COSTA MESA SANITARY DISTRICT

EMPLOYEE HANDBOOK

2016

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EMPLOYEE HANDBOOK
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1) **AUTHORITY.** The following rules, policies, and procedures are promulgated under the authority of Title 1 of the Operations Code of the Costa Mesa Sanitary District ("District"). This Employee Handbook shall be adopted and amended by resolution of the Board of Directors.

2) **PURPOSE.** The purpose of this Employee Handbook is to establish a system of personnel administration based on merit principles. These merit principles include:

   a) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge and skills, including open consideration of qualified applicants for initial appointment.

   b) Providing equitable and adequate compensation.

   c) Training employees as needed, to assure high quality performance.

   d) Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance and separating employees whose inadequate performance cannot be corrected.

   e) Assuring impartial treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, religion, color, sex, age, marital status, sexual orientation, national origin, or handicap and with proper regard for their privacy and constitutional rights as citizens.

3) **APPLICATION.** The provisions of these rules, policies and procedures shall apply to all offices, positions and employments in the services of the District.

4) **SCOPE.** This chapter is a compilation of rules, policies and procedures which govern and affect personnel administration for all employees of the District, pursuant to the purposes outlined in Section 1.2 herein, unless specified otherwise. The rules, policies, and procedures incorporated herein shall not preclude the development of internal rules, policies and operating procedures within the organization nor the development of personnel or administrative policies and procedures governing the implementation of these rules, policies, and procedures.

5) **SEVERABILITY.** If any provision of these rules, policies, and procedures or the application of such provision to any person or circumstance shall be held invalid, the remainder of the rules, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

6) **APPOINTING AUTHORITY.** As used in these Rules, the Appointing Authority shall be the General Manager or his/her designee(s).

I. **TERMS**. Terms used in these rules are defined as follows:

a. **ALLOCATION** means the assignment of an individual position an appropriate classification on the basis of the type, difficulty and responsibility of the work performed in the position. As used in this Employee Handbook, employees are appointed to positions, and positions are allocated to classes.

b. **ANNIVERSARY DATE** means the date recurring yearly upon an employee's regular appointment or date of hire.

c. **APPOINTING AUTHORITY** means the General Manager is the appointing authority.

d. **APPOINTMENT** means the employment of a person in a position. Types of appointment include:

i. **Original Appointment** means the person's first appointment as a District employee.

ii. **Provisional Appointment** means the employment of a person to a vacant position for no more than a six month period for emergency or in interim conditions. The General Manager may extend a provisional appointment for up to an additional six month period.

iii. **Temporary Appointment** means an employee hired into a position of limited duration or for completion of a specific task or project without following the rules regarding recruitment and selection. Temporary employees serve at the pleasure of the appointing authority and may be removed at any time without cause, notice or any right of appeal. Temporary employees are not eligible for benefits other than those required by state or federal law.

e. **CERTIFICATION** means the process whereby the District identifies for an Appointing Authority eligible individuals who have successfully completed all qualifying requirements for appointment and appear on an employment list.

f. **CLASS** means a group of positions sufficiently similar in duties, responsibilities, authority and qualifications for employment to permit combining them under a single title and equitable application of common standards of selection and compensation.

g. **CLASSIFICATION PLAN** means the designation of a title for each class together with the specification for each class as prepared and maintained by the District.

h. **CLASS SPECIFICATION** means a written description of a class setting forth factors and conditions which are essential characteristics of positions in that class.

i. **CONTINUOUS SERVICE** means the employment without break or interruption of an employee having a regular appointment.

j. **DATE OF HIRE** means the date of an employee's original appointment to the District.

k. **DISASTER SERVICE WORKER** performs any unit of the organization or any act contributing to the protection of life or property or mitigating the effects of an emergency. In accordance with Government Code Section 3100, all District employees take and subscribe to the oath or affirmation before entering duties of employment and are considered disaster service workers.

l. **DISCHARGE** means the involuntary separation of an employee from the service of the District.

m. **ELIGIBLE APPLICANT** means a person whose name is on an employment list.

n. **EMPLOYEE** means a person occupying a position. Types of employees include:

i. **At Will Employee** means an employee serving at the pleasure of the appointing authority who can be separated from employment for no cause. The District is an “Employment at Will” employer, which means that there are no employment contracts, expressed or implied, between the District and its employees. Termination of the employment relationship can occur at any time.

ii. **Exempt Employee** means an employee who meets one or more of the duties test exemptions from overtime under the FLSA (e.g. executive, administrative, professional, computer employee) and who is paid on a salary basis, meaning that he or she is compensated in a predetermined amount that is not reduced, regardless of the quality or quantity of work actually performed, except as required by the District’s principles of public accountability for partial-day absences. An FLSA-exempt employee is not subject to the requirements of the Fair Labor Standards Act and is not entitled to overtime compensation, and is expected to work the number of hours necessary to meet the standards of job performance.

iii. **Full-Time Employee** means an employee who works 40 hours per week.

iv. **Non Exempt Employee** means an employee who is paid on an hourly basis and is subject to all Fair Labor Standards Act.

v. **Part-Time Employee** means an employee who works less than 40 hours per week. Part-time employees receive different benefits than full-time employees as specified in Appendix A – Summary of Compensation & Benefits.

vi. **Provisional Employee** means an employee who has a provisional appointment to a vacant position for no more than a six month period or, upon specific action by the General Manager, up to a second six month period for a total provisional appointment of 12 months.

vii. **Temporary Employee** means an employee in a position for a period lasting one year or less, with a specific expiration date. It is appropriate when there will be no permanent need for the employee.

viii. **Regular Employee** means an employee who holds a budgeted position.

o. **EMPLOYMENT LIST** means a list of names of persons who have taken an open competitive examination for a class and have qualified.

p. **EXAMINATION** means any device or procedure used in the selection process to measure applicant abilities and suitability for a position including, but not limited to, oral interviews, written tests, performance tests, and an evaluation of education and experience. The types of examination processes include the following:

i. **Open Competitive Examination** means an examination for a particular class which is open to all persons meeting the minimum qualifications for the class.

q. **GENDER EXPRESSION** means a person's gender-related appearance or behavior, whether or not stereotypically associated with the person's sex at birth.

r. **GENDER IDENTITY** means a person's identification as male, female, a gender different from the person's sex at birth, or transgender.

s. **GENERAL MANAGER,** in accordance with the District's Operations Code, is appointed by the Board of Directors to plan, manage, and operate the District and to report to the Board. The General Manager's duties shall also include acting as the Personnel Officer, whereby he will hire and fire, develop classification plans, adopt organization charts, and perform other duties related to personnel matters.

t. **HOURLY RATE** means the amount paid to an employee for each hour worked. The hourly rate may be any amount within a specific hourly wage range.

u. **IMMEDIATE FAMILY** means for the purposes of this Employee Handbook, an employee's father, mother, wife, husband, brother, sister, daughter, son, grandparents, grandchildren, brothers and sisters having one parent in common, and those relationships generally called "step," providing persons in such relationships have lived or have been raised in the family home and have continued an active family relationship.

v. **LAYOFF** means the abolishment of a position or positions due to reorganization, reassignment, lack of work to be accomplished, or lack of funds.

w. **LEAVE** means authorized or unauthorized absence from an employee's place of work.

x. **OVERTIME** means time worked in excess of 40 hours in one workweek.

y. **PERSONNEL ACTION** means any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal, discipline, commendations or any other action affecting the status of employment.

z. **MANAGER** means the position so designated by the General Manager within the District's classification system.

aa. **POSITION** means a combination of current duties and responsibilities requiring the full-time, part-time or temporary services of an employee.

bb. **PROMOTION** means the advancement of an employee from a position in one class to a position in another class having a higher maximum rate of pay.

cc. **REASSIGNMENT** means the change of an employee from one class to another class which is not due to a significant change in kind, difficulty or responsibility of the work performed in the position.

dd. **RECLASSIFICATION** means a change in the classification level of an individual position by raising the level to a higher class, reducing it to a lower class, or by moving it to another class at the same level on the basis of significant changes in kind, difficulty or responsibility of the work performed in the position.

ee. **REDUCTION IN PAY** means a salary decrease within the limits of the pay range

established for a class.

ff. **REGULAR POSITION** means a full-time or part-time position authorized and funded in the District's budget.

gg. **RETIREMENT DISABILITY** means the separation of an employee due to physical or mental inability to perform the duties of the position after an employee has become eligible for benefits under the Public Employees Retirement System.

hh. **RETIREMENT SERVICE** means the voluntary separation of a regular employee from a regular position after becoming eligible for and applying to the Public Employees Retirement System for retirement benefits.

ii. **SALARY RANGE** means the minimum, maximum and median salary or hourly wage rates which may be paid to an employee within a class.

jj. **SEPARATION** means the termination of an employee's employment with the District because of retirement, resignation, death or dismissal.

kk. **SUPERVISOR** means an employee with the responsibility of organizing, directing and evaluating the work of other employees.

ll. **SUSPENSION** means the temporary and involuntary separation for a specified period of time of an employee from a position for disciplinary purposes.

mm. **TIME CARD** means the document accounting an employee's actual work and leave hours in a payroll or work period.

nn. **TRANSFER** means a change of an employee from one position to another position in the same class or in a comparable class.

oo. **TRANSGENDER** is a general term that refers to a person whose gender identity differs from the person's sex at birth. A transgender person may or may not have a gender expression that is different from the social expectations of the sex assigned at birth. A transgender person may or may not identify as "transsexual."

pp. **UNPAID INTERN/VOLUNTEER** means any individual (often a student or trainee) who works without pay for the District or other covered entity in any unpaid internship or anther limited duration program to provide unpaid work experience, or as a volunteer. Unpaid interns and volunteers may or may not be employees.

qq. **VACANCY** means an unoccupied regular position of non-limited duration for which funds have been authorized by the Board of Directors

Costa Mesa Sanitary District Employee Handbook	Policy Number: 1.1
	Effective Date: May 26, 2016
Subject: Equal Employment Opportunity	Supersedes: April 27, 2015
Approved by: Board of Directors	Signature:

1) **GENERAL POLICY**. It is the policy of the District to provide equal employment opportunity to all persons.

   a) All District recruitment, hiring, training, promoting and transferring shall be done without regard to race, color, religion, national origin, sex, marital status, political affiliation, age, or physical or mental disabilities not constituting bona fide occupational qualifications. All personnel policies, procedures and practices shall be administered accordingly.

   b) The District recognizes its moral and legal responsibility to provide equal employment opportunity, to take affirmative and direct action at all levels of special district government regarding job classifications, salaries, training, fringe benefits, and other personnel policies, and to improve employment and career opportunities for minority group persons and women according to affirmative action principles.

   c) The General Manager is responsible for implementation of all equal employment opportunities and affirmative action programs adopted by the District. Supervisors are required to assure that equal employment opportunity concepts are supported by their organizations. Employee organizations must support and comply with adopted programs and the District shall maintain appropriate records and prepare status reports on implementation.

1) **PURPOSE.** The purpose of this Policy is to: establish a strong commitment to prohibit and prevent discrimination, harassment, and retaliation in employment; to define those terms; and to set forth a procedure for investigation and resolving internal complaints. The District encourages all covered individuals to report - as soon as possible – any conduct that is believed to violate this Policy.

2) **POLICY.** The District has zero tolerance for any conduct that violates this Policy. Conduct need not arise to the level of a violation of law to violate the Policy. Instead a single act can violate this Policy and provide grounds for discipline or other appropriate sanctions.

   a) Harassment or discrimination against an applicant, employee, unpaid intern, volunteer, or contractor by a supervisor, management, employee, elected or appointed official, co-worker, member of the public, or contractor on the basis of race, religion, sex (including gender, gender identity, gender expression, transgender, pregnancy, and breastfeeding), national origin, ancestry, disability, medical condition, genetic characteristics or information, marital status, age, sexual orientation (including homosexuality, bisexuality, or heterosexuality), or any other protected classification as defined below, will not be tolerated.

   b) This policy applies to all terms and conditions of employment, including, but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, and trading.

   c) Disciplinary action or other appropriate sanction up to and including termination will be instituted for prohibited behavior as defined below.

   d) Any retaliation against a person for filing a complaint or participating in the complaint resolution process is prohibited. Individuals found to be retaliating in violation of this Policy will be subject to appropriate sanction or disciplinary action up to and including termination.

3) DEFINITION.

   a) **Protected Classification.** This Policy prohibits harassment or discrimination because of an individual's protected classification. "Protected Classification" includes race, religion, color, sex (including gender, gender identity, gender expression, transgender, pregnancy, and breastfeeding), sexual orientation (including heterosexuality, homosexuality, and bisexuality), national origin ancestry, citizenship status, marital status, pregnancy, age, medical condition, genetic characteristics or information military and veteran status, and physical or mental disability.

i) This Policy prohibits the employer, elected or appointed officials, officers, employees, unpaid interns, volunteers or contractors from harassing or discriminating against applicants, officers, officials, employees, unpaid interns, volunteers or contractors because of: 1) and individual's protected classification; 2) the perception that an individual has a protected classification; or 3) the individual associates with a person who has or is perceived to have a protected classification.

b) **Discrimination.** This policy prohibits treating individual differently because of the individual's protected classification as defined in this Policy.

c) **Harassment** may include, but is not limited to, the following types of behavior that is taken because of a person's protected classification. Note that harassment is not limited to conduct that employer's employees take. Under certain circumstances, harassment can also include conduct taken by those who are not employees, such as elected officials, appointed officials, persons providing services under contracts, or even members of the public:

i) Speech, such as epithets, derogatory comments or slurs, and propositioning on the basis of a protected classification. This might include inappropriate comments on appearance, including dress or physical features, or dress consistent with gender identification, or race-oriented stories and jokes.

ii) Physical acts, such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

iii) Visual acts, such as derogatory posters, cartoons, emails, pictures, or drawings related to a protected classification.

iv) Unwanted sexual advances, requests for sexual favors and other acts of a sexual nature, where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment.

(1) **Guidelines for Identifying Harassment.** To help clarify what constitutes harassment in violation of this Policy, use the following guidelines:

(a) Harassment includes any conduct which would be "unwelcome" to an individual of

the recipient's same protected classification and which is taken because of the recipient's protected classification.

(b) It is no defense that the recipient appears to have voluntarily "consented" to the conduct at issue. A recipient may not protest for many legitimate reasons, including the need to avoid being insubordinate or to avoid being ostracized.

(c) Simply because no one has complained about a joke, gesture, picture, physical contact, or comment does not mean that the conduct is welcome. Harassment can evolve over time. The fact that no one is complaining now does not preclude anyone from complaining if the conduct is repeated in the future.

(d) Even visual, verbal, or physical conduct between two employees who appear to welcome the conduct can constitute harassment of a third applicant, officer, official, employee, or contractor who observes the conduct or learns about the conduct later. Conduct can constitute harassment even if it is not explicitly or specifically directed at an individual.

(e) Conduct can constitute harassment in violation of the Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicates a protected classification, and if an individual of the recipient's same protected classification would find it offensive (e.g., gifts, over attention, endearing nicknames).

d) **Retaliation.** Any adverse conduct taken because an applicant, employee, or contractor has reported harassment or discrimination, or has participated in the complaint and investigation process described herein, is prohibited. "Adverse conduct" includes but is not limited to: taking sides because an individual has reported harassment or discrimination, spreading rumors about a complaint, shunning and avoiding an individual who reports harassment or discrimination. The following individuals are protected from retaliation: those who make good faith reports of harassment or discrimination, and those who associate with an individual who is involved in reporting harassment or discrimination or who participates in the complaint or investigation process.

4) **COMPLAINT PROCEDURE.** An employee, job applicant, unpaid intern, volunteer or contractor who believes he or she has been harassed may make a complaint verbally or in writing with any of the following. There is no need to follow the chain of command:

a) Immediate supervisor

b) Any supervisor or manager within or outside of the department

c) General Manager

d) Any supervisor or department head who receives a harassment complaint should notify the General Manager, or designee, immediately.

e) Upon receiving notification of a harassment complaint, the General Manager, or designee, shall authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will include interviews with:

   i) the complainant;

   ii) the accused harasser; and

   iii) other persons who have relevant knowledge concerning the allegations in the complaint.

f) Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, discrimination, or retaliation giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.

g) Report a summary of the determination as to whether harassment occurred to appropriate person, including the complainant, the alleged harasser, the supervisor, and the department head, If discipline is imposed, the level of discipline will not be communicated to the complainant.

h) If conduct in violation of the Policy occurred, take or recommend to the appointing authority promptly and effective remedial action. The remedial action will be commensurate with the severity of the offense.

i) Take reasonable steps to protect the complainant from further harassment, discrimination, or retaliation.

j) Take reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.

k) The District takes a proactive approach to potential Policy violations and will conduct an investigation if its officers, supervisors, or managers become aware that harassment, discrimination, or retaliation may be occurring, regardless of whether the recipient or third party reports a potential violation.

l) Option to report to outside administrative agencies: An individual has the option to report harassment, discrimination, or retaliation to the U.S Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). These administrative agencies offer legal remedies and a complaint process. The nearest offices are listed in the government section of the telephone book or employees can check the posters that are located on employer bulletin boards for office locations and telephone numbers.

m) **Confidentiality.** Every possible effort will be made to assure the confidentiality of complaints made under this Policy. Complete confidentiality cannot occur, however, due to the need to fully investigate and the duty to take effective remedial action. As a result, confidentiality will be maintained to the extent possible. An individual who is interviewed during the course of an investigation is prohibited from discussing the substance of the interview, except as otherwise directed by the General Manager or designee. Any individual who discusses the content of an investigatory interview will be subject to discipline or other appropriate sanction, the employer will not disclose a completed investigation report except as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or court order.

n) **Responsibilities.** Managers and Supervisors are responsible for:

i) Informing employees of this Policy.

ii) Modeling appropriate behavior.

iii) Taking all steps necessary to prevent harassment, discrimination, or retaliation from occurring.

iv) Receiving complaints in a fair and serious manner, and documenting steps taken to resolve complaints.

v) Monitoring the work environment and taking immediate appropriate action to stop potential violations, such as removing inappropriate pictures or correcting inappropriate language.

vi) Following up with those who have complained to ensure that the behavior has stopped and that there are no reprisals.

vii) Informing those who complain of harassment or discrimination of his or her option to contact the EEOC or DFEH regarding alleged Policy violations.

viii) Assisting, advising, or consulting with employees regarding this Policy and Complaint Procedure.

ix) Assisting in the investigation of complaints involving employee(s) in their departments and, if the complaint is substantiated, recommending appropriate corrective or disciplinary action in accordance with employer Personnel Rules, up to and including discharge.

x) Implementing appropriate disciplinary and remedial actions.

xi) Reporting potential violations of this Policy of which he or she becomes aware, regardless of whether a complaint has been submitted, to General Manager or designee.

xii) Participation in periodic training and scheduling employees for training.

xiii) Each employee, unpaid intern, volunteer or contractor is responsible for:

xiv) Treating all employees, unpaid interns, volunteers and contractors with respect and consideration.

xv) Modeling appropriate behavior.

xvi) Participating in periodic training.

xvii) Fully cooperating with the employer's investigations by responding fully and truthfully to all questions posed during the investigation.

xviii) Maintaining the confidentiality of any investigation that the employer conducts by not disclosing the substance of any investigatory interview, except as directed by the General Manager or designee.

xix) Reporting any act he or she believes in good faith constitutes harassment, discrimination, or retaliation as defined in this Policy, to his or her immediate supervisor, General Manager or designee.

o) **Dissemination of Policy.** All employees shall receive a copy of this Policy when they are hired. The Policy may be updated from time to time and redistributed.

