

# Kirkwood Meadows Public Utility District Personnel Committee REGULAR MEETING NOTICE

NOTICE IS HEREBY GIVEN that the Personnel Committee of the Kirkwood Meadows Public Utility District has called a Regular Meeting of the Committee to be held on **Thursday, June 28, at 10:00 A.M.** at the Kirkwood Meadows Public Utility District, Community Services Building, 33540 Loop Road, Kirkwood, CA 95646.

- 1) **Training.**
  - a) General Manager. *GM Christeson*
    - i) CSDA General Managers Conference Report
  - b) Staff Training. *HR Norton*
  - c) Board Training. *HR Norton*
- 2) **Team Building.** Report on May event. *HR Norton*
- 3) **General Manager Goals FY 2018/2019.** Discussion and possible update. *GM Christeson Pg. 2*
- 4) **Employee Handbook Update.** Discussion of process. *GM Christeson Pgs. 3-45*
- 5) Future Topics
- 6) Next Meeting/Staff Recommendation: *Thursday, August 30, 2018 – 10:00 am.*

Dated: June 21, 2018

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Kirkwood Meadows PUD

The Kirkwood Meadows Public Utility District is an equal opportunity provider and employer.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the District at (209) 258-4444, by email to [jaustin@kmpud.com](mailto:jaustin@kmpud.com). Requests must be made as early as possible, and at least two business days before the meeting.

**Kirkwood Meadows Public Utility District  
General Manager Objectives  
FYE 2019**

**Personnel**

1. Continue development of Staff through training, certifications, and professional development.
2. Revise the Employee Handbook.
3. Provide ambassadorial/behavioral training for Staff for dealing with customers.
4. Perform an analysis of the District organizational structure and revise if necessary.
5. Perform an in-house analysis of the current job descriptions and salary ranges of all positions.
- 6.



# **Kirkwood Meadows Public Utility District**

## **Employee Handbook**

Kirkwood Meadows Public Utility District  
33540 Loop Road  
P.O. Box 247  
Kirkwood CA 95646  
(209) 258-4444  
Fax (209) 258-8727  
[www.kmpud.com](http://www.kmpud.com)

Updated July 2017



Dear Employee:

This staff handbook is for you. It defines the personnel policies, procedures, compensation, and benefits of the Kirkwood Meadows Public Utility District.

Our continued success is reliant on a team effort. These policies have been formulated to support that team effort.

Sincerely,

\_\_\_\_\_

Michael Sharp  
General Manager

\_\_\_\_\_

Bob Epstein  
President of the Board

I, \_\_\_\_\_ have received a copy of the Kirkwood Meadows Public Utilities District Employee Handbook and agree that I am responsible to read, understand and abide by the policies and procedures contained within. I also understand that if I have any questions with these polices that I am to see my supervisor immediately.

Agreed,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# **EMPLOYEE HANDBOOK OF KIRKWOOD MEADOWS PUBLIC UTILITY DISTRICT INTRODUCTION**

This employee handbook has been prepared to inform all Kirkwood Meadows Public Utility District (District) employees, both current and new hires, of the employment-related policies, procedures, compensation and benefits of the District as well as obligations of its employees. The purpose of this handbook is to establish policies, procedures and guidelines governing District employees, employment and related matters. This handbook describes some of the District's principal employment policies, procedures and guidelines; however, there may be other policies, procedures and guidelines not stated in this handbook. Employees should understand that this handbook is not intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of the District or its employees. This handbook supersedes and replaces all previous written personnel policies, practices and guidelines, except for the employment and workplace safety plans and programs, the personnel-related Policy Statements, and any written employment agreements.

It is your responsibility to review this handbook. If you have any questions concerning any statement in this handbook, you are encouraged to seek answers so that you have a thorough understanding of the content.

The District Board or the General Manager may amend this handbook at any time. The District reserves full discretion to add to, modify, or delete provisions of this handbook and other employment policies, procedures, work rules or benefits, at any time and without advance notice to the employees. Only the District Board or the General Manager has the authority to modify or amend this handbook or approve any employment agreement or agreement amendment. Any such handbook amendment, employment agreement or agreement amendment must be in writing and, for employment agreements, signed by the affected employee and the General Manager.

Nothing in this handbook limits your right or management's right to terminate employment at will at any time with or without cause.

No individual contract may be entered into between Kirkwood Meadows Public Utility District and an employee, which in any way deviates, extends or modifies the provisions in this handbook without a written contract signed by the General Manager of Kirkwood Meadows Public Utility District.

For employees who work under a written employment agreement, the handbook applies only to the extent not otherwise provided by the employment agreement. This handbook supplements the written employment agreement. If there is an irreconcilable conflict between a provision of this handbook and a written employment agreement, the employment agreement shall prevail. If there is an irreconcilable conflict between a provision of this handbook or an employment agreement and any applicable federal or state law, the law shall prevail.

**EMPLOYEE HANDBOOK  
TABLE OF CONTENTS**

**EMPLOYEE CLASSIFICATIONS.....7**

**WORK SCHEDULES AND REST BREAKS .....7-8**

**PAY SCHEDULES AND DEDUCTIONS .....8**

**WAGES & SALARIES.....8-9**

**ADVANCEMENT OF WAGES.....9**

**GIFTS .....9**

**DEFERRED COMPENSATION.....9**

**OVERTIME COMPENSATION.....9-10**

**EMPLOYEE BENEFITS ..... 10**

**HOLIDAYS .....10-11**

**VACATION ..... 11**

**SICK LEAVE .....11-12**

**RETIREMENT..... 12**

**INSURANCE.....12-12**

**WORKERS’ COMPENSATION ..... 13**

**STATE DISABILITY INSURANCE ..... 13**

**ATTENDANCE & PUNCTUALITY .....13-14**

**CELL PHONE POLICY ..... 14**

**EMPLOYEE RESIDENCY .....14-15**

**HOUSING CREDIT ..... 15**

**ON-CALL POLICY..... 15-18**

**APPROVED TIME OFF .....18-19**

**LEAVES.....19-20**

**PERSONAL LEAVE .....20**

**BEREAVEMENT LEAVE.....20**

**LEAVES FOR MILITARY SERVICE AND RESERVES .....20**

**JURY DUTY.....20-21**

**VOTING .....21**

**EMPLOYEE PRIVACY .....21**

**CERTIFICATION REIMBURSEMENT POLICY/ EDUCATIONAL ASSISTANCE .....21-212**

**DRESS & GROOMING.....22**

**UNIFORMS.....22-23**

**VEHICLE COSTS .....23**

**SMOKING.....23-24**

**DRUG-FREE WORKPLACE .....24-24**

**SOLICITATION.....26**

**CONFLICT OF INTEREST .....26**

**POLITICAL ACTIVITY .....27**

**PROPRIETARY INFORMATION .....27**

**CODE OF ETHICS .....27**

**ELECTRONIC MEDIA USE POLICY.....27-28**

**PETTY CASH & ROUTINE CASH PURCHASES .....28**

**PROCUREMENT.....28-29**

**USE OF FACILITIES FOR PERSONAL COMMUNICATION.....29**

**VIOLENCE IN THE WORKPLACE .....29-30**

**MISCELLANEOUS RULES OF CONDUCT .....30-31**

**RULES OF SAFETY.....31-32**

**GENERAL USE OF DISTRICT TOOLS AND EQUIPMENT .....31**

**EQUAL OPPORTUNITY AND NON-DISCRIMINATION .....32**

**APPLYING FOR POSTED JOB OPENINGS .....33-34**

**NEPOTISM .....34**

**FITNESS FOR DUTY EXAM .....34-37**

**PERFORMANCE APPRAISAL.....37**

**ADDRESSING PERFORMANCE ISSUES .....37-38**

**WHERE TO GO WITH YOUR CONCERNS,COMPLAINTS OR GRIEVANCES38**

**EMPLOYEE ASSISTANCE PROGRAM.....37**

**ISSUES OF HARASSMENT.....38-40**

**VEHICLE POLICIES.....40**

**TERMINATION & EXITING .....41-42**

REFERENCES/ LETTERS OF RECOMENDATION .....42  
OFF DUTY EMPLOYMENT.....43

**SAMPLE FORMS & INFORMATION**

**EMPLOYEE EXERCISE PROGRAM REQUEST**

**TIME SHEETS**

**DEFERRED COMPENSATION/CALPERS 457 PLAN**

**OVERTIME EXPLANATION**

**PERSONNEL TIME OFF REQUEST**

**RETIREMENT BENEFITS**

**HEALTH BENEFITS**

**DENTAL BENEFITS**

**VISION BENEFITS**

**WORKERS' COMPENSATION GUIDE**

**STATE DISABILITY INSURANCE**

**CELL PHONE POLICY**

**HOUSING CREDIT FORM**

**EMPLOYEE ASSISTANCE PROGRAM**

**VEHICLE USE FORM**

**JOB DESCRIPTIONS**

*Please see Administration for  
enrollment forms and additional information.*



## **EMPLOYEE CLASSIFICATIONS**

There are four job classifications by work schedule that determine benefits and eligibility for leaves:

### **Regular Full Time Employee:**

A regular full-time employee is defined as an employee who has been hired, passed a performance evaluation, and has six (6) months or more continuous employment with the District, in a classified position and who normally works a minimum of 40 hours per week.

### **Regular Part-Time Employee:**

A regular part-time employee is defined as an employee who has been hired, passed a performance evaluation, and has six (6) months or more continuous employment with the District, in a classified position and who normally works less than 40 hours per week. Except for District Board members, Regular Part-Time employees will receive sick time and holiday benefits only. Please refer to page 11 for more details on Sick Time for Part-Time Employees

### **Temporary Employee:**

A temporary employee is defined as an employee who was hired for a position for a specified length of time, generally less than nine months. A temporary employee will receive not less than the minimum rate of pay for the job and will not be eligible for vacation pay, health and welfare or items of a similar nature. Temporary Employees are eligible for holiday pay for holidays which occur during their employment with the District and sick time. Please refer to page 11 for more details on Sick Time. For Temporary Employees.

### **Volunteer Employee:**

A Volunteer employee is defined as an employee who works without hourly compensation in positions such as fire department volunteer, special event volunteer, etc. These employees are not entitled to benefits.

## **WORK SCHEDULES AND REST BREAKS**

A new workweek begins every Sunday at 12:01 a.m. The regular full-time workday is eight hours with a half-hour unpaid meal break. A "work day" is defined as the 24 hours starting at 12:01 a.m.

All full-time employees will receive full-time payment for each workweek employed, provided they report for duty and are capable of performing their work. This is not to be interpreted that the District does not retain the right to lay off or release employees due to lack of work or other valid reasons or to discipline by suspension without pay for due cause.

