to have violated this policy, will be subjected to remedial action commensurate with the severity of the offense. If the harasser is a nonemployee, the Authority will take reasonable steps to address the situation. This may include discipline of the harasser, up to and including termination. The Authority will also act to deter any further harassment, and will remedy any loss to the complaining employee resulting from harassment.

All employees must report any incidents immediately so that complaints can be quickly and fairly resolved. The California Department of Fair Employment and Housing ("DFEH") investigates and may prosecute complaints of harassment. An employee may have a claim of harassment even if he or she has not lost a job-related or economic benefit. Whenever an employee thinks he or she has been harassed or that he or she has been retaliated against for resisting or complaining, that employee may file a complaint with the DFEH. The nearest DFEH office is listed in the telephone book. The Authority has a brochure on sexual harassment which is available to all employees for additional information. The Authority expects its employees to act in a professional and respectful manner at all times.

In addition, the Authority desires to avoid misunderstandings, complaints of favoritism, claims of sexual harassment and employee dissension that may result from personal or social relationships amongst employees. Therefore, the Authority asks that if employees become romantically involved with one another they disclose their relationship to an appropriate supervisor with whom they feel comfortable. The supervisor should notify the Superintendent as appropriate. Please refer to the Authority's policy regarding the employment of relatives for additional information.

E. WORK PLACE VIOLENCE

The safety and security of Authority employees and the Public are very important to the Authority. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the Authority's ability to execute its daily business will not be tolerated.

To ensure that the Authority maintains a workplace safe and free of violence for all employees, the Authority prohibits the possession or use of firearms or other dangerous weapons by employees while on duty, with the limited exception (noted below) of those employees given written or electronic approval to carry firearms. An Employee with a license to carry a concealed weapon may only carry the weapon while on duty with Authority's written or electronic approval. It will also be required that the employee with a license to carry a concealed weapon will be fully trained for California and follow all State and federal laws. This policy applies to all employees while on duty.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on Authority property may be removed from the premises pending the outcome of an investigation. Threats, threatening behavior, or other acts of violence off Authority property, but directed at Authority employees, Authority members or the public while conducting business for the Authority, is a violation of this policy.

Off-site threats include but are not limited to threats made via telephone, fax, electronic or conventional mail, or any other communication medium. Violations of this policy will lead to disciplinary action that may include termination, arrest, and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from Authority property, termination of business relationships with that individual, and/or prosecution of the person(s).

Any employee that receives a protective or restraining order that lists Authority premises as a protected area is required to provide the General Manager with a copy of such order.

F. FIREARMS IN THE AUTHORITY

In order to ensure a safe environment for employees and the Public, the Authority prohibits employees from wearing, transporting, storing or possessing firearms or other dangerous weapons while on duty. Any employee in possession of a firearm or other weapon while on duty may face disciplinary action including termination. **Possession of a valid concealed carry permit by an employee does not exempt such employee from this policy. In such event, the employee must have written or electronic approval by the Manager and/or Board of Trustees before possessing a firearm while on duty.**

Definition

Firearms or other dangerous weapons means any device from which a projectile may be fired by any means; explosive, elastic launching devices, compressed gas or air, or hand thrown (this includes firearms, archery/crossbows/slingshots, simulated firearms such as airsoft and pellet guns, and spears).

Exemptions

This policy does not apply to:

- Authority designated staff who have been approved in writing or by electronic means such as email by the Board of Trustee or Manager (an example would be

for the purposes of rodent control). The approved weapon must be kept safe and secure from unauthorized use; if a firearm, it must be unloaded with a trigger lock while not in use and securely locked up at all times. The Authority will provide additional gun insurance for the designated employees. California authorized Concealed Carry Permit holders may be considered trained on a case by case basis.

- Authority staff while off duty.

In the event the Authority believes an employee poses a risk of danger to themselves or others, the Authority reserves the right to make further inquiry as to whether an employee has a weapon on Authority property. In the event the Authority learns that an employee has a firearm in his or her vehicle, the Authority has the right to question any employee in order to determine that the above conditions are satisfied.

If it is found that the employee is not in compliance with the Authority policy, the employee may be subject to disciplinary action, up to and including termination.

Reporting weapons in the building

Any employee who is aware of a weapon of any type or form within the Authority facility or boundary not authorized by Management, has an obligation to report this information immediately to his/her Supervisor. It is the responsibility of Management to do what is necessary to ensure the safety of all individuals in the Authority.