5) **VIOLATION OF POLICY. VIOLATION OF THIS HARASSMENT POLICY GENERALLY SHALL CONSTITUTE JUST AND REASONABLE CAUSE FOR DISCIPLINE, UP TO AND INCLUDING TERMINATION.**

1) **PURPOSE.** The purpose of this policy is to maintain a zero tolerance standard of violence in the workplace. This policy provides District employees with guidance that will maintain an environment at and within District premises and facilities as well as events that are free of violence and the threat of violence. This policy applies to all full-time and part-time employees and includes volunteers, temporary and provisional employees as well as contracted employees.

2) **POLICY.** The District prohibits violent behavior of any kind or threats of violence, either implied or direct, in District premises and facilities as well as at District sponsored events. Such conduct by a District employee will not be tolerated. An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including termination. Violent threats or actions by a non-employee may result in criminal prosecution. The District will investigate all complaints filed and will also investigate any possible violation of this policy of which District management are made aware. Retaliation against a person who makes a good faith complaint regarding violent behavior or threats of violence made to him/her is also prohibited.72

3) **DEFINITIONS.**

   a) **Workplace Violence.** Behavior in which an employee, former employee or visitor to a workplace inflicts or threatens to inflict damage to property, serious harm, injury or death to others at the workplace.

   b) **Threat.** The implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.

   c) **District premises or District facilities** means all property of the District including, but not limited to the offices, facilities and surrounding areas on District-owned or -leased property, parking lots, and storage areas. The term also includes District-owned or -leased vehicles and equipment wherever located, as well as, pump station, sites, sewer line, excavation sites.

   d) **Intimidation.** Making others afraid or fearful through threatening behavior.

   e) **Zero-tolerance** standard that establishes that any behavior, implied or actual that violates the policy will not be tolerated.

   f) **Court Order.** An order by a Court that specifies and/or restricts the behavior of an individual. Court orders may be issued in matters involving domestic violence, stalking or harassment, among other types of protective orders, including Temporary Restraining Orders.

4) **PROHIBITED BEHAVIOR.** Violence in the workplace may include, but is not limited to the following list of prohibited behaviors directed at or by a co-worker, supervisor or member of the public:

a) Direct threats or physical intimidation.

b) Implications or suggestions of violence.

c) Stalking including following to and from work.

d) Possession of weapons of any kind on District premises, including parking lots, other exterior premises or while engaged in activities for District in other locations, or at District sponsored events.

e) Assault of any form.

f) Physical restraint or confinement.

g) Dangerous or threatening horseplay.

h) Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.

i) Blatant or intentional disregard for the safety or well-being of others.

j) Commission of a violent felony or misdemeanor on District premises.

k) Any other act that a reasonable person would perceive as constituting a threat of violence.

l) Domestic violence, while often originating in the home, can significantly impact workplace safety and the productivity of victims as well as co-workers. For the purposes of this document, "domestic violence" is defined as abuse committed against an adult or fully emancipated minor. Abuse is the intentional or reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment, or stalking, or making annoying phone calls to a person who is in any of the following relationships:

    i) Spouse or former spouse;

    ii) Domestic partner or former domestic partner;

    iii) Cohabitant or former cohabitant and or other household members;

    iv) A person with whom the victim is having, or has had, a dating or engagement relationship;

    v) A person with whom the victim has a child.

vi) The District recognizes that domestic violence may occur in relationships regardless of the marital status, age, race, or sexual orientation of the parties.

5) **REPORTING ACTS OR THREATS OF VIOLENCE.** An employee who is the victim of violence, or believes they have been threatened with violence, or witnesses an act or threat of violence towards anyone else shall take the following steps:

a) If an emergency exists and the situation is one of immediate danger, the employee shall contact the Costa Mesa Police Department by dialing 9-1-1, and take whatever emergency steps are available and appropriate for protection from immediate harm, such as leaving the area.

b) If the situation is not one of immediate danger, the employee shall report the incident to the appropriate supervisor or manager as soon as possible and complete the District's Workplace Violence Incident Report Form.

6) **PROCEDURES FOR FUTURE VIOLENCE.** Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with the District, shall inform their supervisor by immediately completing a Workplace Violence Incident Report Form so appropriate action may be taken. The supervisor shall inform the General Manager and the local law enforcement officials.

a) Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor. The supervisor shall provide copies to the General Manager and to the Costa Mesa Police Department.

7) **INCIDENT INVESTIGATION.** Acts of violence or threats will be investigated immediately in order to protect employees from danger, unnecessary anxiety concerning their welfare, and the loss of productivity. The General Manager will cause to be initiated an investigation into potential violation of work rules/policies. Simultaneously, the General Manager will refer the matter to local police for their review of potential violation of civil and/or criminal law.

a) Procedures for investigating incidents of workplace violence include:

i) Visiting the scene of an incident as soon as possible.

ii) Interviewing injured and threatened employees and witnesses.

iii) Examining the workplace for security risk factors associated with the incident, including any reports of inappropriate behavior by the perpetrator.

iv) Determining the cause of the incident.

v) Taking mitigating action to prevent the incident from recurring.

vi) Recording the findings and mitigating actions taken.

b) 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 the investigation but may need to disclose results in appropriate circumstances; for example, in order to protect individual safety. The District will not tolerate retaliation against any employee who reports workplace violence.

8) **MITIGATING MEASURES.** Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery. Mitigating actions include:

a) Notification of law enforcement authorities when a potential criminal act has occurred.

b) Provision of emergency medical care in the event of any violent act upon an employee.

c) Post-event trauma counseling for those employees desiring such assistance.

d) Assurance that incidents are handled in accordance with the Workplace Violence Prevention policy.

e) Requesting District Counsel file a restraining order as appropriate.

9) **TRAINING AND INSTRUCTION.** The District shall be responsible for ensuring that all employees, including managers and supervisors, are provided training and instruction on general workplace security practices. Managers and supervisors shall be responsible for ensuring that all employees are provided training and instructions on job specific workplace security practices.

a) Training and instruction shall be provided as follows:

i) To all current employees when the policy is first implemented. Employees will be required to sign a written acknowledgment that the policy has been received and read.

ii) To all newly hired employees, supervisors and managers, or employees given new job assignments for which specific workplace security training for that job assignment has not previously been provided. Employees will be required to sign a written acknowledgment that the policy has been received and read.

iii) To affected employees whenever management is made aware of a new or previously unrecognized hazard.

b) Workplace security training and instruction includes, but is not limited to, the following:

i) Preventive measures to reduce the threat of workplace violence, including procedures for reporting workplace security hazards.

ii) Methods to diffuse hostile or threatening situations.

iii) Escape routes.

iv) Explanation of this Workplace Violence Prevention Policy.

10) In addition, specific instructions shall be provided to all employees regarding workplace security hazards unique to their job assignment.

1) **POLICY.** The District has a zero tolerance policy for incivility and bullying in the workplace. Understanding and mutual respect toward all individuals are essential elements to the existence of a safe and healthy workplace. Any employee who commits an act of incivility or bullying is subject to disciplinary action up to and including termination. This policy applies to all District personnel.

2) **INCIVILITY.** Uncivil office behavior includes acting in a characteristically rude and discourteous manner and, displaying a lack of regard for others. Examples include: taking someone else's food or beverage, purposely not greeting or acknowledging someone at the office, taking the last cup of coffee and not making more, and not giving credit to a colleague on a project. When incivility is extensive it leads to lower job satisfaction, decrease in performance, higher absenteeism, and low morale.

   a) **Preventive/Response Measure.** Treat other workers the way you would like to be treated, extend common courtesies, maintain appropriate boundaries, and ask for assistance from management or human resources when needed.

3) **BULLYING.** Workplace bullying is behavior that harms, intimidates, offends, degrades, or humiliates an employee, possibly in front of other employees, clients, or customers. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale, and create legal risks. Examples of bullying include: spreading rumors, gossip and innuendo, intimidating a person, undermining or deliberately impeding a person's work, physically abusing or threatening abuse, removing areas of responsibilities without cause, withholding necessary information, making jokes that are obviously offensive, intruding on a person's privacy by pestering/spying/stalking, under work-creating a feeling of uselessness, yelling or using profanity, criticizing a person consistently or constantly, belittling a person's opinion, unwarranted punishment, blocking applications for training/leave/ promotion, tampering with a person's personal belongings. If in doubt if an action could be bullying, ask yourself if a reasonable person would consider the action acceptable.

   a) **Preventive/Response Measure.** Report bullying to your supervisor or manager. An informal investigation will be conducted. In the event the informal stage is not sufficient, or the offense is of a serious nature, a formal investigation will be conducted. Any reports of workplace bullying will be treated seriously and investigated promptly. Managers and supervisors must ensure employees who make complaints, or witnesses are not victimized.

4) **TRAINING.** In order to eliminate and/or minimize risks involved with incivility and bullying, the District will schedule training for employees. Staff is responsible for implementing the training. Managers and Supervisors are responsible for enforcing the policy.

1) **GENERAL PROVISIONS.** It is the policy of the Costa Mesa Sanitary District not to discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or familial status. Notwithstanding this policy, the Costa Mesa Sanitary District retains the right to prohibit nepotism to avoid favoritism, the appearance of favoritism, conflicts in loyalty, discrimination, the appearance of impropriety, and conflicts of interest in employment decisions.

2) **DEFINITION**: Nepotism is generally defined as the practice of an employee or District official using personal influence or power to aid or hinder another in securing employment, promotion or other benefits because of a personal relationship. No employee may use power or influence to aid or hinder another in securing employment, promotion or any other benefit of employment due to a personal relationship. Personal relationships include, but are not limited to, those by virtue of blood, marriage, adoption, cohabitation, or dating/sexual relationships.52

3) **PERSONAL RELATIONSHIPS IN THE WORKPLACE**. District employees associated by blood, marriage, adoption, cohabitation, or dating/sexual relationships shall not 1) work in a small unit in close association with one another; 2) work for the same supervisor; or 3) have a direct or indirect supervisor/subordinate relationship. If a District employee develops a personal relationship with a co-worker, then the employees have an obligation to report the personal relationship to the General Manager or designee so that appropriate steps can be taken with respect to work assignments. The obligation to report any personal relationship is so that the District may avoid favoritism, the appearance of favoritism, conflicts in loyalty, discrimination, the appearance of impropriety, and/or conflicts of interest in employment decisions.

4) **EMPLOYMENT OF RELATIVES - ELECTED OFFICIALS.** No relative by blood or marriage, within the third degree of kinship, of an elected official of the District shall be appointed to fill any vacancy in the District service during that official's term of office.

1) **GENERAL PROVISIONS.** A District employee shall not engage in any outside employment that is detrimental to, or in conflict with his/her duties or service with the District. It is not permissible for a District employee to engage in private employment during the time he or she is scheduled to be working for the District. An employee must notify the General Manager in writing of any outside employment together with sufficient information regarding such outside employment as may be requested.

   a) A supervisor may inquire as to an employee's off-duty employment when the supervisor believes that such a condition may exist and may require an employee to file notice to the General Manager. The General Manager shall determine if an employment conflict exists and shall notify the employee of his/her decision and reasons therefore in writing.

   b) Examples of work that would be detrimental to or in conflict with duties or service with the District include, but are not limited to, the following:

      i) Work requiring the use of District vehicles or equipment.

      ii) Work for a contractor who is performing work in conflict with the District.

      iii) Work which would create a work schedule that is incompatible with an assigned District work schedule.

      iv) Work which would present a health hazard to the employee.

      v) Work which could create a cause for disciplinary action.

      vi) Work which would provide undue liability for the District.

1) **GENERAL POLICY.** The Costa Mesa Sanitary District requires employees to always appear for work in attire that is "professional" and suitable for the work setting. This may vary slightly from one area to another depending on the nature of the work, exposure to the general public, customers, and the environment. Our appearance should always reflect what is appropriate for our job, work setting, and personal safety.

   This policy is intended to describe guidelines on what is considered appropriate dress for the workplace. These guidelines are not intended to be all-inclusive, but rather should help set the general parameters for appropriate attire, and allow employees to use good judgment and common sense about items not specifically addressed. However, the General Manager will have the discretion to make the final determination on what constitutes professional and suitable dress for the work setting in a particular situation.

   a) **Personal Hygiene, Piercings and Tattoos.** Personal appearance and hygiene play an important role in projecting a professional image in the community and to the customers we serve.

      i) Good personal hygiene is required.
      ii) Clothing must be clean, pressed, in good condition and fit appropriately.
      iii) Footwear must be appropriate for the work environment and functions being performed.
      iv) Jewelry is acceptable except in areas or near equipment where it constitutes a health or safety hazard.
      v) Hair must be neat, clean and well groomed. If necessary for the functions being performed, long hair must be secured (tied back to prevent potential for being caught in equipment). (No artificial hair colors e.g. pink, green, etc. that would be deemed unprofessional).
      vi) Sideburns, mustaches and beards must be maintained in a neat and well-groomed fashion.
      vii) Clothing must not interfere with the safe operation of equipment.
      viii) No objects, articles, jewelry or ornamentation of any kind shall be attached to or through the skin if visible on any body part including the tongue or any part of the mouth except that an employee may wear one or two sets of reasonably-sized earrings in the ear lobes.
      ix) Any non-conforming piercing shall be removed, covered with a bandage, or replaced with a clear, plastic spacer.
      x) Tattoos that are obscene, sexually explicit, and discriminatory as to sex, race, religion or national origin, extremist, gang-related, and/or diminish the effectiveness of the employee's professionalism must be covered, and not visible to staff, customers or visitors.
      xi) No tattoos are allowed anywhere on the head, face, or neck.
      xii) Any non-conforming tattoos must be covered with clothing or a bandage while at work or removed.
      xiii) If an employee has a question about how the piercing or tattoo policy applies to them, the matter should be immediately raised with their supervisor for consideration and determination.

b) **Use of Perfumes, Cologne, and Scented Products.** Fragrances may cause others to experience a variety of symptoms such as sinus congestion, irritable eyes, and an inability to concentrate. Exposure to perfumes and other scented products can also trigger serious health reactions in individuals with asthma, allergies, migraines, or chemical sensitivities.

i) Fragrances are found in a wide range of products. Common scented products include perfume, cologne, aftershave, deodorant, soap, shampoo, hairspray, body spray, makeup and powders. Examples of other products with added scents include air fresheners, fabric softeners, laundry detergents, cleaners, carpet deodorizers, facial tissues, and candles.

ii) In order to protect employees with fragrance sensitivities and to possibly prevent others from developing such sensitivities, the District aims for a scent-reduced environment by encouraging employees to voluntarily reduce the use of fragranced products, and/or replace them with unscented alternatives.

iii) Reporting process: If you feel you can do so comfortably, approach the scented individual and let him/her know that is it bothersome without disclosing personal medical information. Or inform your supervisor.

c) **Professional Business Office Attire.** The intent of professional business attire is to ensure that personnel are dressed appropriately to meet with the public at a moment's notice. While jackets are not required for women, they do have the effect of creating a professional appearance. For men, they do not need to be worn the entire day but should be available to wear to meetings outside of District offices. Footwear should be selected according to the type of work performed, keeping safety, comfort, and professional appearance in mind. Athletic shoes, tennis shoes, and hats are not permitted.

i) Sample professional business attire for men include:

(1) a business suit with tie
(2) dress pants
(3) collared button down dress shirt without a tie
(4) polo-type shirt
(5) dress shirt worn with a tie
(6) Appropriate footwear for men includes wing tips, loafers, or rubber sole shoes with socks

ii) Sample professional business attire for women include:

(1) dresses or suits with either skirts or slacks
(2) skirt or dress slacks

(3) dressy blouse and/or sweater
(4) Appropriate footwear for women includes heels, loafers, or rubber sole shoes

d) **Field Staff Attire.** Employees whose primary District responsibility is in the field, or whose regular job duties include physical lifting may wear appropriate casual clothing (including jeans) at all times. District purchased shirts must be worn at all times while on duty. Additionally, all personal safety equipment must be worn at all times, including steel toed boots and reflective vests. Hats that are not obscene, sexually explicit, and discriminatory as to sex, race, and religion or national origin, extremist, gang-related or that diminish the effectiveness of the employee's professionalism may be worn to protect employees from sun exposure.

e) **Steel-Toed Safety Boots/Shoes.**

i) Guidelines: Steel-toed boots/shoes must meet the requirements of the American Society for Testing and Materials (ASTM) standards F2412-05 and F2413-05 for Personal Protection-Protective Footwear. Approved footwear must include toe protection (steel), impact and compression protection, and a shank/arch support.

ii) Cleaning, care, and proper upkeep (polish, oil, laces, etc.) of the safety boot/shoe shall be the responsibility of the employee. Premature failure of the safety boot/shoe, requiring repair or replacement, shall be the sole responsibility of the employee. Failure to purchase appropriate safety footwear, or to wear approved safety boots/shoes during the work day and keep them free of safety related defects shall constitute grounds for disciplinary action.

iii) Reimbursement: Each District employee required to wear steel-toed boots/shoes, shall receive reimbursement of up to $150.00 every 12 months, when boots are in need of replacement. Reimbursement shall only be granted when the District is provided proof of purchase.

f) **Casual Friday.** The District recognizes the growing popularity of casual business dress and the positive effects of this shift to boost employee morale, improve quality, encourage more open communication and increased productivity, therefore, creating a more comfortable work environment. Therefore, the District employs a "Casual Friday" policy, wherein our employees are welcome to wear workplace appropriate jeans (no rips, tears or stains), and running shoes (no rips, tears or stains).