Employees shall report for work at their regularly established District facility or at other locations as directed by management and shall return thereto at the conclusion of the day's work and the time spent in traveling between such locations and the job site shall be considered as time worked.

NON-EXEMPT employees should take their rest and meal breaks. If you are a NON-EXEMPT employee, you must take a ten-minute rest break during every four hours of

work and a one half hour lunch break. During breaks you are to stop doing all work and may leave your work area.

The General Manager will schedule or approve your meal and rest breaks.

Kirkwood Meadows Public Utilities District encourages exercise and a healthy lifestyle. If you would like to sign up for the District's Employee Exercise Program, speak to your supervisor. Employees are allowed to take a 1- to 2-hour break. Instead of taking your morning and afternoon 10-minute breaks, you may be able to combine your 10-minute breaks with your lunch and take an hour break to exercise. Any additional time up to one hour must be made up at the end of your normal shift. If your supervisor agrees this will fit into your schedule and the District's workload requirements, you will be given an *Employee Exercise Form (page 41)*. The General Manager must also approve your request in advance.

### **PAY SCHEDULES AND DEDUCTIONS**

You will be paid every other week on Thursday. District pay periods are two weeks long. During the course of the pay period all employees will need to fill out a *Time Sheet (page 42)* which tracks where you spent your time by cost allocation center. All Temporary Employees will need to clock in and out on a time card. This Time Sheet, along with your time cards and Overtime Explanation Form will need to be turned in at the end of each pay period.

Your paycheck will reflect the following mandatory deductions from your gross wages:

- Federal income tax
- Social security tax (FICA)
- State income tax
- State disability insurance

You will complete and sign IRS Form W-4 on or before your first day of work. You will receive an annual wage and tax statement covering the previous year on IRS Form W-2 on or before January 31.

Direct Deposit is available to employees who wish to have their paycheck deposited directly into a personal checking account. Ask your supervisor for details.

You may ask your supervisor any questions you have regarding your paycheck, deductions made, hours reflected, etc.

### **WAGES & SALARIES**

When you accepted a wage or salary offer for your position, the amount you accepted was the sole pay commitment. If during your employment Kirkwood Meadows Public Utility District considers increases for any or all employees, your pay may or may not be increased depending on your:

- Performance
- Length of time in the position
- Salary range limitations
- Criteria set for the particular salary review

The General Manager shall at least once a year, during budget session, recommend to the Board of Directors any necessary changes in titles, classifications, or salaries/wages.

### **ADVANCEMENT OF WAGES**

This policy shall apply to all District employees.

Employees requesting payment of wages in advance of regular pay days shall submit said request to the General Manager.

The General Manager may authorize the requested advancement of wages, including accrued Vacation Pay, if the amount requested does not exceed the wages accrued (excluding applicable deductions) by the employee to the date of said request.

Advancement of wages prior to a regular payday is not a privilege that an employee may use as his/her discretion, but may be authorized by the General Manager at his/her discretion in case of employee necessity and/or personal financial emergency.

Requests for advancement of wages may be submitted only once in any pay period, and frequent requests shall be grounds for denial.

### **GIFTS**

An employee or his/her immediate family may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, and/or other services or benefits unless the transaction meets all of the following guidelines:

- Is customary and gives no appearance of impropriety and does not have more than a nominal value;
- Does not impose any sense of obligation on either the giver or the receiver;
- Does not result in any kind of special or favored treatment;
- Cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances including the ability of the recipient to reciprocate at District expense.
- Is given and received with no effort to conceal the full facts by either the giver or receiver.

### **DEFERRED COMPENSATION**

Employees have the option to have a paycheck deduction for Deferred Compensation for education and retirement savings. See **pages 43-51** for more information.

### **OVERTIME COMPENSATION**

The federal Fair Labor Standards Act requires overtime pay for all employees who do not meet the specifications for exemption contained in the Act. The District has determined that the following positions are exempt from overtime: General Manager; Assistant General Manager; Assistant Manager; Assistant Manager, Operations; Electric/Propane Manager; Field Operations Manager; Superintendent,

Water/Wastewater; Accounting Manager; and Executive Secretary/Clerk of the Board. All other positions are non-exempt.

EXEMPT personnel shall work at least forty (40) hours per week (per normal workweek), shall receive no overtime pay, and are expected to perform tasks as assigned to meet the needs of the District. Compensation for EXEMPT personnel shall be the normal salary and, in recognition of the requirement to perform as a professional, regardless of the time required, will receive the benefit of having flexibility in working hours subject to the needs of the District and the General Manager's approval.

NON-EXEMPT employees earn 1 1/2 times their regular rate of pay for hours worked in excess of 40 hours in a workweek, and for the first eight hours of the seventh consecutive workday in a single workweek.

NON-EXEMPT employees also earn two times their regular rate of pay for hours worked beyond 12 hours in a workday or beyond eight hours on the seventh consecutive workday.

You may not work overtime that has not been cleared through the General Manager or his or her designee. If overtime is requested, you are expected to comply unless excused by the General Manager. All overtime must be detailed on an *Overtime Explanation Form (page 52)*.

Paid time off for vacations, sick leave, holidays, and compensatory time off shall not be treated as hours worked for purposes of determining overtime.

### **EMPLOYEE BENEFITS**

At Kirkwood Meadows Public Utility District, Regular Full-Time employees are eligible for paid time off and other benefits. If you are a Regular Full-Time employee, you will receive eight hours pay for holidays and up to eight hours pay for vacation and sick leave days, depending on the time you have accrued.

Regular Part-Time and Temporary employees are not eligible for paid time off except for holidays and sick time. Sick time will be accrued at the rate specified within California Senate Bill 3. Volunteer employees are not eligible for paid time off.

### **HOLIDAYS**

Regular Full-Time and Temporary employees of Kirkwood Meadows Public Utility District are eligible for certain paid holidays each year. These are Memorial Day, Labor Day, and Thanksgiving Day.

Regular Full-Time employees also receive seven (7) floater holidays. Employees will receive three (3) floater holidays as of the first pay period in July, and four (4) floater holidays as of the first pay period of January. Floaters are to be used in the fiscal year that they are given (July 1<sup>st</sup> to June 30<sup>th</sup>), with a two-week advance approval from the General Manager. Floaters do not carry over to the next year.

If you are a Non-Exempt employee and work a holiday with no alternate paid day off, you will receive holiday pay plus straight time for the hours you work.

You must be available for a full schedule of work the day before and the day after a holiday to receive holiday pay unless the absence is authorized in advance.

### **VACATION**

Paid vacation is provided to allow you necessary time away from work each year. Kirkwood Meadows Public Utility District believes every employee needs to use the time they earn for vacation for their own wellbeing.

As a regular full-time employee of Kirkwood Meadows Public Utility District, you will earn 10 days paid vacation per year the first through fourth years and 15 days paid vacation each subsequent year of employment until you reach ten years with the District. After ten years of employment with the District, you will earn 20 days paid vacation each year.

You will begin accruing vacation after 60 days of employment. You are eligible to request approval to take accrued vacation after 90 days of employment. Vacation days should be used by the end of the fiscal year; however, an employee may accrue up to one year's worth of vacation. On July 1<sup>st</sup> of each year, employees will be paid any vacation time over 160 hours.

All vacation requests are to be made to the General Manager at least two weeks in advance (**page 47**). Employees should not make reservations or pay deposits without receiving approval in advance.

Kirkwood Meadows Public Utility District does not normally advance vacation pay. If vacation pay is ever advanced prior to accrual, an amount equal to the time advanced but not yet earned will be deducted from your final paycheck if either you or Kirkwood Meadows Public Utility District terminates employment.

Upon termination of an employee's services with the District, he/she shall be paid a lump sum for all accrued vacation earned but did not receive.

### **SICK LEAVE**

**Full Time Employees:** As a year-round full-time employee of Kirkwood Meadows Public Utility District you are eligible for 12 days paid sick leave per year accrued at a rate of 8 hours a month. Accrued sick leave is for personal illness, medical and dental appointments or for injuries of the employee or of a dependent child. All sick leave must be approved two weeks in advance by the General Manager (**page 53**). If you have an unexpected illness and cannot come into work or continue to work, you must notify your supervisor personally within 15 minutes of the start time of your shift or before you leave. An employee also may use up to one-half of his or her annual sick leave in order to attend to an illness of the employee's child, stepchild, legal ward, parent, step parent, legal guardian, spouse, registered domestic partner, or a child of the employee's registered domestic partner.

Full-time employees begin to accrue sick leave days after 60 days of employment and continue until a maximum of 30 days is accrued. Each July 1<sup>st</sup>, you will be paid 100% of any time over 160 hours. You may choose to receive payment for all accrued sick time except for a 20 day (160 hour) reserve.

Full-time employees may use accrued sick leave after two months of employment.

Temporary and Regular Part-time Employees: Effective July 1, 2015 Temporary and Regular Part-time employees will accrue sick leave as follows: Temporary and Regular Part-time employees will earn one hour of paid leave for every 30 hours worked, provided you work at least 30 days within a year and satisfy a 90-day employment period before being able to take any paid sick leave. If a Temporary and Regular Part-time employees works only 60 days, and then returns to the District within one year, the accrued leave is restored in the second year and the 90-day restriction is met after 30 days.

The District may require written verification of the need for sick leave from the employee's doctor or health care provider or, if applicable, the doctor or health care provider of the employee's child, parent, spouse, or other person, to support the continuation of the sick leave. Sick leave pay may be withheld until the District receives a satisfactory written verification. For ongoing sick leave, the District periodically may require the employee to renew the written verification. As a condition of reinstatement following sick leave because of the employee's own health condition, the District may require the employee to submit a medical certification from the employee's doctor or health care provider stating that the employee is able to return to work.

If an employee misses more than three (3) days of work, due to illness, a Doctor's note will be required upon returning to work.

Upon termination of an employee's services with the District, he/she shall not be paid a lump sum for accrued sick pay earned but not used by the employee.

### **RETIREMENT**

The benefits provided by the District shall be made available only to regular full-time employees. The District reserves the right to modify or eliminate any benefit or plan, except as limited by law. See **page 54** for a *CalPERS Member Action Request form*.

In September 2012, the Governor signed AB 340 and AB 197, two bills which enacted the California Public Employees' Pension Reform Act of 2013 (PEPRA). AB 340 made several changes to the pension benefits that may be offered to employees hired on or after January 1, 2013.

Further information regarding this and any benefit or plan may be obtained from the General Manager.