G. ALCOHOL-DRUG FREE WORKPLACE

The Authority recognizes that behavior resulting from the use of alcohol and/or drugs may detrimentally affect the safety and work performance of its work force and can present a risk to the health and welfare of its employees and members.

In recognition of the Authority's responsibility to maintain a safe work environment and your responsibility to perform safely, the Authority will act to eliminate any substance abuse, which increases the risk of injuries, accidents, or substandard performance. For the purpose of this policy, substance abuse includes the use or possession of illegal drugs, alcohol, marijuana, sharing of prescription drugs, or abuse of prescription drugs, which could impair your work performance and/or ability to perform your job safely. It is expected that:

You shall not be at work, drive a vehicle on Authority business, or operate the Authority's equipment with any amount of alcohol, marijuana or illegal drugs in your system which would result in a confirmed positive test; shall not use alcohol, possess open containers of alcohol, or use or possess illegal drugs while on duty; and shall not manufacture, distribute, dispense, sell or provide illegal drugs to any person while on duty.

If the use of a prescription drug combined with the duties of the required job creates an unsafe working condition, this fact shall be reported to your supervisor or Authority Manager prior to reporting to work. Employees whose job performance is so restricted may be subject to reassignment, medical examination, or other actions specified by applicable statutes and regulations.

Reasonable Suspicion Testing

Employees may be subject to drug and alcohol testing when there is reasonable suspicion that the employee has violated the rules expressed above or if they are selected for random testing as required by their position. In addition, when any employee has previously been found in violation of these rules, or by the employee's own admission, the employee may be required to submit to periodic substance testing as a condition of remaining in or return to Authority employment.

H. TERMINATION OR RESIGNATION

Employment with the Authority is at-will and can be terminated by the employee or the Authority at any time, with or without advance notice, and with or without cause. If an employee finds it necessary to resign, the Authority requests that, if possible, the employee provide two weeks' notice to the General Manager to aid in rescheduling the employee's workload. Absent extraordinary circumstances, when an employee has been absent for three (3) days and has not contacted his/her Supervisor, Superintendent or Manager, the Authority will assume that the employee voluntarily terminated his or her employment as of the end of the third missed day.

Employee agrees that during the time between notification of separation and last day of employment, they will cooperate fully with the Authority in all matters relating to the winding up of any pending work and the orderly transfer to the other Authority employees of the assignments for which he/she has been most recently responsible. An employee must return to the General Manager all Authority-furnished tools, equipment, keys and other property prior to the last day of employment. All confidential information received while employed with the Authority belongs solely to the Authority and must be kept confidential even after the employment has ended. Arrangements for clearing any outstanding debts with the Authority and receiving a final paycheck should be made with the General Manager.

I. FINAL PAYCHECK

You will receive your final paycheck on the next regular scheduled pay day or earlier if it is required by law. Unused vacation will be paid and calculated in accordance with the Authority's Vacation Policy.

J. EXIT INTERVIEW AND RETURN OF AUTHORITY PROPERTY

Your Supervisor and/or the General Manager will schedule an Exit Interview with you on your last date of employment. Your Supervisor will arrangement for return of all Authority property, including Authority keys, uniforms, tools and any other item that was issued to you.

K. BENEFITS

Medical, Dental and Vision benefits end on the last day of the month of your employment. Life and Disability coverage require active employment, therefore coverage for these two ends on your last day worked. COBRA notification will be sent directly to your home.

SITES PROJECT AUTHORITY
Acknowledgment of Receipt
of Handbook and At-Will Agreement

After you have read this Handbook and have clarified any issues with the HR Coordinator, please complete and sign both copies of the following statement. Please fill out the form and return it to the Office.

Employee Handbook Receipt

I have received my copy of Sites Project Authority (Authority) Employee Handbook. I understand and agree that it is my responsibility to read and familiarize myself with and follow the policies and procedures contained in the Handbook.

I understand that, except for employment at-will status, any and all policies or practices can be changed at any time by the Authority. I understand and agree that, other than the Manager of the Authority, no manager, supervisor or representative of the Authority has authority to enter into any agreement, expressed or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the Manager has the authority to make any such agreement and then only in writing, signed by the Manager.

My signature below certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between the Authority and me concerning the duration of my employment. It supersedes all prior agreements, understandings, and representations concerning the duration of my employment.

Employee's Signature: _____ Date: _____

Sign, date, and return this copy to the Office.