While Casual Friday allows our employees to dress in a more casual fashion, employees should take into account the necessity to continually conduct themselves in a professional fashion, and dress in such a way that will not create a negative perception by customers, either internal or external.

1) **EMPLOYEE CONDUCT GENERALLY**. It is expected that all District employees shall render the best possible service and reflect credit on the District. Therefore high standards of conduct are essential.

2) **IMPROPER EMPLOYEE CONDUCT**. The term "improper conduct" means not only any improper action by an employee in the employee's official capacity, but also conduct by an employee not connected with the employee's official duties which brings discredit to the District, which affects the ability to perform the employee's duties officially, or any improper use of the position as an employee for personal advantage. Improper conduct may be cause for disciplinary action. In addition, improper conduct includes, but is not limited to, the following:

   a) Fraud in securing employment or making a materially false statement on an application for employment or on any supporting documents furnished with or made a part of any application.

   b) Incompetency such as failure to comply with the minimum standards for an employee's position for a significant period of time.

   c) Neglect of duty, such as failure to perform the duties required of an employee's position.

   d) Willful disobedience and insubordination such as a willful failure to submit to duly appointed and acting supervision or to conform to duly established orders or directions of persons in a supervisory position.

   e) Dishonesty involving employment.

   f) Being under the influence of alcohol or intoxicating drugs while on duty without a prescription.

   g) Addiction to or habitual use of alcoholic beverages, narcotics or any habit-forming drug.

   h) Violation of the District’s Drug and Alcohol Abuse and Contraband Policy.

   i) Violation of the District’s Harassment Policy.

   j) Violation of the District’s Workplace Violence Prevention Policy.

   k) Carrying firearms or other dangerous weapons on District premises, unless authorized to do so.

   l) Inexcusable absence.

   m) Conviction of a felony or conviction of a misdemeanor involving moral turpitude. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, to a charge of a felony or any offense involving moral turpitude is deemed to be a conviction within the meaning of this

section.

n) Discourteous treatment of the public or other employees.

o) Improper or unauthorized use of District property.

p) Theft.

q) Any act of conduct undertaken which, either during or outside of duty hours, is of such a nature that it causes discredit to fall upon the District.

r) Failure to maintain proper conduct during working hours causing discredit to the District.

s) Mishandling of public funds.

t) Abuse of sick leave.

u) Excessive absenteeism.

v) Inattention to duty, tardiness, indolence, carelessness or negligence in the care and handling of District property.

w) The employee's failure to resolve a physical or mental infirmity(s) or defect(s), when it is within the capacity of the employee to do so and when directed by his/her supervisor.

x) Outside employment which conflicts with the employee's position and is not specifically authorized by the District.

y) Acceptance from any source of any emolument, reward, gift or other form of remuneration in addition to the employee's regular compensation, as a personal benefit to the employee for actions performed in the normal course of the employee's assigned duties.

z) Falsification of any District report or record or of any report or record required to be, or, filed by the employee, including but not limited to time records.

aa) Violation of any of the provisions of this Employee Handbook, District Operations Code, ordinances, resolutions, or any rules, regulations or policies which may be prescribed by the Costa Mesa Sanitary District Board of Directors, General Manager, or supervisor.

bb) Working overtime without prior authorization.

cc) Political activities precluded by Local, State or Federal law.

dd) Other acts which are incompatible with service to the public.

1) **DISCHARGE**. All District employees are at will employees and may be discharged at any time. Whenever it is the recommendation of a supervisor to discharge an employee, the approval of the General Manager is required.

   a) **Procedure**. For employees who are retiring, resigning, being discharged, or laid off, the District shall show the last day worked as the termination date on the Personnel Action Form which is also the last day physically on the job. Employees cannot extend their termination date by use of leave time.

      i) The District will provide terminating employees the opportunity to participate in an exit interview and information about continuing benefits for which they are eligible.

      ii) Terminating employees shall turn in all District property such as keys, uniforms, identification cards, parking tags and cell phone.

      iii) The Finance Manager shall authorize processing of the final paycheck. The final paycheck may be issued via direct deposit or forwarded to the General Manager, or designee, for distribution to the terminated employee. Terminating employees will receive their final paycheck on the next regularly scheduled paycheck date. The District is exempt from California Labor Code Section 201, which states wages earned and unpaid are due and payable immediately to a discharged employee.

2) **LAYOFF.**

   a) **Policy.** The District may abolish a position within a class in the classified service because of material changes in duties or organization, elimination or reduction in service level, privatization and/or a shortage of work or funds, which in turn may require the layoff of one or more employees.

   b) **Procedure.** When a position within a class is abolished thereby necessitating a layoff, the following procedure shall be followed:

      i) Reductions in the workforce shall be made by the Board of Directors.

      ii) The General Manager shall notify employees of the intended action with reasons therefor 30 calendar days before the effective date of the layoff.

      iii) Reassignment or voluntary demotion within the District to an equivalent or lower job class may be made to prevent a layoff provided the employee is qualified by education and/or experience, is capable of performing the duties of the classification and has satisfactory performance evaluations for the preceding two years. An employee who is reassigned or

demoted shall receive a salary within the new classification range that is closest to the rate of pay the employee previously received and retain the same anniversary date for purposes of merit pay increases. An employee so reassigned or demoted shall be reinstated to the former job class and salary when positions in the former job class become vacant and provided that the employee has performed satisfactorily in the current position. Reinstatement shall be based on the employee that has the highest performance evaluation scores for the last two years. If two or more employees have the same performance evaluation score, the reinstatement shall be based on seniority.

iv) The name of an employee who has been laid off due to the reduction in the workforce shall be placed on the reemployment list for his/her job class. The reemployment list shall be used whenever a vacancy for that class is to be filled. Names will remain on the appropriate reemployment list for a period of three years from the date of separation. Reemployment shall be on the basis of previous District seniority. After separation from the District employment for more than one year, a person rehired may be required to successfully pass a physical and/or competency examination.

v) Whenever an employee is reemployed to a vacant position in his/her former job class, he/she shall be given a new anniversary date for purposes of merit pay increases and performance reviews.

vi) An employee rehired from the reemployment list shall be considered to have continuous service and may be credited with the amount of accumulated vacation and sick leave he/she had accrued at the time of layoff if he/she elects to remit to the District any payment received for the accumulated vacation and sick leave upon separation from District employment.

vii) Failure to return to work from layoff within 21 calendar days after notice to return by certified or registered mail to the employee at his/her last known address on file shall constitute the employee's waiver of any right to return to work and eliminates any future reemployment responsibilities placed on the District.

viii) All other benefits or programs in effect at the time of layoff shall be forfeited upon reemployment unless they are still applied to the old classification at the time of rehire or provided to new hires as of that date.

ix) An employee may be laid off because of either the abolition of his/her position or a determination by the District that there is a shortage of work or funds. The General Manager shall determine when and in what position classifications layoffs are to occur. The General Manager shall designate responsibility for the implementation of a layoff order in accordance with the procedures described herein.

c) **Notice of Layoff to Employees**. An employee to be laid off shall be notified in writing of the impending action at least 10 calendar days in advance of the effective date of the layoff. The notice shall include the following information:

i) Reason for layoff.

ii) Effective date of layoff.

iii) Employee rights as provided in these rules.

d) **Removal of Names from Reinstatement Lists**. The District may remove an employee's name from a reinstatement list if any of the following occur:

i) The individual indicates in writing that he/she will be unable to return to employment with the City during the life of the list.

ii) The individual cannot be reached by certified mail after reasonable efforts have been made to do so.

iii) The individual refuses two reinstatement offers as confirmed by certified mail. It is the employee's responsibility to keep the District advised of any changes in mailing address or availability.

e) **Employee Rights and Responsibilities**. In addition to others identified herein, employees affected by these procedures shall have the following rights:

i) Through prior arrangement with his/her immediate supervisor, an employee may use accrued vacation leave time to seek and apply for other employment.

ii) An employee who has been laid off shall be paid as provided for in the rules, policies and procedures set forth in this Employee Handbook for his/her unused accrued vacation leave on the effective date of the layoff.

iii) An employee who has been laid off may be allowed to continue health insurance coverage in the group at his/her own cost as provided under federal COBRA regulations. This provision of health insurance will cease if the employee finds other employment. To have this coverage the employee must notify the District in writing within 10 days after the receipt of the notification of layoff.

iv) When an individual is reinstated he/she shall be entitled to:

(1) Accrue vacation leave at the same rate at which it was accrued at the time of the layoff.

(2) Have any unused or uncompensated sick leave reinstated.

v) An individual reinstated into the job classification from which he/she was laid off shall be assigned to the same salary he/she held at the time of the layoff. An individual reinstated into a job classification other than the classification from which he/she was laid off shall be assigned to the salary range of the new classification at the amount closest to the salary he/she earned at the time of the layoff. Similarly, an individual who is reinstated shall complete, upon return to the job, the same work time he/she would have had to work at the time of the layoff to attain a higher vacation leave accrual rate or to become eligible for a merit increase, if such changes are possible. An individual who is rehired is not eligible for the provisions of this subsection of this Rule.

f) **Appeals.** An employee aggrieved by actions taken or interpretations made pursuant to the procedures described in this Rule may exercise the appeal procedures as hereinafter provided in Rule 14. Determinations by the General Manager relative to when and in what classification layoffs are to occur shall not be matters subject to the appeal procedures.

3) **RESIGNATION**. An employee wishing to leave District employment in good standing shall file with the supervisor a written resignation stating the effective date at least two weeks before leaving, unless such time limit is waived by the General Manager. The resignation becomes final upon acceptance by the General Manager. Once the resignation is accepted by the General Manager, it may not be withdrawn. The District will pay an employee for all hours worked within 72 hours after termination and all accumulated reimbursable benefits no later than the nearest payday following termination of the employee. Failure to give notice as required by this Section may be cause for denying future employment by the District. Per the discretion of the General Manager, an employee who resigns from employment with the District from two regular positions may not be considered for a third position with the District.

1) **PURPOSE.** The purpose of the recruitment and selection process is to ensure that all position vacancies are filled with qualified and competent persons who are well suited to perform in the position for which they are employed. In that regard, all vacancies will be filled as provided in the rules, policies and procedures set forth in this Employee Handbook.

2) **NATURE OF SELECTION PROCEDURES.** The methods used in the selection of District employees shall be impartial and of a relevant nature so as to fairly measure the relative capacity of job applicants to execute the duties and responsibilities of the class to which they seek to be appointed.

3) **SELECTION AND APPOINTMENT.** All vacancies in the District shall be filled as provided in the rules, policies and procedures set forth in this Employee Handbook. Appointments shall be made with the objective of obtaining for the District the best qualified person or persons available as recommended by the supervisor and approved by the General Manager.

4) **APPLICATIONS AND APPLICANTS.**

   a) **Announcements.** All examinations shall be publicized in District Headquarters and on the District's website and/or public bulletin boards and/or professional recruiting websites and/or media outlets, and by such methods as the District deems appropriate. Special recruiting shall be conducted, if necessary, to ensure that all segments of the community are aware of the forthcoming examinations. The announcements shall specify the title and pay of the class for which the examination is announced, the nature of the work to be performed, the preparation desirable for the performance of the work of the class, the manner of making applications, the date of filing, and other pertinent information.

   b) **Application Forms.** Applications shall be made as prescribed on the examination announcement. If prescribed by the District, application forms shall require information covering training, experience, and other pertinent information. The District will not process any application which is not fully completed and signed.

   c) **Disqualification.** The District may reject any application which indicates on its face that the applicant does not possess the minimum qualifications required for the position. Applications may be rejected if the applicant is physically or mentally unfit for the performance of duties of the position to which he/she seeks employment, is a current user of illegal drugs, has made any false statement of any material fact or practiced any deception or fraud in his/her application, or has been convicted of a felony or misdemeanor criminal offense, may reasonably be expected to interfere with or prevent effective performance in the position applied for or interfere or prevent effective District performance of its duties and responsibilities. Whenever an application is rejected, notice of such rejection shall be mailed to the applicant by the District. Defective applications may be returned to the applicant with notice to amend the same,

providing the time limit for receiving applications has not expired, subject to the discretion of the District.

5) **Pre-Employment Screening**. All employment offers are conditional upon successful completion of a pre-appointed medical examination and background check, scheduled through the District. The District shall reaffirm employment offers are contingent upon successfully passing the medical examination and that the candidate should not submit termination papers to current employers until after successfully passing the medical examination.

   a) All candidates are expected to provide the necessary materials to verify legal authorization to work in the United States prior to the District's scheduling of a pre-appointment physical. Tustin/Irvine Medical Group will review and evaluate medical examination results from the District's authorized medical clinic and notify the District of the results, indicating any restrictions. The General Manager, or designee, will determine if any further action is necessary.

6) **EXAMINATIONS.**

   a) **Nature & Types of Examination.** The selection techniques used in the examination process shall be impartial and related to those subjects which, fairly measure the relative capacities of the persons examined to execute the duties and responsibilities of the class to which they seek to be appointed. Examinations shall consist of selection techniques which will fairly test the qualifications of candidates such as, but not necessarily limited to, written tests, personal interviews, performance tests, physical agility tests, medical examinations, or any combination of these or other tests. Examinations shall be designed to provide equal opportunity to all candidates by being based on an analysis of the essential qualifications for the class and covering only factors related to such qualifications.

   b) **Open Competitive Examination.** Open competitive examinations may be administered for a single class as determined by the District. Names shall be placed on employment lists, and shall remain on such lists, as prescribed in Section 5.6 of this Rule.

   c) **Promotional Examination.** Promotional examinations may be conducted whenever the needs of the District require. Promotional examinations may include any of the selection techniques mentioned in Section 5.5.1 of this Rule, or any combination of them. Promotional examinations are open to District employees only. Employees who meet the requirements set forth in the promotional examination announcements may compete in promotional examinations.

   d) **Continuous Examination.** Continuous examinations may be administered periodically as the needs of the District require. Names shall be merged on employment lists according to final scores, and shall remain on such lists, as prescribed in Section 5.6 of this Rule.

e) **Scoring Examinations & Qualifying Scores.** A candidate's score in a given examination shall be the average of scores on each competitive part of the examination for which the candidate qualified, and shall be weighted pursuant to the examination announcement. The District may include as a part of the examination, tests which are qualifying only.

f) **Notification of Examination Results, Review of Papers, and Examination Appeal.** Each candidate in an examination shall be given written notice of the results thereof. Any candidate shall have the right to inspect his/her own examination answer sheets within five working days after the notices of examination results were mailed. Oral interview rating sheets, test booklets and related examination materials are not open to candidate inspection. Any error in computation, if appealed to the District within this period, shall be corrected. Such corrections shall not, however, invalidate appointments previously made.

7) **EMPLOYMENT LISTS.**

a) **Preparation & Availability.** As soon as possible after the completion of an examination, the District shall prepare and keep available an employment list consisting of the names of candidates who qualified in the examination, arranged in order of final scores, from the highest to the lowest qualifying score.

b) **Duration of Lists.** Employment lists other than those resulting from a continuous examination shall remain in effect for six months, unless sooner exhausted or abolished by the District upon the recommendation of the General Manager. The General Manager may request the abolition of an employment list after the employment list has been in effect for three months. Employment lists may be extended, prior to their expiration dates for additional periods. Open competitive lists created as the result of continuous examinations shall remain in effect for not more than one year after the last administration of the examination. Names placed on such lists shall be merged with any others already on a list in order of final scores and shall remain on the list for not more than one year.

c) **Removal of Names from List.** The name of any person appearing on an employment or promotional list may be removed by the District if the eligible person requests in writing that his/her name be removed, if he/she fails to respond to a notice of certification mailed to his/her last known address, or for any of the reasons specified in this Rule. The person affected shall be notified of the removal of his/her name by a notice mailed to his/her last known address. The names of persons on promotional employment lists who resign from the service shall automatically be removed from such lists.

8) **METHODS OF FILLING VACANCIES.**

a) **Types of Appointments.** All vacancies shall be filled by the District from an appropriate employment list. In the absence of persons eligible for appointment from these means, provisional appointments may be made in accordance with the rules, policies and procedures set forth in this Employee Handbook.

b) **Notice to Fill Vacancy.** Whenever a vacancy is to be filled, the supervisor shall notify the General Manager, or designee, in the manner prescribed.

c) **Appointment.** After interview and investigation, the supervisor shall recommend appointments from among those certified and shall immediately notify the General Manager of the persons recommended. The person recommended for appointment shall present himself/herself to the General Manager, or his/her designated representative, for processing, including any required medical examination, on or before the date of appointment. If the applicant accepts the appointment and presents himself/herself for duty within such period of time as the supervisor and General Manager shall prescribe, he/she shall be deemed to be appointed. Otherwise, he/she shall be deemed to have declined the appointment. The General Manager shall have the right to deny the supervisor's recommendations for hire and request a new recruitment and selection process

d) **Provisional Appointment.** In the absence of there being names of individuals willing to accept appointment pursuant to Rule 5.7.3, a provisional appointment may be recommended by the supervisor, with the concurrence of the General Manager, of a person meeting the minimum training, experience and qualifications for the position. A provisional employee may be removed at any time without the right of appeal. A provisional employee may be employed as such for up to six months. The General Manager may extend the period for any provisional appointment for not more than an additional six month period.

9) **SALARY RANGES**. New employees will be paid a salary that is within the minimum and midpoint of the associated salary range unless the General Manager approves a higher salary based on experience, education and staffing needs.

10) **MEDICAL EXAMINATIONS.** Medical examinations may be required under the following circumstances:

a) In order to be eligible for employment with the District.

b) In order to be eligible for promotion or transfer to a job classification requiring greater physical qualifications than his/her present job classification.

c) Any employee may be required to undergo a medical examination at any time designated by the District.

d) **Physician.** All medical examinations will be performed by a licensed physician approved by the District.

e) **Cost of Exam.** The District will pay the cost of any medical examination required under this Rule.

11) **REFERENCE CHECKS**. All requests from outside the District for reference checks or verification of employment concerning any current or former employee must be referred to the General Manager, or designee. Information will be released only if the employee signs an AUTHORIZATION FOR RELEASE OF EMPLOYMENT INFORMATION, except that without such authorization, the following limited information will be provided: dates of employment, and salary upon departure. The General Manager and supervisors shall not provide information in response to requests for reference checks or verification of employment, unless specifically approved by the District on a case-by-case basis.