### **INSURANCE**

Kirkwood Meadows Public Utility District pays health/dental/vision insurance for regular full-time employees. Dependent coverage is available at group rates fully paid for by Kirkwood Meadows Public Utility District. For detailed coverage information:

<b>Health</b>	<b>Pages 55-68</b>
<b>Dental</b>	<b>Pages 69-95</b>
<b>Vision</b>	<b>Pages 96</b>

The benefits provided by the District shall be made available only to regular full-time employees who are eligible under the terms of the particular benefit or plan. The District

reserves the right to modify or eliminate any benefit or plan, except as limited by law. Further information regarding any benefit or plan may be obtained from the General Manager.

Coverage typically begins the first of the month after the employee's probation period ends or the first of the month following 60 days of employment.

### **WORKERS' COMPENSATION**

As an employee at Kirkwood Meadows Public Utility District, Workers' Compensation Insurance program covers you in the event of any injury or illness occurring in the course and scope of employment. In order to protect your coverage under this program, you as the employee are responsible for immediately reporting any injuries occurring on the job or the job premises to your supervisor. Failure to report any accident or near-accident may delay coverage under this insurance program. For more information, please see the *Employees' Workers' Compensation Guide (pages 97-104)*.

The "Notice of Compensation Carrier" is posted on the employee bulletin board. This posting notifies you of benefits, first aid procedures and emergency telephone numbers as well as the name of Kirkwood Meadows Public Utility District's insurance carrier.

When an employee is absent by reason of injury or illness arising within the course of employment with the District, and the employee is eligible for Worker's Compensation, he/she shall be entitled to receive temporary disability and other benefits for the duration of temporary disability.

Any regular employee, compelled to be absent due to injury or illness covered under workers' compensation benefits may elect during such absence to apply accrued sick leave on a pro-rated basis to such absence and receive sick leave compensation in an amount equal to the difference between the compensation received as regular salary and the amount received as workers' compensation disability benefits, not to exceed the amount of the employee's accrued sick leave. The employee also may elect to use any accrued vacation leave in a similar manner after the sick leave is exhausted.

### **STATE DISABILITY INSURANCE**

You have paid for state disability insurance, which is available to you on the first day of hospitalization or your eighth day of illness or injury, as the first seven days are a non-paid waiting period. See *pages 105-108* for Disability insurance information.

When an employee is absent by reason of non-occupational injury or illness, the employee may be eligible for State Disability Insurance. Accrued sick leave may be integrated in the same manner as for coordination between workers' compensation benefits and sick leave.

### **ATTENDANCE & PUNCTUALITY**

You are a member of the team. When you are unable to do your job, someone has to fill in for you or an important piece of work is not done. That is why Kirkwood Meadows Public Utility District requires your presence at your work area at the beginning of and throughout the workday, except at meal and rest breaks.

All Temporary employees must clock in and out on a District Time Clock unless excused by the General Manager. Along with clocking in and out, every employee must fill out a paper time sheet (**page 42**) to be approved by the General Manager.

If you need to be absent from work, please schedule time off in accordance with the District leave policy. *Personnel Time Off Requests* (**page 53**) are to be submitted to the General Manager at least two weeks in advance for approval. Ask your supervisor about any questions you may have regarding Time Off policies.

In emergency situations, call the General Manager and your supervisor as soon as possible. You must call in person before the beginning of your scheduled shift if you will not be able to make it in.

If you are temporarily unable to follow your work schedule, speak with the General Manager. The only time off that may be requested without prior approval is for personal illness or personal emergency that was not known on the last day you worked.

Employees shall make all reasonable and diligent efforts to report to work. It is the employees' responsibility to check highway conditions and closures before attempting to drive to work. If the highways are reported as closed on the Caltrans website, the employee must contact their Supervisor or the General Manager to obtain approval for time off. If the highways are in bad condition and the employee does not feel safe driving, the employee must contact their Supervisor or the General Manager for approval of time off. If an employee is at work and is informed that the highway is about to close, the employee should contact their Supervisor or the General Manager for approval to leave work early. Any time not worked due to highway conditions can be taken as Vacation Time, Floating Holiday or Unpaid. For safety purposes, the District will allow employees to stay overnight at the District Office if the highway is closed or too dangerous to drive.

Generally, employees are required to come into the office and working from home is not allowed. Under specific circumstances, an employee may be allowed to work from home with their Manager's approval. The Manager must sign off on the work to be performed, the road must be closed, and no more than 10% (8 hours) of an employees' time for a two-week period can be spent working from home. Patterns of lateness, absences or failure to obtain approvals for paid or unpaid time off may result in dismissal. Employees who fail to call in person and are absent without approval for two days may be considered to have abandoned their job and voluntarily terminated it.

### **CELL PHONE POLICY**

Employees whose job duties include the routine need for a cellular phone may receive extra compensation in the form of a cellular phone allowance to cover business related use of their personally owned cellular phone and service plan in accordance with this policy. The cellular phone provider and service plan chosen by the employee must offer satisfactory signal coverage in the Kirkwood Valley as determined by the General Manager (**pages 109-110**).

### **EMPLOYEE RESIDENCY**

This section defines the requirements the District has relevant to requiring residency within a specific traveling distance for routine and twenty-four (24) hour emergency on call response to assure operations as required by law. Employees designated in this



policy or as directed by the General Manager will be encouraged to maintain residency to comply with this policy.

- **REASON**  
The District is located in a remote area of the Sierra Mountains which on regular occasion is isolated from other counties or reasonable access due to weather conditions and road closure. The District provides water, sewer, electric, and propane service necessary for health reasons as well as fire protection and snow removal services. The District provides wastewater treatment to protect the environment under a strict NPDES permit requiring frequent operations attention. Therefore, the District needs to have competent personnel available to assure these services are maintained and the twenty-four (24) hour emergency on call response is available even when the area is isolated due to weather.
  
- **REQUIREMENTS**  
Certain employees, as determined by the General Manager, are required to reside within three (3) driving miles of the District Office. These include:
  - Snow Removal Staff
  - Fire Department Personnel
  - Operators
  - Operators in training
  - Other operations staff as determined by the General Manager

### **HOUSING CREDIT**

Specific Kirkwood Meadows Public Utilities District (District) employees that are deemed critical to the operation of the District by the General Manager are required to live within three miles of the District Offices.

As partial compensation for this requirement, the District offers a housing reimbursement in the amount of \$400.00 a month, per District employee, who is deemed critical to the operation of the District by the General Manager. To qualify for the housing reimbursement, a completed Housing Credit Form (page 111) and proof that all District charges were paid in full must be submitted in person to the Accounts Payable Administrator or by mail to KMPUD, Attn: Accounts Payable Administrator, PO Box 247, Kirkwood, CA 95646 by the Monday before the Board Meeting is held. Board meeting dates are listed on the KMPUD website. Reimbursements will be paid by the Wednesday after the Board meeting during the month proceeding the subject month.

### **ON-CALL POLICY**

The District is located in a remote area of the Sierra Mountains, which on regular occasion is isolated from other counties or reasonable access due to weather conditions and road closure. The District provides water, sewer, electrical and propane service necessary for life safety reasons as well as fire protection and snow removal services. Therefore, the District needs to have competent personnel available to assure these

services are maintained and the twenty-four (24) hour emergency on call response is available even when the area is isolated due to weather.

A schedule shall be maintained by the General Manager or his or her designee whereby District staff shall be assigned, on a rotational basis, to be "On-Call" on evenings, weekends, holidays, and other times not considered regular hours of work for District employees.

### **Alerts and Incidents**

On-call personnel will normally be alerted to issues via phone call or page. Notification may also be given verbally or in person.

### **Response**

The on-call person has 10 minutes to respond to the initial notification. Depending on event, the response may be reporting to the appropriate District facility or customer premises, or returning a customer call. Failure to respond to an incident will result in disciplinary action.

### **Employee Responsibilities**

The on-call operator is responsible for the coordination of effort or resolution of the incident. If the on-call operator is unable to resolve the problem within a reasonable time frame, he/she is responsible for contacting additional resources for assistance.

### **Eligibility for District On-Call**

1. All operations departments participate in the on-call program. After completing initial operations training and receiving approval from their immediate supervisor, all full-time operations staff is eligible to take on-call shifts.
2. All full-time operations staff will be required to participate in the on-call program.
3. Seasonal staff may volunteer to cover on-call shifts if they have completed initial operations training and received approval from the General Manager

### **Operational Guidelines**

1. There will be one District on-call shift per night, except for holidays or high-traffic periods.
2. During holidays/high traffic periods, an additional District on-call shift may be added at the discretion of the General Manager.
3. On days with one District on-call shift, an additional PM Volunteer Fire shift may be added to the Volunteer Fire On-Call Calendar at the discretion of the General Manager.
4. The District on-call operator will carry a District pager and the District on-call phone. The pager will be programmed with separate channels for District and KVFD communications.
5. The District on-call operator will maintain a log of any after-hours incidents and resolutions, including customer communications.
6. The on-call log and phone will be turned in to Front Office staff at the open of business the following day. If the office is closed, the on-call log and phone will be turned in to the Manager On Duty.
7. The District on-call response will be limited to emergencies, as defined by the General Manager. Non-emergency issues will be addressed at the open of business the following day.

8. District on-call operators will be provided a shut-off list. Requests to turn on service that has been shutoff for non-payment, etc. would be referred to the office during regular business hours.
9. The District on-call operator will respond to in-valley fire calls only if there is insufficient volunteer response. The KVFD incident command will determine if the District on-call operator is needed and tone-out if required.
10. The District on-call operator will not respond to fire calls outside the valley.
11. The department manager for Electric/Propane and Water/Wastewater are required to carry their personal cell phone and have access to a District laptop and internet for remote access in case of emergency.
12. If a department manager is not available by phone, he or she will designate another staff member from that department to answer emergency calls.
13. District on-call operators must refrain from the consumption of any alcohol, or drugs during the on-call shift.
14. For non-resident, on-call staff, temporary accommodations may be provided at the discretion of the General Manager.