12) **TRANSFER.** No person shall be transferred to a position for which he/she does not possess the minimum qualifications. Upon notice to the General Manager, an employee may be transferred by the supervisor at any time from one position to another position in a comparable class. For transfer purposes, a comparable class is one with the same maximum salary and benefits, involves the performance of similar duties, and requires substantially the same basic qualifications.

a) If the transfer involves a change from one Department to another, both supervisors must consent thereto unless the General Manager directs the transfer for purposes of economy and efficiency.

13) **PROMOTIONS.** Insofar as consistent with the best interests of the District, as determined by the General Manager in consultation with the supervisor, vacancies may be filled by promotion from within after a promotional examination has been given and a promotional list has been established.

a) If, in the opinion of the General Manager, in consultation with a supervisor, a vacancy in the position could be filled better by an open-competitive examination instead of promotional examination, then the General Manager shall arrange for an open competitive examination and the preparation and certification of an open competitive employment list, as provided in the rules, policies and procedures set forth in this Employee Handbook.

14) **REHIRE.** A supervisor, with the approval of the General Manager, may rehire a former employee who completed at least six months of satisfactory service and who resigned with a good record, to a vacant position in the same or comparable classification from which the employee resigned. No credit for former employment shall be granted in computing salary, vacation, sick leave or other benefits. If an employee has previously resigned twice from regular positions the employee may not be considered for rehire.

1) See APPENDIX for Summary of Compensation & Benefits.

2) **CLASSIFICATION.**

   a) **PURPOSE**. The purpose of the classification plan is to provide a complete and continuous inventory of all classifications, to provide accurate job specifications and, to ensure that each position is allocated to the appropriate classification.

   b) **CLASSIFICATION OF POSITIONS.** All positions in the District are grouped into classes. Each class includes those positions sufficiently similar in duties and responsibilities to require similar education, experience, knowledge, skills, abilities, and personal characteristics.

   c) **PREPARATION AND CONTENT OF CLASS SPECIFICATIONS.** The General Manager, or designee, is responsible for preparing and maintaining class specifications for all positions. The specifications include, but are not limited to a list of examples of duties and a statement of qualifications required for appointment.

   d) **INTERPRETATION OF CLASS SPECIFICATIONS.** All class specifications describe typical duties that employees occupying positions in the class may properly be required to perform. Class specifications are explanatory but not restrictive. The listing of particular tasks does not preclude the assignment of other tasks of related kind or character, or requiring lesser skills.

   e) **AMENDMENT.** Notice of consideration of the proposed classification plan amendments or revisions shall be provided to appropriate employees at least five calendar days before change. The General Manager may amend or revise the classification plan as necessary.

   f) **ALLOCATION OF POSITIONS**. The General Manager will assign each position to one of the classes established by the classification plan.

   g) **NEW POSITIONS**. When a new position is created, the classification plan shall be amended to include a class specification for the position if it is not allocated to an existing classification. The new position will be filled in accordance with Employee Handbook provisions.

   h) **RECLASSIFICATION**. When the duties of the position have changed materially, the General Manager may authorize the allocation of the position to a more appropriate class.

3) **COMPENSATION.**

   a) **PURPOSE.** The purpose of the compensation plan is to provide equitable and adequate compensation for all employees. Employees at the District are paid pursuant to a pay system established by this Employee Handbook and pursuant to principles of public accountability.

b) **PREPARATION OF PLAN.** The Board of Directors may periodically modify the District's compensation plan. The compensation plan includes, for each class, a minimum and maximum annual salary, hourly rate and monthly rate. The rate or pay range assigned to each class shall fairly reflect the differences in the duties and responsibilities among classes, and will take into account rates paid by other public employers for comparable work, the District's policies and financial condition, unusual problems of recruitment and turnover, and other relevant factors.

4) **ADMINISTRATION OF COMPENSATION PLAN.**

a) **Rates of Pay.** Each employee is paid a rate of pay within the salary range for the class in which he/she is employed.

b) **Entrance Salary.** An employee is appointed at the minimum rate for the class, except when the General Manager approves an appointment or reinstatement above the minimum rate. Authorization for appointment above the entrance rate must be obtained from the General Manager. In reviewing such requests, consideration will be given to the candidate's unusually high qualifications, salary history, outstanding experience, availability of other qualified candidates and the resulting salary relationships with similar positions.

c) **Merit Adjustments.**

i) **General Policy**. It is the policy of the District to provide a systematic method for employees to become eligible for advancement through salary schedules.

(1) **<u>Merit Increases.</u>** Full-time and part-time employees shall be eligible for a merit increase based on the Total Average Score on the annual performance evaluation that is calculated by averaging the competency and goal averages. Merit increases are applied as follows:

3.9 to 5.0 (Superior) – 5% merit increase
3.5 to 3.8 (Above Average) – 4% merit increase
3.4 to 3.0 (Satisfactory) – 2% merit increase
Below 3.0 – not eligible for increase; requires improvement plan.

(2) Employees shall be eligible for a merit increase after completing 12 consecutive months of service and subsequent merit increases shall occur thereafter upon completion of 12 months of employment until the employee reaches the top of the salary range for his/her classification. At that point, the employee is no longer eligible for merit increases.

(3) Approved merit increases shall be documented on a Personnel Action Form and forwarded to the Finance Manager for implementation.

(4) Merit increases will be effective at the beginning of the pay period including the employee's merit review date. Merit increases will be applied retroactively in the event a performance evaluation is not completed within the appropriate pay period.

d) **Movement to a Higher Classification**. When an employee is promoted or reassigned to a class having a higher salary range, the employee shall be paid at the minimum of the new range or a salary that falls within the range and results in at least a 5% pay increase, whichever is greater. Employees promoted to a higher classification shall change their anniversary date to coincide with the effective date of promotion.

e) **Movement to a Lower Classification.** When an employee is reassigned to a class having a lower salary range, the employee shall receive a salary in the lower salary range that is nearest to the employee's rate of pay. When an employee's position is reclassified to a class having a lower salary range, the employee shall retain the same rate of pay until such time that the assigned class has a maximum salary rate. Employees reassigned or reclassified to a lower position shall have no change made in their anniversary date.

f) **Transfer.** When an employee is transferred from one position to another or from one classification to another classification having the same salary range, the employee's pay and anniversary date shall remain unchanged.

g) **Acting Pay.** Acting for an uninterrupted period in a higher classification or rank will be compensated at the rate of pay for that higher classification or rank.

h) **Provisional Employees.** Provisional employees shall be paid salary pursuant to their position's classification as outlined in the compensation plan. Provisional employees shall receive benefits as determined by the General Manager.

i) **Salary Range Adjustments.** All District employees will receive a salary adjustment equal to the February to February Consumer Price Index (CPI) for the Orange-Los Angeles-Riverside Counties. The salary range adjustment will go into effect on July 1. However, the Board of Directors will have the authority to freeze CPI salary adjustments at any time.

i) Salary range adjustments are distinguished from merit salary increases, as they are not intended to give recognition to length and quality of service.

j) The salary rate of an employee whose salary range is adjusted will be adjusted to the same relative position in the revised salary range.

5) **PARTIAL PAY PERIOD PAY.** Salaries for employees working less than a complete schedule in a pay period shall be computed by multiplying the number of hours actually worked during the pay period by the employee's hourly pay rate.

6) **PAYROLL**.

a) **Payroll Direct Deposit Program.**

i) **POLICY.** As a condition of employment, all employees are required to enroll in payroll direct deposit. Upon separation from employment with the District, the former employee will complete an exit interview and will receive the final payment with a physical paycheck.

ii) PROCEDURE.

(1) All employees must sign up for direct deposit by completing and submitting the direct deposit enrollment form and a voided check to Accounting.

(2) Paychecks will be electronically paid to an employee's bank account through direct deposit and will commence on the first payroll after enrollment.

(3) Upon separation and following the exit interview, the General Manager shall authorize release of the final paycheck to the employee.

b) **Payroll Withholding Allowance.** Every employee must furnish a signed federal withholding exemption certificate (Form W-4) and state Form DE4 on or before the date of employment in accordance with applicable Internal Revenue Code sections and state income tax code. Employees are permitted to amend the W-4 or DE4 once per calendar year quarter. Upon separation with the District, the employee will be permitted one last withholding adjustment.

i) Employees shall submit completed W-4 or DE4 forms to Accounting for processing through payroll and will commence in conjunction with the normal payroll process and cycle.

7) **Time Cards, Core Hours and Adjustments.** Each District employee submits time cards to their direct supervisor for review and, in turn, to the Finance Manager for entry into the electronic payroll system.

a) The time cards are the official timekeeping documents for each employee and are subject to audit. Hours worked are entered on the time card according to code. Each employee is responsible for the accuracy of his/her time card, which must be signed and approved by his/her

supervisor or the General Manager.

b) Each employee has 60 days after the end of the pay period to correct any errors on his/her time card. Corrections must be requested as soon as discovered. The Finance Manager will review each request for approval. After the 60-day period, no corrections or adjustments may be made on the time card which will be the official document of record of time worked during that pay period.

8) **WORK HOURS.**

a) **Hours of Work.** All administrative offices are open for business from 7:30 a.m. to 4:30 p.m. Monday through Thursday and 7:30 a.m. to 3:30 p.m. on Friday. The work period for full-time employees generally consists of nine hours per day with alternating 8-hour Fridays or eight hours per day with up to one hour for lunch; part-time employee work periods may vary. Full-time employee work periods may also vary based on business needs and General Manager approval.

i) Exempt full-time employees may occasionally alter their regularly assigned work period during a given work week, unless it inhibits their ability to get their work done at the discretion of their supervisor and as authorized by the General Manager. Any alterations that result in an absence from work for more than four (4) hours in a regularly scheduled work day shall require the employee to use accrued paid time off.

b) **Meal & Rest (Break) Periods.**

i) Meal Periods. In accordance with state law, the District will provide nonexempt employees with an unpaid, off-duty meal period of 30 minutes after a work period of more than five hours. The meal period must be provided no later than the end of the employee's fifth hour of work. When a work period of not more than six hours will complete the day's work, the meal period may be waived by mutual consent of the employer and the employee.

(1) Every employee must take at least one-half hour for lunch every work day and is not allowed to skip lunch to make up lost time.

(2) Off-duty means relieved of all duty with the District relinquishing all control over employee activities.

(3) On-duty means the nature of the work prevents an employee from being relieved of all duty. Employees can take on-duty meal periods' only when doing so has been agreed to in writing by the District and the employee and the meal period is paid by the District.

ii) Rest Periods (Breaks). The District will provide paid rest periods for all nonexempt employees whose total daily work time is at least 3.5 hours at the rate of 10 minutes for every four hours worked, or "major fraction" thereof. Anything over two hours is considered to be a "major fraction" of four. As a general rule, and insofar as practicable, the rest period should be in the middle of the four-hour work period.

9) **OVERTIME.**

a) **Authorization**. All overtime shall be authorized by the appropriate supervisor and recorded on the employee's time card in accordance with state and federal law.

b) **Eligibility for Overtime.** The General Manager shall determine which classifications are considered eligible for overtime in accordance with state and federal law.

c) **Overtime Compensation**. Overtime compensation shall be paid in accordance with state and federal law and District policy.

d) **Pre-Approval of Overtime**. Classified (non-exempt) employees are not permitted to work overtime without pre-approval from their direct supervisor. Working overtime without pre-approval is grounds for discipline.

e) **Compensation for Overtime at Termination.** Any employee who terminates employment shall be paid at the employee's regular rate of pay for all accrued.

10) **SEWER CREW EMPLOYEES MAINTENANCE PREMIUM PAY.** Employees who are routinely and consistently assigned to repair and maintain sewer systems shall receive a premium pay of 1.5% of their base pay for each California Water Environment Association Collection System Maintenance Grade Certification level achieved. For example, an employee who receives a Collection System Maintenance Grade II Certification shall receive a premium pay of 3% of his/her base pay.

11) **WELDER PREMIUM PAY.** Additionally, employees who are routinely and consistently assigned to repair sewer manhole covers by application of welding skills and who possess a current welding certification, shall receive a premium pay of 1.5% of their base pay.

12) **STANDBY PAY.** For each day on standby duty, employee will be paid a flat rate of $50.00 per day. If the employee is called for advice or called out during the standby period, the employee receives “Phone Advice Pay or Call Out Pay” in addition to Standby Pay.

a) Phone Advice Pay – Standby personnel handling incidents by the phone during a standby period will be paid at his/her regular hourly rate of pay for a minimum of one hour for each hour he/she is required to be on the phone to troubleshoot or otherwise provide phone

advice. Personnel shall be entitled to one full hour's pay at straight time for any hour in which he is required to be on the phone for such purposes. Said phone advice pay is in addition to standby pay.

b) Call Out Pay - If standby personnel are "called out" during a standby period, they will be compensated in accordance with overtime for the hours worked during the "call out," with the clock starting at the time of the call out and terminating upon clock out.

Such call out pay is in addition to standby pay and any phone advice pay if personnel separately try to provide advice by phone to fix the problem but are then required to respond in person.

13) **CLOSED CIRCUIT TELEVISION (CCTV) INSPECTION PAY**. Employees who successfully pass the Pipeline Assessment & Certification Program (PACP) from the National Association of Sewer Service Companies (NASSCO) shall receive a premium pay of 1.5% of his/her base pay. PACP is an internationally accepted method for recording pipeline defects and observations in a standardized fashion. Employees that are PACP certify gives credibility to inspecting pipeline and determining the current status condition of said pipeline.

1) See APPENDIX for Summary of Compensation & Benefits.

2) **BENEFITS BUCKET.**

   a) Full-time employees receive a monthly "benefit bucket" amount to select and pay for District-offered medical, dental and vision insurance plans plus other ancillary benefits. The "bucket" amount is based on the employee's elected medical plan tier:

      Employee only/individual - $920.00
      Employee plus one dependent - $1150.00
      Employee plus two or more dependents - $1,380.00

   b) Employees must elect medical insurance coverage unless they provide proof of alternative coverage to waive this benefit. Employees who waive medical insurance shall receive the employee only/individual "bucket" amount and must select at least dental or vision coverage. Unused "bucket" funds are paid directly to the employee as additional compensation or can be allocated to the employee's Deferred Compensation/457(b) plan.

   c) Part-time employees are not eligible for the "benefits bucket".

3) **INSURANCE.**

   a) **Medical Insurance.** The District offers medical insurance through CalPERS. Employees elect the plan and tier of their choice annually during open enrollment. Plan benefits are based on the calendar year. No changes can be made to plan elections unless there is a qualifying event (e.g., birth, marriage, etc.) as defined by plan rules.

   b) **Dental & Vision Insurance.** The District offers dental and vision insurance through SDRMA (Special District Risk Management Authority). Employees elect the plan and tier of their choice annually during open enrollment. Plan benefits are based on the calendar year. No changes can be made to plan elections unless there is a qualifying event (e.g., birth, marriage, etc.) as defined by plan rules.

   c) **Life Insurance.** The District pays for a life insurance/AD&D (accidental death and dismemberment) policy for all full-time employees that provides $50,000 coverage. This plan is provided through ReliaStar Life/ING (Voya). Part-time employees are ineligible for this District-paid life insurance plan.

   d) **Long-Term Disability Insurance.** The District pays for a non-work related disability insurance plan for all full-time employees that pays up to 60% of an employee's basic monthly earnings not to exceed $5,000 per month following a 90-day waiting period of continuous disability. The

plan is provided through ReliaStar Life/ING (also known as Voya). Part-time employees are ineligible for this District-paid disability insurance plan.

e) **Ancillary Benefits.** The District offers other ancillary insurance benefits for full-time and part-time employees such as short-term disability insurance; and cancer, hospital and accident insurances. These benefits are optional; employees pay the full cost of coverage.

4) **EMPLOYEE ASSISTANCE PROGRAM (EAP).**

a) The District will sponsor an employee assistance program at no charge to employees.

b) **Policy.** This policy establishes a confidential Employee Assistance Program (EAP) for District employees and their immediate families through Managed Health Network (MHN). The EAP is designed to assist employees, family members and significant others with resolving problems affecting physical and emotional well-being and job performance. The EAP is a District-paid benefit that provides the following services:

i) Private and confidential assessment and referral counseling.
ii) 24-hour, 7-days-per-week emergency telephone counseling.
iii) EAP consultation with licensed or certified counselors.
iv) Appointments outside of work hours.
v) No charge to the employee or family member for the EAP counseling.
vi) Bilingual counseling in Spanish. Arrangements for other languages can be made in advance of the scheduled appointment. Counselors in several other languages are readily available.
vii) Referrals to community social services and self-help groups.
viii) Referrals to licensed outpatient and inpatient treatment facilities often at contracted, reduced rates.
ix) Follow-up and case management on all persons using the EAP.
x) Group debriefing when a traumatic incident occurs.
xi) Coordination with other employee benefit plans provided by your employer.
xii) Employees are encouraged to use this benefit as needed.

5) **PAID TIME OFF.**

a) **Holidays.**

i) The District will observe the following ten holidays. Full-time employees shall receive the day off with pay for these holidays plus two eight-hour floating holidays.

New Year's Day
Labor Day

Martin Luther King Day
Thanksgiving (Thurs & Fri)
Presidents Day
Veterans Day
Memorial Day
Christmas Day
4th of July

ii) Floating holiday hours may be used incrementally and must be used by the end of the fiscal year, as specified by payroll; any excess balances will be paid out to employees. Employees receive a new floating holiday bank at the beginning of the fiscal year, as specified by payroll.

iii) Part-time employees are ineligible for holiday pay.

b) **Vacation.**

i) Employees may use vacation hours after six months of continuous full-time employment.

(1) Vacation use requires supervisor approval.

(2) Employees shall submit vacation requests in advance, preferably with at least one week's notice.

(3) Employees may not use more vacation hours than they have earned. The use of vacation may not result in a negative balance.

ii) **Vacation Accrual.** Regular full-time employees with an average workweek of 40 hours shall receive vacation as follows:

(1) Upon completion of one to two years of continuous full-time service, employees shall accrue 92 hours per year.

(2) Upon completion of three to four years of continuous full-time service, employees shall accrue 116 hours per year.

(3) Upon completion of five to nine years of continuous full-time service, employees shall accrue 140 hours per year.

(4) Upon completion of 10 to 14 years of continuous full-time service, employees shall accrue 164 hours per year.

(5) Upon completion of 15 years or more of continuous full-time service, employees shall accrue 188 hours per year.

iii) **Vacation Bank.** The maximum amount of vacation time a full-time employee may accrue is based on years of service, per the table below.

Years of Service	Maximum Vacation Bank
1 to 2	184
3 to 4	232
5 to 9	280
10 to 14	328
15 and over	376

(1) If accrued vacation hours exceed the bank maximum as of the last pay period in April, employees will be required to take a mandatory vacation in May and will be issued a mandatory cash out in June for any remaining excess hours.

(2) The mandatory vacation must consist of at least 40 hours, if the excess hours are 40 or more, or be equal to the amount of excess bank hours if the excess hours are less than 40.

(3) Upon termination, employees will be compensated at their current rate of pay for any vacation bank hours earned up to and including the date of termination.

iv) **Voluntary Vacation Cash out.** With supervisor and General Manager, or designee, approval, employees may request a voluntary cash out at any time, in any amount, as long as they have a minimum vacation bank of 80 hours and have used 40 hours of vacation in the fiscal year at the date of the request.

v) **Vacation Cash out Tax**. Voluntary and mandatory cash outs are subject to supplemental withholding tax rates.

c) **Sick Leave.**

i) **Definitions.**

(1) Sick leave is defined as:
(a) Absence of work due to illness, non-industrial injury, or quarantine due to exposure to a contagious disease;
(b) Diagnosis, care or treatment of an existing health condition of, or preventive care

for, an employee or an employee's family member and, for an employee who is a victim of domestic violence, sexual assault, or stalking;

(c) Time off from work for the purposes described in subdivision (c) of Section 230 and subdivision (a) of Section 230.1 of the Labor Code;

(d) Dentist and doctor appointments and prescribed sickness prevention measures.

(2) Family member means any of the following:

(a) A child, which for purposes of this policy means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.

(b) A biological, adoptive or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.

(c) A spouse.

(d) A registered domestic partner.

(e) A grandparent.

(f) A grandchild.

(g) A sibling.

ii) Sick leave is not a privilege that an employee may use at his/her discretion, but shall be allowed only in case of actual necessity of the employee, or his/her family member.

iii) **Accrual Rates.**

(1) **Part-time Employees.** Part-time employees, who work 30 or more days in a year shall be entitled to 24 hours or three days of paid sick leave.

(a) Part-time employees are entitled to use sick leave beginning on the 90th day of employment.

(b) Use shall be limited to no more than 24 hours (based on an 8 hour workday) or 3 days in each year, whichever is greater.

(c) The maximum amount of leave allowed to carry-over annually is capped at 48 hours or 6 days.

(2) **Full-time Employees** shall accrue sick leave at the rate of 3.70 hours per pay period.

iv) **Termination.** Unused sick leave is forfeited upon termination of employment for any reason other than retirement.

v) **Retirement.** Upon retirement, accumulated unused sick leave is added to the total years of

service time of the employee for credit in accordance with the District's contract with the CalPERS.

(1) An employee may not use sick leave to extend a retirement (either disability or regular) or termination date.

vi) If an employee separates from employment and is rehired within one year from the date of separation, previously accrued and unused paid sick days shall be reinstated. The employee shall be entitled to use those previously accrued and unused paid sick days and to accrue additional paid sick days upon rehiring.

vii) **Exclusions.** No employee is entitled to sick leave while absent from duty on account of any of the following causes:

(1) Sickness or injury sustained while on leave of absence without pay.

(2) Sickness or injury sustained from improper employee conduct as defined in this handbook.

(3) To permit an extension of the employee's vacation.

viii) **Proof Required.** The supervisor will approve sick leave only after having ascertained that the absence was for an authorized reason. When absence is for more than three work days or if abuse of sick leave is suspected, the supervisor may require verification, but shall not be provided with protected medical information. If the supervisor requires the employee to submit verification, the supervisor shall make this requirement known to the employee as soon as possible. If verification is not provided, the time off will be considered a leave of absence without pay.

ix) **Exhaustion of Sick Leave.** In the event an employee uses all of the sick leave the employee has accrued, upon the approval of the supervisor, the employee may have any other paid leave days which the employee has accrued deducted for each day or portion thereof he/she is absent due to illness. This deduction will continue until the employee either returns to work or uses all his/her accrued leave time. With the concurrence of the General Manager, the supervisor may allow the employee to take a leave of absence without pay if the employee does not have any paid leave time or sick leave remaining to his/her credit.

x) **Penalty for Sick Leave Abuse.** The District's successful operation depends in large part upon the attendance of each of its employees. Employees have an important job that fits into a pattern of service. Unnecessary and unexcused absences, therefore, are undesirable because they affect not only operations but the way in which fellow employees are able to

do their jobs. It is important, too, to have a uniform attendance policy to avoid any misunderstandings regarding attendance expectations.

(1) Any unapproved absence may constitute cause for disciplinary action, up to and including discharge from employment.

xi) **Abuse of Sick Leave and Excessive Absenteeism.** If it appears that an employee is abusing sick leave or using sick leave excessively, the employee will be counseled that continued use of sick leave may result in a requirement to furnish verification for each subsequent absence for sick leave regardless of duration. Continued abuse of leave or excessive use of sick leave constitutes grounds for dismissal.

(1) Abuse of sick leave means the misrepresentation of the actual reason for taking sick leave, using sick leave for unauthorized purposes, failure to report sick leave, and may include chronic, persistent or patterned use of sick leave.

(2) Excessive absenteeism is a level of absence, other than protected leaves, that significantly disrupts the work of the District. Absenteeism may be excessive even where the employee remains able to draw upon accrued leave accounts. An employee may be considered excessively absent when he/she has used an above-average amount of unscheduled leave (40 hours or more), excluding any protected leaves.

(a) Unscheduled Leave means an absence from work which is not requested and approved in advance. Any employee who must use unscheduled leave time must notify their supervisor 30 minutes prior to the start of shift. Should the employee need to use more than one day of unscheduled leave, the employee shall notify their supervisor 30 minutes prior to the start of the shift each day they are absent.

(b) Upon the employee's return from unscheduled leave, the supervisor will approve the use of appropriate paid leave only after having ascertained that the absence was for an authorized reason. However, the leave time will be classified and documented as unscheduled leave. If the reason for the absence was not authorized, the employee may be subject to disciplinary action, as outlined in this handbook.

(3) The District shall have the authority to request a medical report substantiating any illness for a return to work report, provided privacy laws are observed. When, in the judgment of the District, the employee's reasons for being absent are inadequate, and/or not consistent with the eligibility requirements for use of sick leave, he/she shall change the payroll time report to indicate the absence was leave without pay. In addition, the employee is subject to disciplinary action.

xii) **Workers' Compensation.** An employee who is temporarily absent from work by reason of injury or illness covered by Worker's Compensation shall continue in pay status under the following provisions:

(1) The difference between the amount granted pursuant to such Worker's Compensation and the employee's regular rate of pay shall be deducted from the employee's accumulated sick leave and, when authorized by the employee, vacation days. Payment of wages will be coordinated with the Worker's Compensation carrier.

(2) Such an employee will continue in pay status and receive his regular rate of pay until his accumulated sick leave and vacation days have been depleted

d) **Executive Leave.**

i) Exempt full-time employees receive 40 hours of Executive Leave fiscal year . . Executive Leave is used like vacation leave and may be used after six months of continuous full-time employment. Executive Leave may be used like sick leave, with supervisor approval. The use of Executive Leave requires supervisor approval.

ii) Employees must use all 40 hours within the fiscal year received; any remaining balance will be forfeited. Executive Leave cannot be carried over to proceeding years. Employees can cash out 20 hours of Executive Leave hours at their current rate of pay, but must use or schedule 20 hours of Executive Leave to be eligible for the cash out.

iii) An Exempt employee may occasionally alter his/her regularly assigned work schedule during a given work week as necessary and as authorized by the General Manager. Any alternations that result in an absence from work for more than four (4) hours in a regularly scheduled work day shall require the employee to use accrued executive leave, vacation, or sick leave during the absence.

iv) Non-Exempt full time and part-time employees are ineligible for Executive Leave

e) **Compensatory Time.**

i) Compensatory time off is accrued by converting overtime hours to compensatory time off hours. Full-time employees may accrue compensatory time, with supervisor approval, by requesting to convert overtime hours to compensatory time hours. Compensatory time is used like vacation and may also be used like sick leave, with supervisor approval. The use of compensatory time off requires supervisor approval. An unlimited amount of compensatory time may be accumulated during the fiscal year but any remaining balance

will be paid off in full effective June 30 of each year.

ii) Part-time and exempt level employees are ineligible for the accrual of compensatory time off hours because these employee groups are ineligible for overtime.

f) **Bereavement.**

i) In the event of a death in the employee's immediate family, a full-time employee shall be entitled, at the discretion of the General Manager, to one-five working days off with pay to attend the funeral. The relatives designated shall include father, mother, wife, husband, brother, sister, daughter, son, grandparents, brothers and sisters having one parent in common, and those relationships generally called "step," providing persons in such relationships have lived or have been raised in the family home and have continued an active family relationship.

ii) To be eligible for bereavement leave, the employee must attend or make a bona fide effort to attend the funeral. Bereavement leave is not compensable when the employee is on leave of absence, bona fide layoff, or for days falling outside the employee's regular work period. Bereavement leave is not chargeable against sick leave.

iii) Part-time employees are ineligible for paid bereavement leave.

g) **Jury Duty/Court Leave.**

i) While on jury duty or while appearing as a legally required witness, except in private cases not related to the employee's job, a full-time employee will receive full pay from the District. For purposes of payroll, an employee must obtain validation from the Jury Clerk of time spent on jury duty. An employee who is summoned must notify his or her supervisor or the General Manager as soon as possible after receiving notice of both possible and actual jury service and/or witness testimony. An employee receiving witness fees or jury service fees, shall remit such fees to the District in order to be considered at work for payroll purposes during the time spent as such witness or serving on the jury. The employee is entitled to retain any mileage allowance the court pays.

ii) Part-time employees are ineligible for paid jury or court leave.

h) **Military Leave.**

i) Military leave shall be granted in accordance with the provisions of state and federal laws. All employees entitled to military leave shall give the supervisor an opportunity within the limits of military regulations to determine when such leave shall be taken.

ii) Employees who are called or volunteer for services with the armed forces of the United States or the California National Guard shall be entitled to be considered for reinstatement in accordance with the provisions of these rules.

iii) An employee promoted to fill a vacancy created by a person serving in the armed forces shall hold such position subject to the return of the veteran. The employee affected by the return shall be restored to the position he or she held previously or any other equivalent position.

iv) A new employee hired to fill a vacancy created by a person serving in the armed forces shall hold such position subject to the return of the veteran. The employee affected by the return shall be placed in as nearly equal a vacant position as may exist, or if no such position exists, may be subject to layoff.

v) **Reserve Duty.** Employees who participate in a reserve unit of the armed forces shall attempt to arrange time off for two-week assignments with the supervisor in advance of the scheduled drill. Such employees shall receive their normal compensation during a two-week drill assignment. Weekend drills shall also be scheduled in advance if the employee is scheduled to work on weekends.

6) **FAMILY CARE AND MEDICAL LEAVE.**

a) This section summarizes how several family and medical leave laws apply to District employees.

i) **Family and Medical Leave Act (FMLA).** All public agencies are covered employers under Federal FMLA. This means that a covered employer must post general notice and posters about FMLA in conspicuous places. However, because the District does not employ at least 50 employees no employees are eligible to take FMLA leave. As required by law, employees who request FMLA leave will be provided with notice informing the employee that they are not eligible and explaining why.

ii) **California Family Rights Act (CFRA).** The District is not considered a covered employer under the CFRA because the District does not employ 50 or more employees. Therefore, no employees are eligible to take CFRA leave.

b) District employees are not eligible for FMLA or CFRA leave; however, they are eligible to request a Leave of Absence without Pay.

i) **Pregnancy Disability Leave (PDL).** The District is considered a covered employer under the California PDL law, which means eligible District employees can take unpaid leave with their same or equivalent position being assured upon return. The following provisions also apply to PDL:

(1) Employees are entitled to unpaid leave for up to four months in accordance with state law.

(a) Employees must provide verbal or written notice of leave at least 30 days in advance if it is foreseeable and as soon as possible if it is not.

(b) Leave may be taken intermittently or on a reduced work schedule when medically advisable, as determined by the employee's health care provider.

(c) If additional time off is needed, employees may also request a Leave of Absence without Pay.

(2) **Use of Paid Time Off.** During said leave of absence, the employee must first use accumulated sick leave. Upon request, and at the discretion of the employee, vacation or other paid leave may be used.

(3) **Health Insurance Benefits.** An employee on PDL is entitled to the same level of group health insurance coverage that was provided before the leave; therefore, employees shall continue to receive the "benefits bucket".

(a) The District may recover premiums it paid to maintain health coverage, if an employee does not return to work following pregnancy disability leave.

(b) Employees must continue to pay insurance premiums, if any, either through payroll deduction or by direct payment to the District while on leave. The employee will be advised in writing at the beginning of the leave period as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occur while the employee is on leave.

(4) **Short and Long-Term Disability Benefits.** The District pays for long-term disability benefits for full-time employees. Employees may also voluntarily enroll in short-term disability. Employees may be entitled to short and long-term disability benefits for pregnancy-related reasons and are encouraged to explore eligibility.

(a) Employees receiving benefits during PDL may use paid time off at the employee's option to make up the difference between disability benefits and the employee's

regular pay.

(5) **Service Credit.** PDL is not considered an interruption of service (break in service) for purposes of seniority. Employees returning from leave shall return with no less seniority for purposes of layoff, recall, promotion or job assignment. For purposes of retirement, unpaid leave shall be considered an interruption of service since Public Employees' Retirement System (PERS) contributions are based on wages paid.

(6) **Return from Leave.** Upon expiration of the approved leave, and the District's receipt of a written statement from the health care provider that the employee is fit for duty, the employee shall be reinstated to her former position or to a comparable one if the former position is abolished during the period of leave and the employee would otherwise not have been laid off. The comparable position is one having similar terms of pay, location, job content and promotional opportunities.

(a) If the employee's original position is no longer available, the employee will be assigned to an open position that is substantially similar in job content, status, pay, promotional opportunities, and geographic location as the employee's original position.

(b) If upon return from leave an employee is unable to perform the essential functions of her job because of a physical or mental disability, the District will initiate an interactive process with the employee in order to identify a potential reasonable accommodation.

(c) An employee who fails to return to work shall relinquish reinstatement rights.

c) Legal requirements and details pertaining to leave laws that are not set forth in this section are set forth in applicable laws.

7) **LEAVE OF ABSENCE WITHOUT PAY (Also known as "Unpaid Time Off").**

a) Supervisors may grant a leave of absence without pay not to exceed two calendar weeks.
b) The General Manager may grant a leave of absence without pay not to exceed three months.
c) No such leave shall be granted except upon written request of the employee.
d) The request shall set forth the reason for the request.
e) The District's response to the request shall be in writing.
f) Upon expiration of a approved leave of absence without pay, or within a reasonable period of time after notice to return to duty, the employee shall be reinstated in the position held at the time the leave was granted.

g) Failure on the part of an employee on leave of absence without pay to report promptly at its expiration, or within a reasonable time after notice to return to duty shall be cause for discharge.

h) The General Manager may review and extend leaves of absence at his/her sole discretion.

i) Use of Paid Time Off. An employee must use all accrued vacation, floating holidays, comp time and executive leave to be eligible for leave of absence without pay except for a legally protected Pregnancy Disability Leave. Employees must also use sick leave accruals if the reason for the request is consistent with eligible uses under the sick leave policy; otherwise, sick leave use is not required.

j) Sick and Vacation Accruals. If the leave of absence without pay is for an entire pay period, no sick or vacation will accrue. If the leave of absence without pay is for a portion of the pay period, sick and vacation shall accrue on a prorated basis (.e.g., if the leave of absence without pay is for 50% of the pay period, the employee shall receive 50% of the regular sick and vacation accrual amount.).

k) "Benefits Bucket". If the leave of absence without pay is for an entire pay period, the employee will be ineligible for the "Benefits Bucket" amount for that pay period; except while on a legally protected Pregnancy Disability Leave. If the leave of absence without pay is for a portion of the pay period, the employee will be eligible for the "Benefits Bucket" amount for that pay period.

l) Holiday Pay. If the leave of absence without pay is for an entire pay period, the employee will be ineligible for the holiday pay for that pay period. If the leave of absence without pay is for a portion of the pay period, the employee will be eligible for the holiday pay for that pay period.

8) **RETIREMENT PLAN.**

a) The District contracts with California Public Employees' Retirement System (CalPERS) for District employees to become members of the CalPERS retirement system. CalPERS retirement is governed by the Public Employees' Retirement Law (PERL), Government Code sections 20000 et seq.

b) The percentage of final compensation to be provided is determined by hire date, as follows:

i) On or before July 1, 2011 - 2% at 55 plan. The District pays both the employee contribution (7% of gross annual income) and employer contribution (varies).

ii) July 1, 2011 to December 31, 2012 - 2% at 60 plan. Employees pay the employee contribution (7% of gross annual income) and the District pays the employer contribution (varies).

iii) On or after January 1, 2013 – new employees are enrolled in the 2% at 62 plan. Employees pay the employee contribution (50% of the Normal Cost) and the District pays the employer contribution (varies).

iv) Employees with previous public pension service that meet eligibility criteria are enrolled in the 2% at 60 plan. Employees pay the employee contribution (50% of the Normal Cost) and the District pays the employer contribution (varies).

c) To be eligible for service retirement, a member must be at least 50 years old and have five years of CalPERS credited service. There is no compulsory retirement age.

d) The monthly retirement allowance is determined by age at retirement, years of service credit and final compensation. The basic benefit is 2% of final compensation for each year of credited service upon retirement at age 55, 60, or 62.

e) Final compensation is the average monthly pay rate during the last consecutive 12 or 36 months of employment, depending on hire date. Employees hired on or before July 1, 2011 are eligible for a 12 month final average salary and employees hired after this date are eligible for a 36 month final average salary.

f) Employees do not pay into Social Security with the exception of 1.45% of gross income, which is paid into the Medicare portion of Social Security.

g) **Pre-retirement Death Benefits.** This benefit is a refund of the member's contributions plus interest and up to six month's pay (one month's salary rate for each year of current service up to a maximum of six months).

h) **Death after Retirement.** The lump sum death benefit is $500.00.

i) **Termination of Employment.** Members who have separated from employment may elect to leave their contributions on deposit or request a refund of contributions and interest. Those who leave their contributions on deposit may apply at a later date for a monthly retirement allowance if the minimum service and age requirements are met. Members who request a refund of their contributions terminate their membership and are not eligible for any future benefits unless they return to CalPERS membership.