### **On-Call Scheduling**

1. On-call shifts typically run from 3:30pm-7:00am. Exceptions may be made at the discretion of the General Manager.
2. A monthly District on-call sign up sheet will be posted two weeks prior to the beginning of the month. Staff will have one week to sign up.
3. Each full-time operations member will be required to sign up for a minimum of one on-call shift per month and a maximum of ten on-call shifts.
4. At the end of the sign-up period, management will assign any open on-call shifts on a rotating basis.
5. The finalized District on-call schedule will be posted one week prior to the beginning of the month.
6. Changes to the monthly on-call schedule must be recorded on the schedule posted in the Fire Bay. Changes can be made in the following ways:
  - a. Trading: Trading of on-call duty shifts is allowed, prior to 2pm on the day in question.
  - b. If an employee gets approved time off for a day that they are scheduled to be on-call, it is the employee's responsibility to arrange coverage for the on-call shift.
  - c. If an employee's days off are changed with more than 7 days' notice, it is the employee's responsibility to arrange coverage for any on-call shifts that are impacted by the change.
  - d. If an employee's days off are changed with 6, or less, days' notice, it is management's responsibility to arrange coverage for any on-call shifts that are impacted by the change.
  - e. If an employee calls in sick on a day that he/she is on-call, it is management's responsibility to arrange coverage for the on-call shift.
7. Management will fill open on-call shifts in the following manner:
  - a. Volunteers will be solicited.
  - b. If no volunteer is found, the shift will be filled by assigning another on-call staff member on a rotating basis.

8. Excessive use of unscheduled sick time on on-call days may result in disciplinary action.

### **Training for On-Call Employees**

1. The District on-call operator will follow the Emergency Response Priority List for District Facilities to focus their response.
2. The District on-call operator will fill out an Emergency Status Report for each affected department and use this to communicate equipment status, etc. to the department manager.
3. An emergency phone list will be provided to allow for remote help or manpower as needed. The emergency phone list will be posted at each work station.
4. Department managers will provide written response plans and training for commonly encountered issues. Such plans will be available at the appropriate work spaces.
5. District on-call staff will be trained on emergency incidents vs. non-emergency incidents and customer communications.
6. District on-call staff will be trained on the use of the On-Call Log.

### **Compensation for On-Call Employees**

1. The District on-call operator will be paid \$25 per shift on their regular bi-weekly paycheck.
2. For each phone call received or returned during an on-call shift, requiring no further action, non-exempt on-call operators will be paid ¼ hour of normal pay (or overtime pay, if applicable).
3. For each incident requiring further action, non-exempt on-call operators will be paid a minimum of two hours of normal pay (or overtime pay, if applicable). For calls lasting more than two hours, normal hourly compensation will apply.
4. For multiple calls outs on the same shift, as long as the call out occurs after the original two hour call out period has expired, non-exempt on-call operators will be paid a minimum of two hours of normal pay (or overtime pay, if applicable).

### **APPROVED TIME OFF**

Every employee will need some time away from work to meet personal needs. These needs can be as pleasant as a vacation break in your routine or as important as time to care for your personal health. But time away for one employee usually means work for another or important work left undone. That is why Kirkwood Meadows Public Utility District has a procedure for requesting approval for planned time off.

Planned time off includes any situation that you know might prevent attendance at work or needs to be scheduled, e.g., vacation reservations, doctor's appointments, moving day, etc. If you are aware of any situation that might prevent your attendance at work, turn in a request form (**page 53**) to the General Manager at least two weeks prior to your requested time off. The General Manager will review your request and give approval if:

- The workload allows
- You have accrued, unused vacation time, sick leave time or compensatory, as applicable
- Another staff member has not put in a previous request for the same time
- You have not had excessive absences

If there is a work-related reason for denying the request, the General Manager will only approve planned time off for emergency situations.

You should only take time off without requesting approval when a personal illness or personal emergency occurs after you have left work on the previous day. If this happens, you are to call in as soon as possible but **you** must call the General Manager and your supervisor before the beginning of your scheduled shift. Kirkwood Meadows Public Utility District will attempt to approve all reasonable requests and advises you to limit your requests for time off to situations that are unavoidable, except for taking your vacation break.

## **LEAVES**

### **Family Care/Medical and Pregnancy Leave**

Under the California Family Rights Act of 1991 and federal Family and Medical Leave Act of 1993, District employees may be entitled to an unpaid family care and medical leave of up to 12 workweeks in any 12-month period. To be eligible for leave, an employee must have (a) worked for the District at least 1,250 hours during the 12 months immediately preceding commencement of the leave, (b) worked for the District for at least 12 months, which need not be consecutive, and (c) be employed at a worksite where the District employs at least 50 employees within 75 miles of the worksite. Family care and medical leave may be taken for the birth of a child of an employee, placement of a child with an employee in connection with an adoption or foster care, or serious illness of a child of an employee; care for a parent or spouse who has a serious health condition; or, the employee's own serious health condition that makes the employee unable to work. If the District grants a request for family care and medical leave, the employee is guaranteed reinstatement to a position with the same or similar duties and pay and at the same or similar geographic location upon the termination of the leave, with no loss of seniority or longevity.

Even if ineligible for family care and medical leave, a female employee who is disabled by pregnancy, childbirth or related medical conditions may have a right to a pregnancy disability leave under the state Fair Employment and Housing Act. Female employees may take up to four months of pregnancy leave, depending upon the period(s) of the employee's actual disability. When medically necessary, pregnancy disability leave may be taken in intermittent periods, so long as the total leave taken does not exceed four months. Pregnancy disability leave runs concurrently with any family care and medical leave under federal law taken for disability arising from pregnancy, childbirth or related medical conditions, but pregnancy disability leave and family leave under state law do not run concurrently. If the female employee also is eligible for state family leave, the employee may be entitled to take both a pregnancy disability leave and a state family leave for reason of the birth of a child.

When the need for leave is foreseeable, the employee must provide at least 30-days advance notice of the need for leave under this section, and, for a planned medical

treatment or supervision, the employee must make a reasonable effort to schedule the leave to avoid disrupting District operations.

The District may require written verification from the employee's doctor or health care provider or, if applicable, the doctor or health care provider of the employee's child, parent or spouse, to support the request for leave. As a condition of reinstatement following a leave under this section because of the employee's own health condition, the District may require the employee to submit a medical certification from the employee's doctor or health care provider stating that the employee is able to return to work.

For any family care and medical leave under this section, the employee must first exhaust all of his or her accrued vacation time and other paid accrued time off, and, for a leave relating to the employee's own serious health condition, accrued sick leave. Such paid leave will count toward the total leave allowed under this section.

There are certain exceptions to eligibility for a family care and medical leave and the District is permitted to deny a request for leave under certain circumstances. In particular, the District has a right to deny any request for family care and medical leave due to the small size of the District work force.

The District will continue to maintain the employee's coverage under the District group insurance benefits during any period of leave approved under this section. Sick leave and vacation benefits will not accrue during period of any leave under this section.

The General Manager may be contacted for more information regarding eligibility for leave under this section. Family care and medical leave and pregnancy leave will be provided pursuant to applicable federal and state laws. If there is any conflict between this District policy and federal or state law, the law shall govern.

### **PERSONAL LEAVE**

Personal unpaid leave is at the option of Kirkwood Meadows Public Utility District. Requests for personal leave will be evaluated on the basis of need, your length of employment and workload. (*page 53*)

### **BEREAVEMENT LEAVE**

After the first three months of employment, a three day (to attend funeral services) or five days (to make arrangements) bereavement unpaid leave will be granted (*page 53*).

This time off is limited to the death of mother, father, sister, brother, spouse, child, stepchild, mother-in-law, father-in-law.

### **LEAVES FOR MILITARY SERVICE AND RESERVES**

Military leave will be granted in accordance with applicable federal and state law.

### **JURY DUTY**

Time off is granted with pay equal to the difference between the jury duty stipend and regular pay for up to four weeks. Jury duty leave after four weeks shall be leave without pay.

If you are requested to serve on a jury, you are to bring the summons to the General Manager within three working days of receipt (**page 53**).

Requesting release from jury duty because of job responsibilities is at the discretion of the employer. Leave will be extended as required when proof of service is made to the General Manager.

Any time not serving as a juror during the normal work schedule is to be reported to the General Manager who will determine if you are to report to work for the remainder of the day or scheduled break in service.

### **VOTING**

Kirkwood Meadows Public Utility District encourages employees to exercise their right to vote. You may take up to two hours at the beginning or end of your work schedule if you are not able to get to the polls before or after your workday.

Your request for time off to vote must be submitted to the General Manager at least two weeks in advance (**page 53**).

### **EMPLOYEE PRIVACY**

Your personnel files will only include job-related information. Only District personnel who need the information to carry out their job responsibilities will have access.

This information will be available to you for review upon any reasonable request. You will be permitted to submit written statements of correction and comments on any material contained in your record.

Kirkwood Meadows Public Utility District will verify dates of employment, positions held and present or last salary when requested by an employee's prospective employer. If you as an employee wish a more detailed reference, you must make this request in writing.

### **CERTIFICATION REIMBURSEMENT POLICY/ EDUCATIONAL ASSISTANCE**

The District will pay for the cost for certifications/ renewals which are required by the District as deemed by the General Manager. The number and type of certifications required by the District will be determined by the General Manager. For District required certifications the District, with prior written approval, will:

- Pay for the cost of the application fee;
- Pay the cost of educational courses;
- Pay for the study material;
- Pay for the travel expenses to attend educational courses including the use of a District vehicle and a hotel room if the course/test begins at 8:00am or earlier;
- Pay for the employee's time to take the course/test.

Employees of the District are encouraged to pursue educational opportunities which are related to their present work, which will prepare them for foreseeable future opportunities within the District or which will prepare them for future career advancement.

For District approved educational opportunities the District will:

- Pay the cost of educational courses;
- Pay for the study material;

The District will not pay for the costs associated with an employee taking a test for a certification which the General Manager does not approve of in advance or feels is not necessary by the District.

To be eligible for reimbursement of course costs, the employee must receive advance approval for the class(es) from the General Manager. Requests for reimbursement should be submitted in writing. The employee will be notified of final approval, or the reasons for disapproval.

Upon completion of the class(es) the employee is responsible for sending copies of the grade slip(s) and expense receipt(s) to the General Manager.

### **DRESS & GROOMING**

As an employee of Kirkwood Meadows Public Utility District you are our representative. That is why you are to dress in clothing appropriate to your work setting, and practice personal grooming habits that result in a clean and cared-for appearance.

Your appearance is to be appropriate to the standards of the work setting. If you have any questions about what is appropriate at Kirkwood Meadows Public Utility District, please ask the General Manager.

Operations and Maintenance personnel are required to wear District approved work boots paid for by Kirkwood Meadows Public Utility District.

Appearance or personal grooming habits that are inappropriate to the job or work setting may result in dismissal.

Certain positions have uniform privileges provided by the District. See your supervisor to see if you qualify.

### **UNIFORMS**

The cost of uniforms and/or protective clothing, shoes, etc., that employees are required to wear shall be borne by the District upon General Managers prior approval.

Any Employee that is required to wear work boots to perform their job will be approved to purchase one pair of boots per year as needed at a cost no higher than \$150.00. Employees are encouraged to select a pair of boots that can be worn year round.