9) **RETIREMENT HEALTH SAVINGS (RHS) PLAN.**

a) The District contracts with ICMA-RC (International City Management Association - Retirement Corporation) for District employees to become part of the Employer Vantage Care Retirement Health Savings (RHS) Plan.

b) All full-time employees participate in this program to build tax deferred assets during District employment to pay for healthcare premiums and out-of-pocket expenses in retirement. Employees pay a mandatory contribution equal to 1% of base salary and the District pays 1% of base salary on behalf of each employee for a total contribution of 2%. Employee contributions vest immediately; District contributions vest after five years of service.

c) Part-time employees are ineligible for the RHS plan.

10) **DEFERRED COMPENSATION/457(b) PLAN.**

a) The District contracts with ICMA-RC (International City Management Association - Retirement Corporation) for full-time and part-time employees to become part of a 457 Deferred Compensation Plan. Participation is voluntary and all contributions are funded by employees.

b) **Loan Program.** Participants may request hardship loans against deferred compensation contributions in accordance with applicable plan provisions.

i) **Purpose.** The District allows eligible plan participants the ability to borrow funds from their plan account balance. The program allows participants the ability to access funds that are not otherwise available. Repayment provisions for these loans ensures that participants replenish their accounts, thereby preserving their retirement savings.

ii) **Loan Terms.** Employees who are currently participating in the District's ICMA-RC Deferred Compensation Plan (457) are eligible to participate in this loan program. Loans will be granted solely for hardship circumstances

1. A hardship is defined as being unable to meet certain specified financial situations. Examples include, but are not limited to, unreimbursed medical expenses, paying federal and/or state income taxes, paying for college education for dependents, outstanding debt (e.g. credit cards, college loan, etc.).

2. All 457 Plan loans must be coordinated with unforeseeable emergency withdrawals. The emergency withdrawal regulations under Section 457 of the Internal Revenue Code require that an emergency withdrawal be a resource of the "last resort." By allowing eligible District participants to borrow against

their plan account balance, a participant would be required to take a loan before taking an emergency withdrawal.

3. If the employee is separated from the District for any reason, all loans are due and payable in full as soon as the participant takes a withdrawal of any amount from the plan. Failure to repay the outstanding loan amount at the time it is due will result in foreclosure of the loan and ICMA-RC will report it as a taxable distribution in the year of the foreclosure.

iii) **Procedures**. A loan application must be completed, signed by the employee and approved by the District. Upon approval of the loan application, ICMA- RC will prepare loan documents and send them to the District, along with a check, for disbursement. The loan check will not be issued to the employee until the loan documents have been completed and signed. Loan documents include a promissory note evidencing the loan and disclosure statement, which includes an amortization schedule.

1. Employees are limited to one outstanding loan at a time through this program where the employee will be allowed to borrow up to 50% of the account balance, not to exceed $50,000. The minimum loan amount is $1,000. Loans must be repaid over a 5 year period through bi-weekly payroll deductions.

2. Once a loan is issued, the District's payroll department must ensure that loan repayments are withheld from the employee's paycheck each pay period, in the amount specified on the amortization schedule, until the loan is repaid in full. The District will NOT stop taking loan repayments from the employee's paycheck until the loan has been repaid in full. The District will ensure that deductions are not pre-taxed.

11) **TUITION REIMURSEMENT.**

a) Tuition reimbursement is available to full time employees, who have completed six months of service, and are in good standing within their department.

b) Employees who are eligible for tuition assistance from any other source must declare the source and amount on the tuition reimbursement application. The District requires the employee to use other available payment plans in preference to the District plan.

c) Veterans must exhaust their educational benefits before reimbursement can be approved. However, if educational benefits received do not cover the entire cost of coursework, the tuition reimbursement program may pay a percentage of the cost not reimbursed.

d) If an employee resigns, is discharged or laid-off prior to completion of coursework and submission of his/her grades to the District, his/her application for tuition reimbursement will be voided.

e) Contingent on budget allocations, full-time District employees who meet specified criteria will receive financial assistance to attend educational courses at fully-accredited educational institutes in order to foster personal development in job-related areas as well as career advancement. The District may reimburse eligible employees for up to for a maximum of $5,000 per calendar year for approved educational programs. The program is available to employees who engage in studies that do not interfere with regular working hours and that lead to a degree or class work that is mutually beneficial to the District and employee.

f) Applications must be filed and approved by supervisors and the General Manager, or designee, before commencing course work. To receive reimbursement the employee must submit a grade report at the end of the course, along with a tuition and fee statement, to the Personnel Manager showing course completion with a minimum of a C grade, or passing grade in non-graded courses.

g) Upon certification, the General Manager, or designee, will submit the reimbursement request to the accounting department for payment. Payments will be made up to $5,000 for fees for the course, textbooks and supplies.

h) Employees participating in this program will be required to sign a statement indicating that 100% of all funds received under this program will be returned to the District if the employee is terminated or resigns from employment with the District within one year and 50% of all funds received under this program will be returned to the District if the employee is terminated or resigns from employment with the District within two years.

i) The tuition reimbursement may be a taxable benefit depending upon the provisions of the Internal Revenue code. The individual employee will be responsible for any tax liability.

j) Part-time employees are ineligible for tuition reimbursement.

12) **SERVICE AWARDS.**

a) **Purpose.** The purpose of Service Awards is to recognize employees for their services to the District and the Community. Service awards shall be presented to employees in the classified service for five years of service and at each five year interval thereafter.

i) For purposes of this Rule, the term "years of service" as applied to employees in the

classified service shall be defined as the accumulated total of all periods of full-time service, excepting therefrom any periods of leave of absence at no pay exceeding 30 calendar days.

ii) The provisions of this Rule shall apply also to the District's Board of Directors.

13) **TECHNOLOGY LOAN PROGRAM.**

a) **Purpose.** To elevate technology competency of eligible employees, by encouraging and assisting the purchase of technology equipment and software for use in employees home by granting interest free loan from the District. Technology competency on the part of eligible District employees will increase productivity in the workplace through new applications and increased use of District technology equipment in daily organization activities. All District employees are eligible for this benefit after six months of service.

b) **Loan Terms.** The minimum loan amount under this program shall be $200 and the maximum is $2,500. The employee has the option of financing all or part of the purchase price of the equipment and materials purchased up to the maximum.

i) The loan amount shall be specified in a promissory note from the employee to the District.

ii) The loan shall be repaid by the employee through payroll deduction and the deduction period shall not exceed 24 months (52 pay periods). There shall be no interest charged. Repayment in full is accepted without penalty.

iii) The loan shall become immediately due and payable upon separation of employment with the District. If there are insufficient funds available in the final paycheck, remaining balance shall be paid by check or cash at the time of separation. If a balance remains at the time of separation, the amount owed will be converted to a loan with a 10% interest rate billed monthly, if balance not paid in full by check or cash within 30 days of separation from the District.

iv) Each employee will be limited to receiving one technology loan in a one fiscal year period and cannot obtain a loan if the employee still has an outstanding loan with the District.

v) Employee agrees not to sell, trade, or otherwise dispose of the equipment or software until the loan has been paid in full. The employee also agrees the usage of the equipment and software will be limited to the employee's own use and that of his/her immediate family. Any reassignment or transfer of the equipment or software or the Promissory Note will result in the loan being recalled.

vi) Employees should ensure that their home or renter's insurance policy provides adequate protection of their equipment from theft, fire, flood, and lightning. The District does not

assume any liability for damage or theft of equipment.

c) **Type of Equipment.** Technology equipment ordered under this program is for the employee's personal use and for work-related activities. It is intended that the purchased equipment be compatible with the District's computing equipment.

i) Any home desktop or tablet computer may be purchased under this program. OS X or Central processing unit with operating system and windows software, other internal and external devices, such as drives, monitor, keyboard, mouse, speakers, modem, scanner, and printer. Shipping, handling fees and sales tax are also eligible for reimbursement, within the established limits.

ii) The equipment is subject to warranty terms and conditions of the manufacturer. Each employee is solely responsible for arranging for maintenance service, installation, training, extended warranty or other services at his/her own expense and is not included in the loan amount.

d) **Procedure.** Print a listing of the hardware and software, including price quote, tax and delivery.

i) Complete a Personal Technology Loan Program - Loan Request form, which may be obtained from the Finance Department. This requires the employee to list the type of equipment to be purchased, the purchase price, the loan amount and repayment plan requested. Submit this to the Finance Department and finally to the General Manager to ensure loan approval.

ii) After the loan is approved in writing, a Promissory Note outlining the terms of the loan must be completed and signed by the employee.

iii) After the loan request form and Promissory Note is signed by the employee, the District's Finance Department will purchase the equipment and/or software on behalf of the employee using District appropriated funds. The equipment and/or software will be shipped to District Headquarters at 628 W. 19th Street.

iv) Payroll deductions (per pay period) will begin at the beginning of the first pay period following employee receipt of equipment and/or software at District Headquarters.

e) **IRS / Taxes.** Questions regarding tax consequences of participation in this plan should be directed to a reputable tax advisor.

f) **Limitations.** The District assumes no liability against loss, damage or equipment abuse.

i) The District reserves the right to terminate the Technology Loan Program at any time.

g) **Technology Loan Request Form.** All employees who wish to obtain a technology loan must complete the District's Employee Technology Loan Request Form.

14) **CELL PHONES.**

a) **Purpose.** The purpose of this policy/procedure is to establish guidelines for District issued cell phone allowance(s). The District provides an allowance for cell phones, but the cell phone and any license to connect to electronic transmission lines (telephone, email, etc.) are not the property of the District.

b) **Overview.** The use of cell phones may be essential for employees to conduct business while away from the office, i.e., field and customer service operations, emergency operations, after-hours communications, and for their safety. District issued cell phone allowances may be provided to employees whose job duties require them to be out of the office for large portions of the workday or work during non-business hours.

c) The General Manager shall determine which employment classifications will need a cell phone and, therefore, shall be entitled to a cell phone allowance. No employee at the District has an implied right to a cell phone allowance; the General Manager can, at his or her discretion, determine that a cell phone is no longer required to meet job functions of specified classifications, and therefore, the allowance will cease.

d) The District has established a cell phone allowance and shall pay an amount to employees within the specified classification for cell phone acquisition and maintenance. Personnel who are provided a cell phone compensation plan shall provide their phone number to District personnel for District use. Personal calls during assigned shift should only be taken during work breaks or meal periods.

e) **Compliance Procedure.** Employees whose positions are listed below shall receive an allowance on a taxable monthly basis.

i) General Manager
ii) District Clerk
iii) Senior Management Analyst
iv) Management Analyst II
v) Wastewater Maintenance Superintendent
vi) Wastewater Maintenance Workers I, II & III
vii) SCADA Technician / Industrial Electrician
viii) Code Enforcement Officer
ix) Maintenance Assistant

x) Finance Manager
xi) Senior Accountant

f) Employees receiving an allowance are responsible for the following:

i) Purchasing and maintaining their equipment. Cell phone plans must provide adequate coverage for work communications and must have coverage with a carrier that provides acceptable coverage in the employee's work areas.

ii) Notifying their supervisor and department manager of their phone number, changes to number, or cancellation of service.

iii) Ensuring continuity of service, including payment of bills.

iv) Being in possession of their cell phones during working hours and during nonworking hours if required by their supervisor for District purposes (pursuant to the District's Standby Policy).

g) District employees may choose to have a telephone-only cell phone or a telephone with text, internet, photo and other features.

h) **Use of Cell Phones.** Although District employees are to have their cell phones activated for work purposes, cell phone use is not limited to District purposes, and employees may use their cell phones for any lawful purpose.

i) Cell phone use must be in conformance with other District rules.

ii) Effective July 1, 2008 and in accordance with Vehicle Code (VC) §23123 all drivers are prohibited from using a handheld wireless telephone while operating a motor vehicle. Motorists 18 and over may use a hands-free device. Employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting phone calls, unless the cell phone or vehicle is equipped with a hands-free device.

(1) Employees who receive allowances will be responsible for obtaining their own hands-free equipment.

(2) Employees who receive a traffic violation resulting from the use of an employee owned or District issued cell phone, while driving a personal or District vehicle, shall be solely responsible for all liabilities that result from such action and may be subject to discipline.

iii) Cell phone records may become public records. The District reserves the right to request to review the District-related contents of all records, data and communications transmitted, received and stored by the cell phone and/or the communications carrier if the District has a compelling legal need.

i) **Use of Cell Phones by Non-Exempt Classifications During Off Duty Hours.** Employees whose positions are within a non-exempt classification may not use their cell phone for work purposes (i.e. phone calls, checking and responding to email, etc.) unless expressly directed to do so by their supervisor when off duty.

i) When non-exempt employees are expressly directed to use their cell phone for work purposes by their supervisor, they shall document all time worked on their time card, the following business day.

15) **PROCUREMENT CARD PROGRAM.**

a) **Objectives.** The Procurement Card Program objectives are as follows:

i) To provide for faster delivery service of low dollar items.
ii) To reduce paper and postage expense for mailed warrants by consolidating vendor payments.
iii) To provide a tool to Staff to review procurement card statements for repetitive purchases and consolidate into new price agreements and contracts with volume discount prices.

b) **Policy.** The Finance Manager is the administrator of the Procurement Card Program (CMSD Operations Code 3.01.090) and responsible for the following:

i) Determine who needs a Procurement Card, to be issued in the cardholder's name.
ii) Establish flexible Procurement Card limits.
iii) Establish Procurement Card Cardholder Procedures.
iv) Reviewing the cardholder's charges on the Procurement Card and ensuring that the purchases are appropriate and within budget constraints and proper documentation is included.

c) **Definitions.** The Finance Manager is the administrator of the Procurement Card Program (CMSD Operations Code 3.01.090) and responsible for the following:

i) "Procurement Card Bank" is the bank card contractor who will issue the Procurement Card to the District.
ii) "Cardholder" is a District employee who is issued a District Procurement Card. Determine who needs a Procurement Card, to be issued in the cardholder's name.

d) **Procedure.** The Cardholder shall be responsible for the following:

i) Complying with Procurement Card Cardholder Procedures.
ii) Ensuring the bank card is used appropriately and that all purchases are within the approved dollar limits and budgeted.
iii) Ensuring the security of the Procurement Card while in his/her possession. If the card is lost or stolen, the Cardholder shall immediately notify the Procurement Card bank, the Finance Manager and the General Manager.

iv) The bank card is not to be used for the cardholder's personal purchases. Improper and unauthorized use of the Procurement Card shall result in disciplinary action, and, where theft is suspected, the Cardholder shall refer the matter to the pertinent law enforcement agency for investigation and possible prosecution. The Finance Manager, with the approval of the General Manager, has the option to terminate the Cardholder's right to use the Procurement Card at any time and for any reason. The Cardholder shall agree to return the Procurement Card to the District immediately upon request or upon separation of employment.

Costa Mesa Sanitary District Employee Handbook	Policy Number: 2.4
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Approved by: Board of Directors	Signature:

1) **GENERAL POLICY**. It is the policy of the District to encourage and promote training and educational opportunities for all District employees so that the services they render to the District may be made more effective.

2) **ORIENTATION OF NEW EMPLOYEES**. Within a reasonable period of time following initial employment, the District shall familiarize a new employee with the employee's obligations and rights, and also inform the employee about the functions and operations of the District.

3) **TIME OF TRAINING PERIODS.** Authorized training periods may be conducted either during or after normal working hours. Training sessions conducted during normal working hours shall be arranged so as to minimize interference with scheduled work.

4) **TYPES OF TRAINING.** For the purpose of administration, the following categories of training are recognized.

   a) <u>On-Site Training.</u> Any formal employee training or development program that is paid for by the District, conducted on-site, and during an employee's regular hours of work (may also occur outside of regular work hours). Such programs are designed and conducted to meet job related needs of District employees (e.g., District-wide safety training).

   b) <u>Off-Site Training.</u> Any formal employee training or development program that is paid for by the District, conducted off-site, and during an employee's regular hours of work (may also occur outside of regular work hours). Such programs are designed to increase employee development and skills (e.g., conferences and seminars on topics like public speaking and time management). Off-site training may be required by the District to improve present duties. Elective off-site training may be requested and authorized to improve present duties or to prepare for future assignments.

      i) No off-site training may be authorized or paid for without prior supervisor approval. Elective off-site training requires General Manager approval.

      ii) The employee shall be reimbursed for any tuition/registration, travel, meals and lodging, if applicable.

      iii) An employee who does not satisfactorily complete off-site training is not eligible for reimbursement of expenses and shall return any advance payment received. The employee may also be subject to disciplinary action.

      iv) If the training assignment is terminated prior to completion either of the following, the employee or his/her estate will receive reimbursement for expenses.

(1) At the convenience of the District

(2) Because of death, prolonged illness, disability or other eventuality beyond the control of the employee as determined by the supervisor and approved by the General Manager

5) **TRAVEL AND PER DIEM**

a) **Travel Reimbursement.**

1) Scope. It is the intent of the District to reimburse District personnel for all reasonable expenses incurred whenever they are required to travel on business for the District. "Business for the District" shall include expenses incurred in connection with approved official representation of the District from which the District will derive a specific benefit such as: attendance at training, seminars, symposia, conferences, hearings, conventions or other meetings.

b) **Travel Authorization.** When it is necessary for District staff to attend meetings or training away from the District or to travel outside the District to conduct District business, various modes of transportation, lodging accommodations and meal alternatives are available. The associated costs vary considerably. In an effort to control costs and to compensate personnel for reasonable expenses, the following policy shall be adhered to for all District travel:

i) All travel requests shall be submitted with the annual budget requests.

ii) District staff may not attend out-of-state conferences unless approved by the Board of Directors.

iii) District staff may attend in-state conferences. The General Manager must approve all travel, provided sufficient monies have been previously budgeted.

iv) The General Manager may authorize the attendance of additional District personnel if deemed appropriate and travel funds are available.

v) Arrangements must be made sufficiently in advance to take advantage of available discounts for registration, air fare and lodging.

c) **Transportation.** For travel outside the Southern California area, employees are expected to travel by air. If traveling by private vehicle, departure and arrival times shall be based on air travel time. Departure shall not be earlier than that which would allow the District personnel to arrive within a reasonable amount of time to attend the first scheduled event of the conference, seminar, etc.; in turn, the same reasonable time period shall apply to departure from the event

when returning and shall allow District personnel to return at the earliest reasonable time possible. Reasonable amount of time shall be determined in one-half day increments, subject to General Manager or designee's approval, i.e.:

i) If the conference begins at 9:00 a.m., Tuesday in San Francisco, the employee may leave Costa Mesa Monday evening after the work day.

ii) If the conference begins at Noon Tuesday in San Francisco, the District personnel may depart from Costa Mesa (or home) early Tuesday morning.

iii) If the first scheduled event begins at 5:00 p.m. on Tuesday in San Francisco, District personnel may depart from Costa Mesa late Tuesday morning or early Tuesday afternoon.

d) Departures and subsequent arrival practices will be contingent upon flight schedules and fare discounts.

e) If District personnel wish to deviate from the reasonable arrival or departure time period for personal reasons or if alternative transportation is involved, any excess time (that which is above the time required to fly) shall be charged as vacation leave time and will require General Manager approval in advance. This practice shall apply to District personnel driving personal vehicles. Permission to drive shall not be construed to mean "on District time". Any additional expenses, including meal and lodging costs, resulting from excess travel time will be at the individual's own expense.

f) Use of a private car (if authorized in advance) will be reimbursed at approved rates in effect at the time of travel. A copy of the employee's proof of automobile insurance must remain on file with the District. In cases where more than one person is attending the same event, they will be strongly encouraged to travel together and mileage reimbursement would be for one vehicle only. In instances where this is not possible, advance approval by the District will be necessary. Mileage reimbursement will be based on actual miles driven, from the District office. The maximum paid for transportation to areas outside Southern California shall not exceed the equivalent cost of "coach fare" airline transportation plus the cost of other necessary ground transportation at the destination.

g) Payment for travel reservations should be made far enough in advance (generally 14 to 21 days) to take advantage of discounts. Staff is required to make their own travel arrangements, but are encouraged to use the local travel agencies or the internet (depending upon which is least expensive) to make travel arrangements.

h) **Car Rentals.** When traveling, the use of rental cars is discouraged. Airport shuttle service, buses,

or taxis should be utilized between airports and hotels or meeting locations if within 30 miles. Staff should check availability and cost, and make their own car rental arrangements. When renting a car, insurance and other extras should not be requested. Before returning the car, the District personnel are to make sure the car is returned with the same amount of gas as when rented, usually a full tank. The District personnel may then claim reimbursement for the gas with the proper receipt.

i) **Lodging.** Receipts for lodging must be submitted to obtain reimbursement. Lodging reimbursement may be requested when traveling outside of Orange County or when attendance at events is for two or more consecutive days. Lodging reimbursement for the night prior to the beginning of an event may be allowed only if time and/or travel schedules prohibit travel at reasonable hours on the first day of a conference. Generally, reimbursement would be allowed if the event begins before 9:00 a.m. (and is outside of Orange County) or is out of the state. Note: No lodging decisions should be made based on where an employee's residence is located (i.e. an employee who commutes 50 miles to work each day should be held to the same standard for lodging purposes that would be applied to an individual who commutes five miles to work). No lodging reimbursement will be allowed for the night following the event, except under circumstances beyond the control of the District personnel (i.e. flight canceled). \

j) Lodging reimbursement will not be approved for travel within Orange County regardless of the length of the event. Note: This applies to all events attended by any District Official or District Staff, since it is inappropriate to use District funds for unnecessary and frivolous purposes. An exception will be made if on site lodging is a requirement of the event and it is approved in advance by the Board of Directors, or if the event is structured to go later into the evening than a normal conference (typically past 8:00 p.m.).

k) Lodging shall be obtained at the most economical rate available for good quality. Lavish or oversized accommodations are not justified. Conference headquarters hotels are encouraged, when not unnecessarily expensive. Reservations made through the convention and/or housing bureaus (usually offered through conference literature) are encouraged. If the convention or housing bureaus are not used, and if more than one place of lodging is available, the prevailing rate for a single occupancy room will be allowed. In the absence of group or special rates, District personnel should request a "government rate" discount.

l) Advance payment may be made by check requisition or the District's credit card. Check requisition forms may request the check being mailed to the lodging provider. For all travel advances paid either directly to the individual or a third-party, a supporting schedule detailing the type of expenditures being advanced must be attached to the check requisition. This will allow the Accounting Department to determine if the expenditures requested for advance are eligible for reimbursement prior to those costs being incurred. Receipts are to be kept and

attached to the employee's travel form and submitted to Accounting immediately after the conclusion of the event.

m) **Meals.** The meal allowance is $65.00 per day including taxes and tips. All meal reimbursements will be completed after an itemized receipt is submitted to Accounting. In instances where District personnel will be purchasing less than a full day of meals (i.e., less than three meals per day), the per diem, including tax and no more than 20 percent tip , will be on a per meal basis as follows:

i) breakfast $13.00

ii) lunch $17.00

iii) dinner $35.00

n) Reimbursement for an evening meal on the night prior to the beginning of an event may be allowed if the event begins at 9:00 a.m. or earlier the following day and the amount of time required to travel to the location does not provide for dinner at a regular hour. Per Diem may not be claimed for meals which are already included in the conference registration fee. Any claiming of per diem for meals that have been provided or paid for by other parties shall be considered inappropriate and subject to disciplinary action.

o) The per diem meal breakdown summarized above will be adhered to in all instances, examples are as follows:

i) If breakfast and lunch are included with a conference an individual may claim a maximum of $35.00 for dinner – not the $65.00 daily allowance.

ii) An employee will not be reimbursed per diem amounts if alternate meals are purchased when meals have been included with the conference (i.e. an employee decides to skip the lunch banquet and eat at a nearby restaurant - an individual may elect to eat elsewhere, but at the employee's expense).

iii) All receipts must be kept and submitted when seeking reimbursement for meals purchased for individuals other than the claimant and shall indicate the date, participating parties and purpose of the meeting.

iv) The employee, who picks up the check for a group of employees, will not be reimbursed for more than a single per diem.

p) The following are examples of how per diem may be claimed:

i) Per diem for breakfast may be claimed if District personnel are in travel status prior to 7:00 a.m. and breakfast is not provided;

ii) Per Diem for lunch may be claimed if District personnel are attending an out-of-town conference through the lunch hour, and lunch is not provided.

iii) Commuter courses (i.e. travel within Orange County) meals will be reimbursed to a maximum of $8.00 for each employee.

iv) Per Diem for dinner may be claimed if District personnel are required to stay overnight, and dinner is not provided.

q) **Unauthorized Expenses.** Items of a personal nature are not reimbursable including: alcoholic beverages, movies, entertainment, premium television services, snacks, dry-cleaning, spas, gyms, barber, magazines, shoeshine, travel insurance, supplemental insurance on rental cars, toiletries, loss of tickets, fines or traffic violations, excess baggage, lecture tapes or books, the incremental cost for spouse or guest accommodations or other items of a personal nature. Business calls to the District work sites will be reimbursed in full. Telephone, FAX and e-mail charges will be allowed for official calls, including Internet access.

i) If unauthorized expenses have been paid by the District (i.e., via District credit card or petty cash), the individual will be responsible for immediate reimbursement to the District by personal check (or a payroll deduction if necessary).

r) **Out of Pocket Expenses.** All conference and meeting attendance must be authorized by the General Manager. Requests should be made far enough in advance to take advantage of all available discounts and to take into consideration normal processing requirements. A Check Requisition form made out to the sponsor with the proper supporting registration forms should be forwarded to Accounting for payment and mailing. Registration must be included on a regular warrant register and will not be processed on a “pre-issued manual” basis. If registration is paid upon arrival at said conference by the District personnel, an original receipt must be submitted for reimbursement and in some instances a copy of the employee’s cancelled check may be requested to support the amount claimed.

s) **Reimbursement and Advance Payment Procedures.** The Monthly Mileage & Expenses Report form is used to request reimbursement for one day commuter activities such as: seminars, professional association lunch meetings, mileage, etc. Mileage amounts are reimbursed on an actual miles traveled basis, while other expenditures (i.e. the cost of a lunch meeting) are reimbursed on an actual out-of-pocket basis. Monthly Mileage & Expense Report must be

submitted within 10 days after the end of the month, with all original receipts attached.

i) It is the policy of the District that the standard forms provided by the District be used to document travel and business expenses and in support of request for reimbursement. All expenses must be listed on a single form. Original receipts (not photo copies) are required and must be submitted with all expense reports. It is the responsibility of the individual incurring the expense to see that documentation for business and travel expenses is complete and submitted in a timely and accurate manner.

2) Persons with delinquent expense reports (a report not filed within 10 days of the trip return date) will not be allowed to obtain a future travel advance until their delinquent expense reports are filed.

t) **Exceptions.** It is the District's desire to generally adhere to these policies. Nevertheless, there may be occasions when District personnel are unable to comply with them. It is the responsibility of the individual to prepare a written, signed statement as to why an exception/s should be approved. The District is under no obligation to provide reimbursement without original receipts. The General Manager or designee may approve of exceptions to these policies. There may also be instances where the General Manager determines it to be in the best interest of the District, primarily due to budgetary constraints to limit the amount of meal per diem or require the sharing of lodging accommodations at conferences. In these situations the individual cannot be required to attend.

u) **Expense Reimbursement.** Employees will be reimbursed for their out-of-pocket expenses incurred while conducting official District business. District employees who use their private vehicle while conducting District business will be reimbursed at the rate described in CMSD Operations Code section 3.01.030. All other expenses not related to conferences, meetings and/or use of a private vehicle will be reimbursed by means of the petty cash fund. Original receipts are required for all expenses including meals.

i) An employee must sign his/her expense claim and obtain General Manager approval to be reimbursed for expenses. All claims for expenses must be submitted within 10 days after the end of the calendar month in which expenses were incurred. Expenses totaling $100.00 or less shall be reimbursed from the District petty cash fund. Expenditures totaling more than $100.00 shall be reimbursed by means of a District warrant.

1. **Purpose.** The District makes every effort to provide its employees with technology-based resources in order to conduct official business more effectively. In this regard, the District has installed personal computers, local area networks (LANs), electronic mail (e-mail), cell phones and access to the Internet. The purpose of the District's Electronic Resources Policy and Procedures is to establish uniform guidelines for computer and cell phone usage including the use of Internet and e-mail applications.

2. **Policy.** District computers, fax machines, and internet licenses are provided for District business and are not to be used for personal gain, private purposes (except as described in subsection 6), or to support or advocate non-District –related business or purposes. All data and electronic messages, including information accessed via the Internet and sent or received through electronic mail (e-mail) systems, are the properties of the District. All records whether paper or electronic, may be subject to the disclosure requirements of the California Public Records Act and are not considered private. Notwithstanding the foregoing, e-mail should only be used for the transmission of information and should not be used for preserving information for future reference. Information to be retained may be stored electronically on the system/network and/or may be converted to a hard copy and archived in a District physical file cabinet.

    a. There is no expectation of personal privacy in any use of District computer systems and software, including e-mail and Internet usage. The District may, at any time, review the contents of all records, data and communication transmitted, received and stored by its electronic systems. Any indication of a violation of this policy is subject to management review. This review may include accessing and disclosing all electronic documents, information and messages including e-mail and Internet records.

    b. The District purchases, owns and administers the necessary software and licenses and cell phones to provide access to e-mail and Internet services and real time communications in the office, in the field and for emergency communications. Users may not rent, copy or loan District software or its documentation, nor provide alternative software to access the system. Users may be subject to discipline for any damages caused by negligence, and unauthorized software or viruses they introduce in the system.

    c. The District is not responsible for items originating from the Internet and reserves the right to restrict employee access to the Internet or to certain Internet content.

d. Examples of Prohibited Uses:

   i. Using the Internet to view, obtain or disseminate any sexually oriented material, images or messages.

   ii. Using the Internet and/or e-mail systems to send or distribute disruptive, offensive, abusive, threatening, slanderous, racial or sexually harassing materials.

   iii. Using District computer systems for private purposes, personal gain, solicitation of commercial ventures, religious or political causes, chain letters, or other non-job-related purposes (except as described in this policy).

   iv. Downloading or installation of software that has not been approved by the District and scanned for viruses.

   v. Sending unencrypted confidential documents via the Internet.

   vi. Any other use that may compromise the integrity of the District and its business in any way.

e. E-mail should not be used for sensitive attorney-client communications.

f. A good rule of thumb when using the computer and e-mail is “never put anything in an e-mail that you would not want to see on the front page of the newspaper.”

g. To promote employee computer and Internet proficiency and as an employee benefit, certain employee personal use is allowed. This use is only permitted during employee personal time. Examples include educational enhancement and personal communications, which conform to the above prohibited uses. Personal use is secondary, and should not (i) interfere with the agency’s operation of Electronic Communications Resources, (ii) interfere with the user’s employment or other obligations to the District, or (iii) burden the District with noticeable incremental costs.

h. The acquisition of personal computer hardware and software shall follow the normal budgetary and purchasing procedures, ensuring budget authorization is in place. Requests for acquiring hardware and software shall be recommended to the General Manager or designee for evaluation and recommendation.

3. **Equipment Authorization & Maintenance.** The authorized Management Information Systems (MIS) person (in-house or agreement/contract) shall assist in evaluating District functional needs and recommend options if appropriate.

a. MIS shall maintain an on-site office automation library of proven and reliable software and hardware requiring minimum technical support that maintains a user-friendly concept, is easy to use and enhances District productivity.

b. MIS shall maintain an on-site inventory control of all workstation hardware and software.

c. MIS shall provide on-site training and consulting advice on approved software and make recommendations as appropriate.

d. MIS shall maintain the District automation system including all personal computer workstations and client server network for the purpose of retrieving data files, sharing licensed applications and nightly data backup.

e. MIS shall periodically review the District automation system for adherence to operating standards and implement approved upgrades.

f. MIS shall backup District databases daily, weekly, monthly, quarterly and annually for archival and retrieval purposes.

g. Security. The General Manager, or designee, and MIS (in-house or agreement/contract) must approve dial-in access from home systems and businesses to District systems in advance for valid business needs. All computer systems users are responsible for data residing on their systems.

4. Procedures.

a. Passwords. Users dealing in confidential matters will define their own confidential password. Users should be aware that this does not imply that the system may be used for personal communication or that e-mail is the property of the user.

   i. To ensure the security of the e-mail system, the system will prompt the user to routinely change their password. Should the user forget their password, and attempt to input a password they are not sure of, the system may lock them out after three failed attempts.

b. Internet and E-mail Access. Access to the Internet and e-mail is restricted to those employees who have been provided the necessary software and hardware and who have been authorized by the District to access e-mail and the Internet. The District may deny or restrict Internet and/or e-mail access to any employee at any time.

   i. When using e-mail and the Internet, employees are cautioned to remember they represent the District. Employees may not speak for the District unless they are authorized to do so.

   ii. E-mail and Internet messages can be forwarded without the express permission of the original author. Users must use caution in the transmission and dissemination of messages outside the District and must comply with all State and Federal laws, rules and regulations and District policy.

   iii. Electronic Document, Software and Mail Storage. Electronic mail is backed-up on a regular basis. It is synchronized with the server on every start-up and shut-down. The District back-up procedures allow the District to restore current software, documents and electronic mail in the event of a system failure.

   iv. Electronic mail is not intended to be a permanent storage medium. Electronic in-boxes and out-boxes should be archived or purged on a regular basis. The District may, in its discretion, purge long-term mail on an automatic basis.

v. To save critical electronic mail as a permanent record, employees should print out a hard copy for permanent filing or save the file on the "C" drive of the desktop or laptop computer assigned to them.

c. Information Block. E-mail sent outside the District should include an information block at the end of all transmitted messages. The block should include the sender's name, title, company name, direct telephone number, FAX number and e-mail address.

5. Social Media Use.

a. Purpose. The policy outlines the protocol and procedures for use of social media to publicize official District services and events. In addition, this policy addresses the responsibilities of individual employees and District officials with regard to social media and the use of District resources (time/equipment), as well as responsibilities related to the public records and open meeting laws.

b. Definitions.

i. Social Media various forms of discussions and information- sharing, including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include: picture-sharing, wall- postings, fan pages, e-mail, instant messaging and music-sharing. Examples of social media applications include, but are not limited to, Google, and Yahoo Groups, (reference, social networking), Wikipedia (reference), Myspace (social networking), Facebook (social networking), YouTube (social networking and video sharing), Flickr, (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.

ii. Social Networking the practice of expanding business and/or social contacts by making connections through web-based applications. This policy focuses on social networking as it relates to the Internet to promote such connections for official District business and for employees, elected and appointed officials who are using this medium in the conduct of official District business.

c. Policy. All official District social media sites will be administered by the General Manager or his designee. These social media sites shall be used for the limited purpose of informing the public about District business, services and events. Individual departments may not have their own pages/sites. Individual departments wishing to add content to official District social media sites may submit a request to the General Manager. The Districts web site, www.cmsdca.gov will remain the official location for content regarding District business, services and events. Whenever possible, links within social media formats should direct users back to the District web site for more information, forms, documents or online services necessary to conduct business with the Costa Mesa Sanitary District.

i. District employees and appointed and elected officials shall not disclose information about confidential District business on either the District's social media sites or personal social media sites. In addition, all use of social media sites by elected and appointed officials shall be in compliance with California's open meeting laws. Employees and elected or appointed officials' posts are a reflection of their own views and not necessarily those of the District.

ii. The District's social media sites shall be used exclusively for District's messages and speech. Public comments and public posting functions shall be turned off. The public is not permitted to post comments on District's social media sites. In operating social media sites, the District does not intend to open any type of designated or limited public forum. Rather, the District intends its social media sites to be non-public forums for the dissemination of District's speech to the public. District's social media sites shall be reserved exclusively for content regarding District's business. There shall be no campaigning or political speech.

d. Posting/ Commenting Guidelines. All postings made by the District to social media sites will contain information and content that has already been published or broadcast in an official manner or is otherwise not deemed confidential. The District will not comment on other social media member's sites. All official social media postings by the District will be done solely on the District's social media sites.

i. The District reserves the right to remove content that is deemed in violation of this policy or any applicable law. The District will only post photos for which it has copyright or owner's permission to use.

ii. Chat functions in any social media sites will not be used.

iii. Links to all social media networks to which the District belongs will be listed on the District's official website. Interested parties wishing to interact with these sites will be directed to visit the District's web site for more information on how to participate.

iv. The District reserves the right to temporarily or permanently suspend access to official District social media at any time.

v. Procedures. The District will refer users to the District's official web site for information, forms, documents, or online services necessary to conduct business with the Costa Mesa Sanitary District.

vi. The District may invite others to participate in its social media sites. Such invitations will be based upon the best interests of the District as determined by the General Manager or designee.

e. Responsibilities. It is the responsibility of employees, and appointed and elected officials to understand the procedures as outlined in this policy.

i. Employees who are not designated by the General Manager to access social media sites for official business are prohibited from accessing social media sites utilizing the District computing equipment and/ or the District's web access. While at work, employees who are not granted access via District systems and computing equipment may use personal computing devices and personal web accounts to access social media sites only during non-working hours such as lunch periods and breaks.

ii. The General Manager will designate a District staff person to chair the Website Committee that will review website and social media formats, contents, and standards. The committee will consist of management and non- management staff and will meet every quarter (once every three months).

iii. The General Manager will determine if a request is appropriate and adheres to the guidelines of this policy.

iv. All content posted on official District social media sites must comply with District web standards. Employee or District confidentiality shall be maintained in accordance with all applicable laws and District policies. If a question arises regarding the use or posting of confidential information on a social media site, the matter shall be referred to the General Manager for review. The information in question shall not be posted, or if already posted, shall be removed until an opinion is rendered by General Manager.

v. All social media based services to be developed, designed, managed by or purchased from any third party source for use requires appropriate budget authority and approval from the Board of Directors.

f. District Web Page.

i. Policy. It is District policy to control the content and accuracy of the information provided on the public District web page. All information will be directed to the District web manager. All information posted on the District website must be consistent with the District's mission and public interest.

ii. Procedure. Any District Board Director, official or employee may request postings to the District Web page through the General Manager or designee. Postings must be non-political in nature. The General Manager who shall approve, modify, or deny the request. Postings shall be submitted in Word format as an e-mail attachment unless only a hard copy is available. In either case it is the submitter's responsibility to check the item for accuracy both prior to submission and after posting to the

Web page to insure no inadvertent errors appear on the final document. The submitter is to inspect the posted submission within 24 hours of posting.