The District has the option of authorizing reimbursements to qualifying employees upon proof of purchase; or, of arranging with local retailers to supply all qualifying employees with a specific product that meets the needs and/or safety requirements, and bill the District for the total cost of all products purchased.

When an employee for who said uniforms, clothing, shoes, etc., were purchased or reimbursed is terminated for any reason, the employee will return said items in good condition to the District.

### **VEHICLE COSTS**

When an employee is authorized by the General Manager to use his/her personal vehicle in the performance of District work, he/she shall be reimbursed for the cost of said use on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of said usage.

Use of personal vehicles shall not be authorized for the performance of District work if a suitable District vehicle is available and safely operational.

Every attempt shall be made to coordinate work so that District vehicles are available and operational for the performance of said work.

Proof of adequate insurance covering collision, personal injury, and property damage shall be required by the District of any employee using a personal vehicle in the performance of District work.

### **SMOKING**

Because the Kirkwood Meadows Public Utilities District (District) is a public entity, the laws of the State of California apply. Smoking is prohibited in the following areas:

#### **Public Buildings**

Smoking inside of a public building or within 20 feet of a main exit, entrance or operable window is prohibited. This includes the Community Services Building, the Vehicle Maintenance Shop, the Wastewater Treatment Plant and common areas (hallways and staircases) of Lava Rock Lodge.

#### **Vehicles and Mobile Equipment**

Smoking within the enclosed cab of any vehicle or piece of mobile equipment owned by the District is prohibited.

#### **Smoking/No-Smoking Signs**

To support its policy of not allowing smoking in other than designated smoking areas, the Kirkwood Meadows Public Utilities District (District) has posted "No Smoking" and "Smoking" signs in the appropriate areas. Each sign posted in an area where smoking is prohibited carries the internationally recognized symbol for no smoking; a red circle containing a lit cigarette with a line drawn diagonally through the circle. Please observe these signs at all times.

#### **Nondiscrimination**

What the employee does outside of working hours and off Kirkwood Meadows Public Utilities District (District) premises will not be the basis of any disciplinary action by the

District. Nor will the District pursue a policy of discharging employees or refusing to hire applicants because they are smokers.

Employees that smoke are expected to keep the environment as smoke free as possible by putting out smoking materials that are not being used, emptying ashtrays, etc.

## **DRUG-FREE WORKPLACE**

### **Purpose and Intent.**

The District intends to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. The District has a vital interest in maintaining safe and efficient working conditions for its employees. Drug and alcohol abuse are incompatible with health, safety, efficiency and success at the District. Employees who are under the influence of a drug or alcohol on the job compromise the District's interests, endanger their own health and safety and the health and safety of others, and can cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, delays in the completion of jobs, inferior quality of service, and disruption of customer service and relations. To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees and others, and to protect its operations, property and equipment, the District has established and intends to enforce this policy, which includes drug and alcohol testing in certain circumstances. Each employee shall comply with this policy. This policy, and the distribution of it to District employees, constitutes the District's drug free awareness program.

### **Definitions.**

"Illegal drug" means any drug or substance that (i) is not legally obtainable; (ii) is legally obtainable but has not been legally obtained; (iii) is legally obtainable but is being sold or distributed unlawfully; or (iv) is legally obtainable but is being used for any purpose other than the purpose for which it was prescribed or manufactured or in a quantity, frequency or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.

"Legal drug" means any drug, including any prescription drug and over-the-counter drug, that has been legally obtained and that is not unlawfully sold, used or distributed.

"On duty" means any time when the interests of the District may be adversely affected by an employee who is under the influence of or impaired by illegal drugs, or the abuse of a legal drug, including any time the employee is on duty, on District premises, operating an District vehicle or equipment, or conducting or performing District business, regardless of location.

"Possession" means that an employee has the substance on his or her person or otherwise under his or her control.

"Reasonable suspicion" means: observable phenomena, such as direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of a drug or alcohol; a pattern of abnormal conduct or erratic behavior; arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, trafficking and/or distribution;

information about the use of illegal drugs, the abuse of legal drugs or on-duty use of alcohol provided by a reliable and credible source; or, newly discovered evidence that the employee tampered with a previous drug or alcohol test.

Prohibited Acts.

The following acts are prohibited and may subject an employee to discipline:

The on-duty use, possession, purchase, sale, manufacture, distribution, transportation or dispensation of any illegal drug.

Being under the influence of or impaired by alcohol or an illegal drug while on duty.

The on-duty purchase, sale, manufacture, distribution, transportation, dispensation or possession of any legal drug in a manner inconsistent with law.

Being on duty while impaired by the abuse of a legal drug whenever such impairment might: (a) endanger the safety of the employee or some other person; (b) pose a risk of significant damage to District property or equipment; or (c) adversely interfere with the employee's job performance or the efficient operation of the District's business or equipment.

Drug and Alcohol Testing on Reasonable Suspicion.

If the General Manager or a supervisor has reasonable suspicion that an employee while on duty may be under the influence of or impaired by alcohol or an illegal drug, then the employee will be asked about any observed behavior or other indicator(s) and offered an opportunity to provide a reasonable explanation. If the employee cannot reasonably explain the behavior or other indicator(s) to the satisfaction of the District, then the employee shall be directed to submit to a drug and alcohol test. The employee shall proceed immediately to submit to the testing.

The drug screening shall be conducted by a drug testing clinic certified by the National Institute on Drug Abuse (NIDA) as selected by the District. The exam shall be conducted in accordance with the following: The drug screening examination shall be conducted by urinalysis by a qualified and competent NIDA-certified laboratory. Any positive finding of an illegal drug shall be confirmed by gas chromatography/mass spectrometry or another accurate confirmation test before any report of a positive drug screening result to the District. The collection of urine specimens shall be done in a professional manner and in such a way as to assure a proper and documented chain of custody, including proper identification, labeling and handling of test specimens. Medical personnel shall not observe the act of urination itself. In connection with the drug screening examination, the employee shall be asked to list those legal drugs that he or she has consumed in the recent past. An employee, upon request, shall be furnished with a portion of the specimen which he or she may use for independent laboratory analysis, at his or her own expense. An employee shall be informed, at the commencement of the testing process, of the right to obtain such a sample portion. If the employee submits the results of an independent laboratory analysis, then these results shall be considered by the District prior to any final decision on discipline.

If the drug screening examination results are positive for the presence of an illegal drug or alcohol, then the drug testing clinic shall report this finding to the District. If the drug

or alcohol test results are positive, then the employee shall be in violation of this policy and subject to discipline as provided below.

Discipline.

Any violation of this policy may result in discipline, up to and including dismissal, depending on the circumstances. In lieu of discipline, the General Manager also may allow an employee who violates this policy to voluntarily participate in and satisfactorily complete a drug or alcohol abuse assistance, rehabilitation or counseling program. If an employee refuses to cooperate with and complete the alternative program, then the General Manager shall impose appropriate discipline. The first violation of this policy likely will result in immediate discharge whenever the prohibited conduct: (i) caused serious injury to the employee or any other person, or, in the opinion of the General Manager, unreasonably endangered the safety of the employee or any other person; (ii) resulted in significant damage to District property or equipment, or, in the opinion of the General Manager, posed a risk of significant damage; or (iii) involved the sale or manufacture of illegal drugs.

Conviction for Drug-Related Offense.

An employee who is convicted under a federal or state criminal drug statute relating to any conduct prohibited by this policy will be deemed to have violated this policy. Employees shall notify the General Manager of any conviction under a criminal drug statute. Upon receiving notice of a conviction of an employee for any such violation, the District shall either (i) take appropriate disciplinary action in accordance with this policy, and/or (ii) provide for the employee to participate in and satisfactorily complete a drug abuse assistance, rehabilitation or counseling program.

Counseling and Rehabilitation Programs.

Counseling and rehabilitation programs are available through the Kirkwood Meadows Public Utility District's Employee Assistance Program. Contact information is posted at each of the District's Information Bulletin Boards.

**SOLICITATION**

Kirkwood Meadows Public Utility District does not permit employees to sell, deliver, and solicit participation, or request contributions or payments for goods or services on the premises. Such transactions must take place outside of working hours and off the business premises. All outside solicitors are prohibited from soliciting employees on District property.

**CONFLICT OF INTEREST**

As an employee, you are required to disengage and refrain from all outside business or financial interests that put you in conflict with the purpose or services of Kirkwood Meadows Public Utility District; this includes business or financial involvement with those businesses or services that are present or possible vendors to Kirkwood Meadows Public Utility District.

Any employee engaged in pursuits in conflict with the interests of Kirkwood Meadows Public Utility District or using his/her position for independent financial gain will be subject to immediate dismissal.

### **POLITICAL ACTIVITY**

District employees will not be required to contribute to any political fund. District employees shall not engage in campaign politics during hours they are on duty for the District. District property (vehicles, bulletin boards, etc.) are to remain free of political statements or propaganda.

### **PROPRIETARY INFORMATION**

As an employee of Kirkwood Meadows Public Utility District, you will have access to information, which directly affects the operation or its revenues.

All such information is “proprietary.” Any verbal or written communication that is not in the public domain is to be held in confidence. You are not to share this information with other staff except as directed for carrying out District business. You are also not to share it with any party outside of Kirkwood Meadows Public Utility District.

An employee who purposefully or inadvertently provides proprietary information will be subject to immediate dismissal.

### **CODE OF ETHICS**

District employees shall at all times remain aware of their status as public servants, and, should be mindful that they serve the public and its mandate as expressed through its elected Board of Directors.

As part of maintaining ethical behavior, employees are encouraged to report any acts which undermine the integrity of the District including theft, embezzlement, harassment, destruction or misuse of public property to the General Manager or the Personnel Committee of the Board.

Employees should cooperate with other employees and public officials unless prohibited from so doing by recognized confidentiality of their work.

No employee shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the District, nor shall he/she use such information to advance the financial or other private interests of the employee or others.

### **ELECTRONIC MEDIA USE POLICY**

Electronic media are provided for the use of the District employees for business-related purposes only. They may not be used for personal purposes or any other purposes unrelated to the District’s business. This prohibition applies at all times, whether the employee is on working time or not. Employees shall have no expectation that information they convey, create, file, or store in such media will be confidential or private.

Electronic media may not be used for any other prohibited purpose, including illegal activities, messages which may constitute discrimination or harassment under state or federal law, or other inappropriate purposes.

The District’s computers, software and files stored on the computer or network are the District’s property and may only be used for its business purposes. Although employees have passwords that restrict access to their computers, the District may access any files stored on or deleted from the computer system. The District reserves the right to access

such information for any lawful purpose at any time. All software that resides on any of the District's computers must be licensed to the District. Employees must receive advanced written approval by the General Manager before adding personal software programs to the District's computers.

#### Online Information Services

Use of online information services, such as Internet access is restricted to approved plans/services provided by the District. Online information services may be used only for District business related purposes and may not be used for personal reasons or for any other purpose unrelated to the department or approved District business. Access to online services should be limited to a reasonable amount of time. The standard for a reasonable amount of time shall be established at the discretion of the General Manager.

#### Voice Mail

Although employees have passwords that restrict access to voicemail messages left for them on the system, employees should be aware that the General Manager can access any messages stored in the voice mail system and may do so for any reason at any time. Therefore, employees may not assume that such messages are confidential.

#### Email

Electronic mail addressed to, generated by, or received on District's computers or servers is the property of the District and may only be used for business related purposes. As the voicemail, although employees have passwords that restrict access to their computers, the General Manager may access any files or email messages stored on or deleted from the computer system. The District reserves the right to access such information for any lawful purpose at any time.

#### Other Disclosures

With limited exceptions as specifically authorized by state or federal law, data, files, messages, and information on District computers are public records. They are available to any member of the public and the news media upon request. Employees must create and send any electronic media information with that fact in mind. They are also discoverable in litigation which may be filed against the District or its officers and employees. If you are uncertain about the content of a message, the General Manager should consult with District Counsel before it is created or sent.

### **PETTY CASH & ROUTINE CASH PURCHASES**

You may be asked or given approval to make cash purchases for Kirkwood Meadows Public Utility District. The money needed should be requested in advance of the purchase from the General Manager. Monies not expended must be turned in along with the receipt for all items purchased on your return.

### **PROCUREMENT**

The General Manager authorizes all purchases for Kirkwood Meadows Public Utility District. No other employee is to request or receive supplies, services or samples for demonstration from representatives of present or possible vendors. Under emergency conditions where the General Manager is unavailable the Assistant Manager may approve one-time purchases.

Request supplies or services through the General Manager.

Requests will be filled from in-house supplies or purchased as needed. In special circumstances you will be given authorization to make a special purchase and obligate

Kirkwood Meadows Public Utility District to payment. You must have authorization from the General Manager before making any obligation for the District.

Any and all purchases made by the District must go through our Purchase Order system. A purchase Order must be filled out with all purchase information (Description of item, item number, and price). The Purchase Order is then turned in to the General Manager for approval. No purchases are to be made prior to approval.

### **USE OF FACILITIES FOR PERSONAL COMMUNICATION**

Kirkwood Meadows Public Utility District discourages making or receiving personal calls during the workday. Please ask your family and friends not to telephone you during working hours except in an emergency. Long distance calls should not be charged on Kirkwood Meadows Public Utility District's phones without the approval of the General Manager. Please charge such calls to your home phone or telephone charge card.

The District has a *Comprehensive Electronic Use Policy and Acknowledgment* (**pages 112-115**) which every employee is required to sign.

You are not to have personal mail sent to you in care of Kirkwood Meadows Public Utility District.

Kirkwood Meadows Public Utility District's postage may not be used for personal mail.

### **VIOLENCE IN THE WORKPLACE**

#### **Statement of Policy.**

The District recognizes that workplace violence is a growing concern among employers and employees across the country. The District is committed to providing a safe, violence-free workplace. In this regard, the District strictly prohibits employees, officers, consultants, contractors, vendors, customers, visitors, or anyone else on District premises or engaging in a District-related activity from behaving in a violent or threatening manner. Moreover, as part of this policy, the District seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence prior to any violent behavior occurring. The District believes that prevention of workplace violence begins with recognition and awareness of potential early warning signs and has established procedures for responding to any situation that presents the possibility of violence.

#### **Workplace Violence Defined.**

Workplace violence includes, but is not limited to, the following: (a) threats of any kind; (b) threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others; (c) other behavior that suggests a propensity towards violence, including yelling, belligerent speech, excessive arguing or swearing, sabotage, or threats to sabotage District property, or a demonstrated pattern of refusal to follow District policies and procedures; (d) defacing District property or causing physical damage to the facilities; or (e) bringing weapons or firearms of any kind on District premises, in District parking lots, or while conducting District business.

#### **Reporting.**

If any employee (a) observes or is aware of any of the actions or behavior listed above by any person in or around the District premises or otherwise in connection with District business, (b) is aware of any restraining order regarding an District employee, or (c) is aware of a potentially violent non-work related situation that could result in violence in the workplace, then he or she shall immediately notify the General Manager, an Assistant Manager, or Board President immediately.

#### Investigation.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the District will inform the reporting individual of the results of the investigation. To the extent possible, the District will maintain the confidentiality of the reporting employee and of the investigation. The District may, however, need to disclose results in appropriate circumstances, for example, in order to protect individual safety. The District will not tolerate retaliation against any employee or other person who reports workplace violence.

#### Corrective Action and Discipline.

If the District determines that workplace violence has occurred or that there has been another violation of this policy, effective remedial action and/or discipline will be taken in accordance with the circumstances involved. Any employee, officer, contractor, consultant or vendor determined by the District to be responsible for workplace violence or other violation of this policy will be subject to appropriate disciplinary action according to the nature and severity of the offense, and any prior record of discipline. The range of disciplinary action includes verbal or written reprimand, censure, suspension without pay, demotion, probation, discharge from employment, and, for contractors, consultants and vendors, termination, cancellation or suspension of its contract. If the workplace violence is that of a non-employee, the District will strive to take appropriate corrective action in an attempt to ensure that such behavior is not repeated. Under certain circumstances, the District may forego disciplinary action against an employee on the condition that the employee agrees to take a medical leave of absence. In addition, the District may provide for the employee to participate in counseling, either voluntarily or as a condition of continued employment.

### **MISCELLANEOUS RULES OF CONDUCT**

As an employee of Kirkwood Meadows Public Utility District you are expected to use sound judgment and respect the rights of fellow employees to a safe, comfortable and congenial work environment. It is impossible to make a comprehensive list of all of the possible kinds of conduct, which would be considered as inappropriate. Examples of some of the general types of conduct that cannot be allowed are:

- Drinking alcohol or taking mind or behavior altering drugs. Appearing at work under the influence of alcohol or drugs
- Infringing on the rights of fellow staff or customers by displaying objects, giving messages or wearing clothing that is provocative, insulting or harassing to any particular group or individual
- Threatening or cursing a fellow staff member or customers
- Physically assaulting a fellow staff member or customers



- Purposely giving wrong information when reporting hours worked or tasks completed
- Falsifying any document.
- Theft or removing money or equipment from the premises without approval
- Conviction of a felony or misdemeanor, which is of a nature to adversely affect the employee's ability to perform the duties and responsibilities of his or her employment, which tends to bring discredit to the District, or which results in imprisonment;
- Conduct unbecoming an employee in public service, tending to bring discredit to the District;
- Incompetence, inefficiency or insubordination;
- Negligent use of, willful damage to, waste of, or unauthorized use of District property, supplies, equipment or premises;
- Failure to follow workplace safety plans, instructions or directions;
- Fighting;
- Violation of any District employment policy or other provision of this handbook;
- Any conduct or omission that adversely affects the operation of the District, the health, safety, welfare of District employees or others, or the safety of District property.
- Protecting others who break these and other policies or commit illegal acts

Employees who act in these or other unacceptable ways will be subject to immediate dismissal.

### **RULES OF SAFETY**

Kirkwood Meadows Public Utility District makes a conscious effort to provide a work environment free from recognized hazards that may cause injury.

Employees who fail to observe safety rules and practices or wear safety equipment when required will be subject to immediate dismissal.

The District has adopted, and employees shall comply with, the following workplace safety-related plans:

Injury and Illness Prevention Plan. (Lab. Code § 6401.7; 8 Cal. Code Regs., §§ 3203, 1509

Confined Space (e.g., manholes) program. (8 Cal. Code Regs., ' 5157.)

Emergency Action Plan, including emergency medical services plan and adequate first aid. (8 Cal. Code Regs., ' ' 1512, 3220 & 3400.)

Fire Prevention Plan. (8 Cal. Code Regs., ' ' 3221 & 6151.)

### **GENERAL USE OF DISTRICT TOOLS AND EQUIPMENT**

The District provides tools and equipment for the use of employees in the performance of their work. Personal tools are not allowed on any District job or stored on District property without the written approval of the General Manager. Employees use of District tools, equipment or facilities for personal reasons is not permitted without the written approval of the General Manager. Infractions of this Policy are grounds for disciplinary action.

### **EQUAL OPPORTUNITY AND NON-DISCRIMINATION**

This District is an equal employment opportunity employer, and employment decisions are made on the basis of merit, experience and other bona fide occupational qualifications. The District is committed to complying with all applicable laws providing equal employment opportunities. District policy prohibits unlawful discrimination based on race, color, creed, sex, religion, marital status, age (over 40), national origin or ancestry, physical or mental disability, medical condition (including genetic characteristics), sexual orientation, gender identity, or any other consideration made unlawful by federal or state law; provided, however, that the District may make employment decisions on the basis of bona fide occupational qualifications when permitted by law. Unlawful discrimination also includes the perception that a person has any of the characteristics or traits listed above. This policy applies to all persons involved in the operation of the District, including applicants, employees, directors, other officers, contractors, consultants and vendors. This policy applies to all terms, conditions and privileges of employment, including application, recruitment, hiring, training, promotion, transfer, termination, reduction in force, compensation, retirement, staff facilities, and other benefits. The definitions at California Government Code section 12926 shall apply to this policy.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the District will make reasonable accommodations for the 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 his or her position should contact a District supervisor and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The District then will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. The District will consider and identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the District will make the accommodation.

Any applicant, employee or other person who believes that he or she has been subjected to any form of unlawful discrimination may provide a written complaint to the General Manager, Assistant Manager or the Board President. Complaints of discrimination shall be processed pursuant to the complaint procedure set forth in the

District's anti-harassment policy. The District will undertake immediately an effective, thorough and objective investigation, and attempt to resolve the complaint. If the District determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense and any prior record of discipline. Appropriate action also will be taken to deter any future discrimination. The District will not retaliate against an individual for filing a complaint and will not knowingly permit retaliation by management employees or co-workers.

### **APPLYING FOR POSTED JOB OPENINGS**

If you meet the stated qualifications, you may apply for a transfer by speaking with the General Manager.

Kirkwood Meadows Public Utility District selects staff to fill openings on the basis of demonstrated ability, experience, training and potential to carry out new responsibilities. The selection process is carried out in accordance with our commitment to provide equal employment opportunities.

#### Job Description.

For each authorized position, the General Manager shall prepare (and may from time to time modify) a job description and job-related physical standards and qualifications regarding performance of the essential functions for each authorized position, including, but not necessarily limited to, standards for height, weight, strength, physical agility, and medical and physical health.

#### Vacancies.

When a vacancy occurs in an authorized position or when there is a new position, the Manager may fill the position with an existing District employee, who is both qualified for the position and willing to accept the employment change, leave the position vacant, or fill the vacancy with a person who is not currently a District employee.

#### Announcements.

When recruiting to fill a vacancy or a new position, the General Manager shall announce the position by posting a job announcement on the District employee bulletin boards and by any other method(s) the Manager deems appropriate for recruiting qualified applicants. The General Manager shall determine and specify the minimum qualifications of education, experience and other criteria for the open position.

#### Applications.

Applicants shall submit a complete application in a form and manner as specified by the General Manager, together with such other information as may be required by the General Manager. The District must receive applications not later than the final filing date, if any, shown on the job announcement.

#### Disqualification.

The General Manager may disqualify an applicant for any of the following reasons: (a) failure to demonstrate that the requirements or qualifications established for the authorized position have been met; (b) conviction of a felony or misdemeanor of such a nature as to have an adverse effect on the applicant's ability to perform the duties of the position, or which resulted in imprisonment; (c) false statement of fact or actual or attempted misrepresentation, deception, fraud, or misconduct on an application, or

during an interview or examination; (d) interference with or attempt to interfere with the fair, equitable and orderly conduct of an interview or examination process; (e) being tardy or failing to appear for an interview or examination; or (f) any other reasonable grounds for disqualification as determined by the General Manager. Whenever an application is rejected, written notice shall be given to the applicant. The District generally shall not give any reason for the rejection. Incomplete or deficient applications may be returned to the applicant for amendment.

#### Examination of Applicants.

The General Manager may provide for interviews and examinations of qualified applicants. Examinations shall be practical and relate only to those matters that will fairly test the relative capacity of the persons examined to discharge the duties of the position and may include, when appropriate, tests of manual or professional skill. Examinations may consist of written, oral, performance, and/or physical strength or agility tests as determined by the General Manager. Interviews and examinations will be scheduled by the General Manager, as the need requires, and may be postponed, canceled or extended by the General Manager.

#### Appointment.

The position of General Manager shall be filled by Board appointment. All other positions shall be filled by appointment by the General Manager. All appointments shall be as a regular full-time employee, regular part-time employee or temporary employee. New employees will be subject to the District's fitness for duty policy.

#### Proof of Right to Work.

Under federal law, all new employees must produce documentation establishing their identity and right to work in the United States. Within three business days after commencing work with the District, all new employees must satisfactorily complete U.S. Immigration and Naturalization Service form I-9 with appropriate documentation showing that the applicant has the right to work in the United States. Failure to provide adequate proof of right to work in the U.S., or to maintain the right to work, will be grounds for immediate termination of employment.

#### **NEPOTISM**

The District shall not employ members of the same family. This section applies to immediate family members consisting of spouses, children, and parents. This rule is waived for those persons already employed on the date of this document and may be waived if in the discretion of the General Manager, such employment can have no possible adverse effect on the functioning of the District or its employees.

#### **FITNESS FOR DUTY EXAM**

##### Policy Objectives.

Pre-employment medical examinations and reviews shall be conducted to achieve the following objectives: (a) to ensure that all new employees are medically and physically able to perform their job duties; (b) to ensure that every new employee's health and safety is not at risk or impaired with respect to his or her job; (c) to minimize the exposure to financial liability arising from medically identifiable deficiencies; and (d) to document the physical and medical condition of new employees as they begin employment with the District.

#### Pre-Employment Medical Review and Exam Requirement.

All offers of employment with the District shall be subject to the acceptable results of a pre-employment medical review and examination of the applicant as provided in this policy. The applicant must submit to a physical examination and the Medical Clinic (defined below) must determine whether the applicant is medically and physically fit to perform the essential functions of the position applied for, and can perform such functions without posing a direct threat to the health or safety of the applicant or others in the workplace. An applicant's failure to achieve and maintain the established job-related physical standards and qualifications for the position will result in disqualification from employment. The General Manager may waive the pre-employment medical review and examination for temporary employees.

#### Procedure.

The General Manager shall select a licensed medical clinic, doctor or other medical provider to conduct pre-employment medical reviews under this policy (the "Medical Clinic"). The General Manager, in consultation with the Medical Clinic, shall determine, prepare, amend and maintain the forms that are necessary or appropriate to implement this policy. The General Manager also will provide the Medical Clinic with the job description and job-related physical standards and qualifications for the position. All expenses of the Medical Clinic in implementing this policy shall be paid by the District.

When an applicant has received a job offer contingent upon successful completion of the pre-employment medical exam, the applicant will be given the appropriate medical history and consent and release form(s) to complete and sign, instructed regarding the District's pre-employment medical review and exam policy, and advised to promptly make an appointment with a Medical Clinic for the medical exam. An applicant who fails or refuses to complete and sign the medical history and consent and release form(s), and/or to promptly appear and submit to the medical exam, shall be disqualified from employment with the District.

The medical review and examination shall be conducted by the Medical Clinic. The Medical Clinic will determine whether, in its judgment, the applicant is medically and physically fit to perform the essential functions of the position applied for, and can perform such functions without posing a direct threat to the health or safety of others in the workplace. Upon completion of the medical review and examination and test results, the Medical Clinic will immediately forward one copy of the medical examination report to the General Manager, retaining one copy for the Medical Clinic's files. No statement of medical cause or actual detailed test results will be reported to the District. If applicable, the Medical Clinic also shall describe the functional limitations of the applicant that may limit the applicant's fitness to perform the position.

Upon receipt of the medical examination report, the General Manager will evaluate the information and determine whether the applicant is fit for duty under this policy. The General Manager shall then: (a) approve the applicant for the position applied for; (b) recommend further review and examination by the Medical Clinic; or (c) determine that the applicant failed to satisfy the District's pre-employment medical review and examination policy, in which case the employee shall be disqualified from employment with the District (subject to the appeal process and qualified disability provisions below). The General Manager shall immediately inform the applicant of the determination. If the

determination is disqualification, then the applicant also shall be notified of the appeal procedure below.

#### Appeal Process.

If an applicant is disqualified from employment for failing to satisfy the District's pre-employment medical review policy, he or she may file a written request through the General Manager for a review of his or her disqualification. The request must be submitted to the General Manager within five working days after the applicant is notified of the disqualification. If the applicant fails to timely request a review under this subsection, then the disqualification shall be final.

After filing a timely appeal, the applicant may submit additional information regarding his or her medical condition, including a report by an independent licensed medical clinic, doctor, laboratory or other medical provider. The additional information must be submitted within 15 days from the date of the appeal. The information provided must be relevant to the nature and extent of the medical condition(s) that relate to the applicant's disqualification. The applicant shall pay all costs and expenses relating to any independent medical examination or report.

Additional medical information provided by the applicant then will be submitted to the Medical Clinic for its review and determination whether, in light of the additional information, any change in the Medical Clinic's initial report is warranted. If the Medical Clinic, after reviewing the information, reverses the earlier report, then the applicant will be approved for the position applied for. If the Medical Clinic affirms or upholds the earlier report, then the disqualification shall be final.

#### Qualified Disability.

If the applicant is determined to be unfit for employment with the District, and if the unfitness is a result of a qualified disability under federal and/or state law, the District may investigate whether the applicant can perform the essential functions of the position with reasonable accommodation that would not impose an undue hardship on the District, or whether the applicant may be hired to work in a restricted capacity in a particular position so as to accommodate the best interests of the District and applicant.

#### Reapplication.

If an applicant is disqualified from employment for failing to satisfy the District's pre-employment medical review, he or she may reapply for employment for any open position with the District six months after the final determination of disqualification. Any new employment application shall be subject to additional review and screening pursuant to this section.

#### Confidentiality.

The forms and results of the pre-employment medical review and examination shall be treated confidentially, kept separate from the regular personnel files, and made available only to the General Manager, District's attorneys, and other District management employees who have a clear business reason to know the information. The forms and results will not be released to anyone else without the consent of the applicant or by court order.

#### Applicability and Exemptions.

This policy shall apply to all new District employees. It shall not apply to elected officials, volunteers, independent contractors and, if waived by the General Manager, temporary employees.

### **PERFORMANCE APPRAISAL**

Performance appraisals are a tool for supporting communication between you, the General Manager and the Board of Directors.

Performance appraisal discussions and documentation reflect:

- The work being done
- Ways it could be improved
- Ways performance exceeds expectations
- Goals to consider or requirements to be set
- Agreements or disagreements on performance and other work-related Issues
- Possible results or ramifications

You are encouraged to give your view. Use this opportunity to elaborate on, or state concerns and disagreements with, the content of both the verbal and written performance appraisal.

The General Manager shall at least once a year, during budget session, recommend to the Board of Directors any necessary changes in titles, classifications, or salaries/wages.

### **ADDRESSING PERFORMANCE ISSUES**

Kirkwood Meadows Public Utility District believes that concerns about employee performance or conduct should be addressed when they first come up. In this way, we will have the best opportunity to work together toward a positive outcome.

Any concerns about your performance or conduct may initially be communicated verbally.

At other times initial concerns or continuing issues will be discussed in meetings, which may cover:

- The issues or concerns
- The actions or changes that are required
- The possible ramifications if the problem is not resolved

The items discussed will be put in writing and you will be asked to sign that you have reviewed the written summary.

If required actions or changes are not made, you may meet with the General Manager to:

- Discuss the immediate situation
- Hear Kirkwood Meadows Public Utility District's plan and position
- Learn your rights and resources

Employment at Kirkwood Meadows Public Utility District is "at will" and may be terminated at any time by either party with or without cause and with or without prior notice.

### **WHERE TO GO WITH YOUR CONCERNS, COMPLAINTS OR GRIEVANCES**

As an employee of Kirkwood Meadows Public Utility District you are encouraged to raise your concerns with the General Manager or Personnel Committee of the Board.

Employees are encouraged to report any acts which undermine the integrity of the District including theft, embezzlement, harassment, destruction or misuse of public property, etc. to the General Manager or the Personnel Committee of the Board.

You may be offered informal assistance. This could be in the form of just listening or moderating a voluntary meeting, etc.

If you report possible acts of discrimination or harassment, request a more formal intervention, or the party hearing your concern believes it necessary, your report will be put in writing. It will then be reviewed. Further action will be planned as appropriate.

All involved will treat the issues you raise objectively. Kirkwood Meadows Public Utility District will make every effort to protect your confidentiality and see that you are treated without prejudice for stepping forward with your concern.

### **EMPLOYEE ASSISTANCE PROGRAM**

The District is joining the ACWA/JPIA Employee Assistance Program effective July 1, 2015, offering a variety of resources and support for District employees. A summary of those services can be found on **pages 116**, with additional information becoming available prior to July 1, 2015. Contact information will be posted on each of the District's Information Bulletin Boards starting July 1st.

### **ISSUES OF HARASSMENT**

#### **General Rule and Prohibition.**

The District is committed to providing a work environment free of unlawful harassment. District policy prohibits discriminatory insult, intimidation or harassment due to or based on race, color, creed, sex, religion, marital status, age (over 40), national origin or ancestry, physical or mental disability, medical condition (including genetic characteristics), sexual orientation, gender identity, or any other consideration made unlawful by federal or state law. Any incident of discriminatory insult, intimidation or harassment in any form should be reported promptly pursuant to the complaint procedure set forth below for investigation and appropriate action. The definitions at California Government Code section 12926 shall apply to this policy.

Prohibited unlawful harassment includes, but is not limited to, the following behavior and conduct: (a) verbal conduct (such as epithets, vulgar or profane language, or derogatory jokes, comments or slurs) that disparages, abuses or insults another person based on or related to a protected basis; (b) visual conduct (such as derogatory and/or offensive memos, e-mail messages, posters, photography, cartoons, calendars, drawings, staring or gestures) that disparages, abuses, insults, intimidates or harasses another person based on or related to a protected basis; (c) physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because



of or based on or related to a protected basis; and (d) retaliation for having reported or threatened to report harassment. Unlawful harassment also includes sexual harassment as defined below.

This policy protects and may be asserted by District employees, officers, applicants for employment, and individuals providing service to the District pursuant to a contract. The policy applies to and prohibits unlawful harassment by all persons involved in the operation of the District, including employees, directors, other officers, contractors, consultants, customers, vendors and other third persons that regularly come into contact with employees, officers, applicants and service providers. This policy applies to all terms, conditions and privileges of employment, including application, recruitment, hiring, training, promotion, transfer, termination, reduction in force, compensation, retirement, staff facilities, and other benefits.

Harassment in violation of this policy in the workplace or in the course and scope of employment by any person in any form is prohibited. If the harasser is a District employee, officer, contractor, consultant or vendor, violation of this policy will subject the harasser to discipline as provided below.

#### Sexual Harassment.

Sexual harassment is one particular form of harassment prohibited by this policy. Prohibited sexual harassment includes, but is not limited to, the following behavior and conduct: (a) unwelcome sexual flirtations, propositions, advances or invitations; (b) verbal or written abuse or insult of a sexual nature; (c) requests for sexual favors; (d) graphic comments about an individual's body; (e) sexually degrading words used to describe an individual; (f) the display of sexually suggestive or explicit words, objects or pictures; (g) threats or demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss; (h) offers of employment benefits in return for sexual favors; and (i) other verbal or physical conduct of a sexual nature that creates an intimidating, hostile or offensive working environment.

#### Implementation.

The District shall implement this policy as follows:

The General Manager and each supervisor shall be responsible for maintaining a workplace free of unlawful sexual and other harassment. This responsibility includes discussing this policy with his or her employees and assuring them that they are not required to endure insulting, degrading or exploitative treatment or any other form of harassment.

The District shall post the federal ("Equal Opportunity is the Law") and state ("Harassment or Discrimination in Employment is Prohibited by Law") anti-harassment posters on employee bulletin boards.

The District shall distribute a copy of this policy and the State Department of Fair Employment and Housing information sheet ("Sexual Harassment is Forbidden by Law") to all existing employees, and, as hired, to all new employees.

#### Complaint Procedure.

If an employee, officer, applicant or service provider believes that he or she has been unlawfully harassed, or if an individual is aware of or suspects the occurrence of

unlawful harassment, the individual should provide a written complaint to the General Manager, Assistant Manager or Board President as soon as possible after the incident. The District encourages the reporting of incidents of harassment forbidden by this policy immediately so that complaints can be resolved quickly and fairly. In addition, when feasible, a victim of harassment is urged to confront the harasser and demand that the harassment cease.

A complaint should include the following information: (a) name of complainant; (b) name or names of alleged harasser(s); (c) nature of harassment, with specific explanations and examples; (d) name or names of any witnesses; any (e) supporting documents; and relevant dates and times. All complaints will be treated seriously. Supervisors must refer all harassment complaints to the General Manager, unless the General Manager is the alleged harasser, in which case the complaint shall be referred to the Board President. The District will not retaliate against a complainant for filing a complaint, and will not tolerate or permit retaliation by other employees or co-workers.

The District will immediately undertake an effective, thorough and objective investigation of the harassment allegations. The investigation will be conducted confidentially. All interviews of witnesses and parties will be conducted in private. The investigator will attempt to identify and interview all persons involved, including the complainant, all possible witnesses, and the alleged harasser. The interviewer will take notes of all interviews.

If the District determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee, officer, contractor, consultant or vendor determined by the District to be responsible for unlawful harassment will be subject to appropriate disciplinary action according to the nature and severity of the offense, and any prior record of discipline. The range of disciplinary action includes verbal or written reprimand, censure, suspension without pay, demotion, probation, discharge from employment, and, for contractors, consultants and vendors, termination, cancellation or suspension of its contract. The District will advise the complainant of the results of the investigation.

Employees also should be aware that the Federal Equal Employment Opportunity Commission and the State Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If an individual believes that he or she has been harassed or retaliated against for resisting or complaining about harassment, the individual may file a complaint with the appropriate District. The nearest offices are listed in the telephone book and the Internet.

### **VEHICLE POLICIES**

All vehicles that belong to the Kirkwood Meadows Public Utilities District are to stay on the mountain. Under no circumstances is a District vehicle to be driven off the mountain without written and verbal approval by the General Manager, prior to having access to any vehicle (**page 117**).

It is the responsibility of the driver of any District vehicle to do a check of the vehicle prior to driving. Any problems or accidents to a District vehicle must be reported to the General Manager in person or by phone, within 24 hours of any accident.

## **TERMINATION & EXITING**

Employment is “at will” and may be terminated at any time by either party with or without cause and with or without prior notice.

Employees normally separate from Kirkwood Meadows Public Utility District in one of three ways:

- Resignation
- Dismissal
- Layoff

### **Resignations.**

Resignations are initiated by employees. Kirkwood Meadows Public Utility District requests that employees who wish to resign offer as much notice as possible, at minimum 10 working days.

- An employee shall be regarded as having resigned the employee's position:
  - If the employee fails to report for duty, and while able to notify the employee's supervisor of the reason for absence, fails to do so for two consecutive days, or
  - If the employee fails to give notice or to report for duty upon the expiration of a leave of absence.
- An employee shall, in order to resign in good standing, give the General Manager written notice of the resignation at least two (2) weeks before it is to take effect, unless, because of extenuating circumstances, the General Manager agrees to a shorter notice.
- A resignation made without the notice required by these rules may be regarded as cause for denying the resigning employee future employment by the District.
- An employee's resignation and the circumstances pertinent to it shall be recorded in his/her personnel file.
- An exit interview will be conducted with the General Manager.

### **Dismissal.**

In the event the employee shall be discharged for incompetence, neglect of business, or violation of any of the stipulations of this agreement, the employee shall not be entitled to any compensation after notice of dismissal. In the event of the termination of employment by the giving of notice by the employee, the District shall be obligated to pay the employee's salary only to the date of his/her leaving the employ of the District and such date shall be determined by the District.

### **Layoff.**

- The General Manager may lay off an employee because of lack of work or funds, or for reorganizational reasons.

- The order of layoff shall be determined by the General Manager on the basis of the needs of the District and with consideration of recommendations of Staff.
- The General Manager, in scheduling for layoffs, will consider the displacement of an employee in the lower classification if the affected employee is qualified to perform the duties of such classification, and if he/she has greater seniority with the District than has the employee to be displaced.
- An employee who has given satisfactory service and who is laid off shall be eligible for preferential re-employment in his/her old job or in another position for which he/she is qualified and filled within twelve (12) months.

When you leave Kirkwood Meadows Public Utility District you will be asked to take part in an exit interview on or before your last day of work. At the end of the last scheduled day of work, you will turn in all property of the business to the General Manager and will receive a final paycheck. If you resign you must give a minimum of 72 hours' notice to receive a paycheck on your last working day.

Reinstatement of Former Employee.

- The General Manager:
  - May approve reinstatement of any former employee who has resigned from the District with a good record or who has been laid off due to lack of work or funds.
  - Shall reinstate into the position from which the employee has been promoted any employee who fails during a promotional probationary period to serve satisfactorily in a position to which the employee has been promoted.
- Reinstatement of an employee shall:
  - Restore to the employee the employee's former position or
  - Place the employee in a position of the same class or a class comparable to that of the employee's former position.

**REFERENCES/ LETTERS OF RECOMENDATION**

The Board of Directors recognizes that the District faces exposure to significant liability through the provision of letters of recommendation by District employees. The Board finds that it is, therefore, in the best interests of the District to ensure that letters of recommendation issued by individuals in their capacity as District employees, or which could be reasonably interpreted as written in the individual's capacity as a District employee, be accurate and conform to all requirements of law. Therefore, the General Manager or his/her designee is directed to create and implement a practice whereby all letters of recommendation are reviewed and approved by the General Manager or his/her designee before dissemination.

The General Manager or designee shall process all requests for references, letters of recommendation, or information about the reasons for separation regarding all District employees other than himself/herself. All letters of recommendation to be issued on behalf of the District for current or former employees must be approved by the General Manager or his/her designee.

At his/her discretion, the General Manager or his/her designee may refuse to give a recommendation. Any recommendation he/she gives shall provide a careful, truthful, and complete account of the employee's job performance and qualifications.

#### **OFF DUTY EMPLOYMENT**

- Employees of the District will not participate in employment by other businesses, agencies, or parties when conflicts of time or conflicts of interest could occur.
- At no time will an employee utilize District equipment or materials to perform after-hours non-District work for himself/herself or others unless specific approval is granted by the General Manager.
- At no time will an employee arrange outside work schedules which conflict with District needs.
- In the event any outside work or position is in question, an employee should verify acceptance with General Manager.

***End of Employee Handbook***  
**Please see Administration for additional information on  
referenced forms, enrollment opportunities, etc.**