1. The General Manager or designee shall submit the approved request to the Management Information Services (MIS) contractor for inclusion on the web page and, when necessary, suggest alternative solutions in support of the needs.

2. The General Manager or designee shall also manage removal of postings based on the information provided pertinent to duration or expiration date.

1) See APPENDIX for Performance Evaluation Forms.

2) **PURPOSE**. Full-time and part-time employees shall receive annual performance evaluations. The purpose of evaluating performance is to provide formal feedback to the employees through written and oral communications and discussions.

   a) Methods for improving employee performance are through interim verbal and written communications, including performance improvement plans and performance evaluations.

   b) Performance evaluation is an ongoing communicative relationship between supervisors and employees that is intended to ensure job expectations and performance levels are discussed and understood.

   c) The performance evaluation is the tool that is used to document performance that occurred during a given review period. The performance evaluation is based on classification responsibilities and measures how well the employee performed during the given review period.

3) **PROCEDURES.**

   a) Employee performance is evaluated in two areas: competencies and goal completion, using the following ratings:

Superior	5
Above Average	4
Satisfactory	3
Below Average	2
Unsatisfactory	1

      i) **<u>Competencies for All Employees</u>** include:

<u>Policy/Rule Compliance</u> Upholds and adheres to District policies and procedures (e.g., dress standards, Employee Handbook, Operations Code, Administrative Regulations, Safety Program, Core Values)	<u>Adaptability</u> Demonstrates composure and flexibility when changes occur in the workplace and while managing competing priorities.
<u>Safety</u> Demonstrates and promotes	<u>Efficiency / Effectiveness</u> Provides high-quality results within the least

conduct that is supportive of a safe working environment.	amount of time possible and with the least resources.
Attendance/Dependability Demonstrates punctuality and follows through on assignments and commitments.	Innovation /Initiative Acts independently and identifies improvements that support District goals.
Job Knowledge Exhibits technical abilities through performance and interactions with others.	Career Development Manages work to include learning opportunities that enhance skill set of current job.
Customer Service Provides support to others in a positive and productive manner that fosters relationships.	Cooperation and Attitude Provides support and assistance to others in a positive and professional manner to promote a productive work environment.

ii) **Competencies for Supervisors.** Supervisors will be rated on the following additional competencies:

Leadership Upholds and exhibits Core Values in a confident and professional manner. Exercises sound judgment, innovation, tact and expertise. Demonstrates ability to lead teams effectively and positively; maintains beneficial relationships; and develops staff.
Productivity Ability to coordinate team efforts that achieve ongoing, high quality and timely business results.
Performance Management Provides coaching, training and feedback to employees in a collaborative manner and on an ongoing basis to promote career development and accomplish strategic objectives.
Supervisor Skills Ability to monitor, observe and direct the work of others in a manner that is supportive of Core Values to achieve organizational objectives.
Public Service Demonstrates management practices that are efficient, cost-effective, transparent, and align with the District's mission.

(1) Specific examples are required in each category that is rated above or below satisfactory.

(2) None of the information included in the evaluation should be a surprise to the employee; it is a recap of performance-related events that occurred throughout the review period.

iii) **Goals.** Employees are also evaluated on goal performance. Each employee must be assigned three goals at the beginning of the evaluation period and will be rated on each at the end of the review period using the same rating scale that is used for evaluating competencies.

b) Supervisors may give special evaluations, also known as performance improvement plans, to employees at any time, based on the needs of the District and the employees, which identify corrective actions. The need for such evaluations shall be discussed first with the General Manager or designee.

c) After rating an employee on the evaluation form and obtaining General Manager feedback, the supervisor will meet with the employee to review and discuss the evaluation and future expectations.

d) The employee may provide written comments on the evaluation, if desired. A final copy of the evaluation shall be given to the employee and the original shall be maintained in the employee's personnel file.

1) **OFFICIAL RECORDS**. The District shall keep all official personnel records necessary for transactions, reference and for making reports showing administrative actions. Such records include, but are not limited to the following: records of employment history of each employee, classification plan, performance evaluation records, compensation plan, files, books and correspondence.

2) **CHANGE OF STATUS REPORT**. Every appointment, transfer, promotion, change of salary rate and other temporary or permanent changes in status of employees must be documented on forms prescribed by the District. The General Manager must approve all personnel transactions.

3) **PERSONNEL FILE.**

   a) **Content of Personnel Files**. The District will maintain a file on each employee which will contain all records and documents pertinent to his/her employment status and history.

   b) **Access to Personnel Files**. The confidential information in personnel files will not be revealed to outside sources except as required by law, or with the written consent of the employee. The District may reveal the following information regarding an employee or ex-employee, in response to outside inquiries:

      i) Employee's name.

      ii) Classification title and department.

      iii) Status.

      iv) Compensation.

      v) Hire date and/or termination date.

      vi) This information is a matter of public record and is available to the public. The employee, his/her immediate supervisor and/or General Manager may inspect the employee's personnel file at any time during the normal working hours of the Personnel Office. Upon request, the employee shall receive a copy of any materials in the personnel file. An employee shall be furnished a copy of any statement written for inclusion in the employee's personnel file concerning the employee's conduct or performance. An employee may prepare material for insertion in his/her personnel file in response or rebuttal to any derogatory material in that file.

      vii) An employee's representative, with the written consent of the employee, may also review that employee's file during normal working hours in the Personnel Office.

4) **NOTIFYING DISTRICT OF CHANGES IN PERSONAL INFORMATION.** Each employee is responsible for promptly notifying the District of any changes in relevant personal information, including:

   a) Mailing address

   b) Telephone number

   c) Persons to contact in emergency

   d) Number and names of dependents

1) **POLICY.** The District provides employment-related reasonable accommodations to qualified individuals with disabilities within the meaning of the California Fair Employment and Housing Act and the Americans with Disabilities Act.

2) **PROCEDURE.**

   a) **Request for Accommodation.** An employee who desires a reasonable accommodation in order to perform essential job functions should make such a request in writing to the General Manager or designee. The request must identify: a) the job-related functions at issue; and b) the desired accommodation(s).

   b) **Reasonable Documentation of Disability.** Following receipt of the request, the General Manager, or designee, may require additional information, such as reasonable documentation of the existence of a disability.

   c) **Fitness for Duty Examination.** The District may require an employee to undergo a fitness for duty examination at the District's expense to determine whether the employee can perform the essential functions of the job with or without reasonable accommodation. The District may also require that a District-approved physician conduct the examination.

   d) **Interactive Process Discussion.** After receipt of reasonable documentation of disability and/or a fitness for duty report, the District will arrange for a discussion, in person or via telephone conference call, with the applicant or employee, and his or her representative(s), if any. The purpose of the discussion is to work in good faith to fully consider all feasible potential reasonable accommodations.

   e) **Case-by-Case Determination.** The District determines, in its sole discretion, whether reasonable accommodation(s) can be made, and the type of accommodation(s) to provide. The District will not provide accommodation(s) that would pose an undue hardship upon District finances or operations, or that would endanger the health or safety of the employee or others. The District will inform the employee of its decision as to reasonable accommodation(s) in writing.

2) **PURPOSE.** The purpose of this policy is to establish administrative and procedural guidelines and ensure compliance with the Fair Labor Standards Act (FLSA) regulations regarding the compensation of classified (non-exempt) employees who are required to perform duties during non-scheduled, non-regular hours. This policy applies to all classified employees who are required to be on standby and are called out to work in order to respond to emergencies during non-regular work hours.

3) **POLICY.** The District will compensate employees who are required by the District to be on standby or respond to a call for service, which is received after normal working hours within a required response time.

4) **DEFINITIONS.**

   a) FLSA Requirements – According to the FLSA, employees who "…are not required to remain on their employer's premises, but are merely required to leave word at their home or with company officials where they may be reached, are not working …" However, if employees are restricted and are effectively "engaged to wait" then compensation is required. Based on FLSA regulations, "…the requirement that an employee not report to work while under the influence of alcohol is a common requirement that does not trigger FLSA overtime."

   b) Standby Duty – Classified employees who are responsible for responding to emergency locations that occur after regular normal working hours from Monday to Monday shall be considered on standby duty if memorialized in a writing or e-mail signed by the General Manager.

5) PROCEDURE.

   a) Scheduling.

      a) Special assignment (as determined by the employee supervisor or the General Manager) may be given to classified employees in order to make them available for work during non-regularly scheduled hours.

      b) Standby personnel may trade scheduled standby time with other employees only with prior approval of their supervisor or the General Manager.

   b) Responsibilities.

      a) Standby personnel shall wear a cellular phone for District communication purposes during the entire standby period.

      b) While on standby duty, personnel shall immediately answer his/her cellular phone and respond if necessary.

c) If standby personnel are required to respond to an incident the employee shall notify his/her supervisor of their arrival at the location.

d) Standby personnel must not be under the influence of alcohol and/or be on prescription and/or over the counter medication that would impair his/her ability to perform call out duties. If the employee is taking prescription medication(s), he/she will provide a doctor's note to his/her supervisor that releases the employee to work while taking the prescription medication.

e) Standby personnel must be located (while driving in District or private vehicle) within one-hour travel time distance of District boundaries while on standby duty. Such one-hour response time shall take into account the day of the week and time of day for gauging a one-hour response time.

c) Failure to Respond.

a) If contact cannot be made with an employee who is on standby status or if that employee fails to perform the work required, that employee is ineligible for standby pay.

1) **PURPOSE**. The purpose of the Grievance Procedure is to:

   a) Afford employees a systematic means of obtaining consideration of concerns or problems.

   b) Provide that grievances are settled as near as possible to the point of origin.

   c) Provide that appeals are conducted as informally as possible.

2) **MATTERS SUBJECT TO GRIEVANCE**. Any alleged violation of the rules, policies and procedures set forth in this Employee Handbook, any alleged improper treatment of an employee, and any decision affecting an employee's employment may be considered to be a matter subject to review through the grievance procedure.

3) **MATTERS NOT SUBJECT TO GRIEVANCE**. Employees may initiate a grievance and at the first or subsequent steps in the grievance procedure a decision may be made that the matter involved is not subject to grievance. Such matters may include, but are not limited to, merit increases, compensation, work methods, equipment, hours of work, services provided, staffing levels, allocation to classifications, and changes in the content of employee performance evaluations, verbal or written reprimands or counseling memos.

4) **GRIEVANCE PROCEDURE**.

   a) **Step One.** An attempt must be made to resolve all grievances on an informal basis between the employee and the immediate supervisor. It is the responsibility of the employee to initiate this process within seven calendar days of the date when the aggrieved action or incident became known to the employee.

   b) **Step Two.** If the grievance is not satisfactorily resolved on an informal basis, the employee shall submit the grievance in writing to the employee's immediate supervisor within 15 calendar days after the informal decision of the immediate supervisor. The supervisor must deliver his/her answer in writing to the employee within 15 calendar days after receiving the appeal.

   c) **Step Three.** If the grievance is not satisfactorily resolved at the second step, the employee shall present his/her appeal to his/her supervisor's immediate supervisor within 15 calendar days after receipt of the written decision of his/her supervisor. The supervisor receiving the appeal shall render a decision, in writing, and return it to the employee within 15 calendar days after receiving the appeal.

   d) **Step Four.** If the grievance is not satisfactorily resolved at the third step, the employee shall submit the grievance in writing to the General Manager within 15 calendar days after the

decision of the employee's immediate supervisor is received. The General Manager shall render a decision in writing to the employee within 20 calendar days after receiving the appeal.

5) **CONDUCT OF GRIEVANCE PROCEDURE.**

a) Time limits specified above may be extended to a definite date by mutual agreement of the employee and the reviewer concerned.

b) Employee must be assured freedom from reprisal for using the grievance procedure.

1) **PURPOSE.** To provide employees the opportunity to voluntarily donate accrued sick leave to other District employees who have exhausted their leave due to an unforeseen occurrence.

2) **POLICY.** The District recognizes that employees may have a family emergency or a personal crisis that causes a severe impact to them resulting in a need for additional time off in excess of their available accrued leave time. To address this need the District offers full-time employees who have exhausted all of their eligible paid time off balances (vacation, sick, compensatory , float, and executive leave) the option of receiving donated leave time from another employee.

3) **ELIGIBILITY.** Employees who donate leave time must be employed with the District for a minimum of 1 year.

4) **GUIDELINES.** No District employee is permitted to coerce or otherwise pressure fellow employees to donate sick leave. The District will investigate allegations of coercion and may return hours to donors.

5) **PROCEDURE.**

   a. The maximum amount of sick leave an employee can donate per year is 18 hours per fiscal year.
   b. Employees who donate time must have a minimum of 96 hours of accrued sick leave balance remaining in their sick leave bank after donation.
   c. Employees who are currently on an approved leave of absence cannot donate leave time.
   d. Employees who wish to donate leave time to a co-worker in need must complete a "Donation of Leave Authorization Form."
   e. All forms are to be submitted to the Personnel Manager or Finance Manager.
   f. Donated leave time will be applied at the next available pay period as determined by the Finance Manager.

6) **APPROVAL.** Requests for donations of leave time must be approved by the General Manager. If the recipient employee has available leave time in their balance, this time will be used prior to any donated leave time.

Costa Mesa Sanitary District Employee Handbook	Policy Number: 3.1
	Effective Date: May 26, 2016
Subject: Vehicle & Fleet Safety	Supersedes: April 27, 2015
Approved by: Board of Directors	Signature:

1) **POLICY.** This policy covers the use of privately owned vehicles (POV) for conducting official District business and shall be applicable to all elected officials and employees of the District. This policy establishes a written policy relative to the reimbursement procedures for privately-owned vehicles used for District business and clarifies the District's responsibility for damage and/or liability for private vehicles used on official District business.

2) **PROCEDURE.** When necessary during the course of an elected official's or employee's official duties, the District shall provide reimbursement.

   a) Elected officials or employees using their POV on official business must possess a valid California driver's license for the class of vehicle they will be operating.

   b) District employees cannot be compelled to use their own vehicles for District business unless it is a pre-specified condition/requirement of employment.

   c) Employees shall not be reimbursed for commuting to and from work, except that employees who are required to attend scheduled meetings outside of normal working hours may be reimbursed for mileage incurred.

   d) The District shall reimburse District elected officials or employees the IRS mileage reimbursement rate the IRS announces each year when District employees use their personal vehicles for conveyance to conduct District business as set forth in CMSD Operations Code 3.01.090. The standard mileage rate is based on annual studies by the IRS of the fixed and variable costs of operating an automobile (maintenance, insurance repairs, gas and oil, etc.).

   e) **Insurance.** The individual employee shall insure his/her privately owned vehicles to be used on official District business. The employee's insurance coverage is deemed to be primary. It shall be the District's responsibility to ensure that no privately owned vehicle is operated on District business without insurance coverage and a valid operator's license required by regulation. Additional coverage's and limits of employee and District shall be as specified in the District's insurance coverage SDRMA currently provides.

      i) District employees are encouraged to carpool whenever feasible.

      ii) Clarification on District liability: The District shall be responsible to each employee only when the employee is determined not to be negligent and the other party is uninsured. Under such circumstances, the District shall be responsible to the elected official or employee for the amount of the deductible for comprehensive and/or collision damages suffered by the employee.

3) **FLEET SAFETY.**

a) **Purpose.** The purpose of this fleet safety policy is to prevent vehicle accidents and to promote safe driving practices while maintaining District vehicles and heavy equipment in proper operating condition.

b) **Scope.** This policy applies to all District full-time and part-time employees. In addition to the provisions of this policy, all employees are required to comply with applicable Federal Department of Transportation (DOT) and California Department of Motor Vehicles (DMV) and local traffic laws, and the established Costa Mesa Sanitary District driving safety work rules, best practices and procedures.

c) **Policy.** This fleet safety policy serves as the uniform best practice standard governing the privilege of operating District vehicles and/or heavy equipment within the scope of employment. Failure to comply with this policy shall lead to disciplinary action up to and including termination.

d) **Responsibilities.**

i) General Manager or Designee will have the responsibility to implement the adopted fleet safety policy and overall fleet safety program by:

(1) Supervisors and employees to endorse and comply with the adopted policy and program components.

(2) Providing appropriate safety and financial resources.

(3) Providing support and interest in the fleet safety program.

ii) Supervisors will have the responsibility to:

(1) Provide training to employees so that they are fully qualified to drive and maintain fleet vehicles and heavy equipment.

(2) Ensure the safe operation of fleet vehicles in compliance with the overall fleet safety program requirements.

(3) Coordinate the delivery and pick up of District owned fleet vehicles and heavy equipment to the repair shop for routine preventive maintenance.

(4) Coordinate the delivery and pick up of District owned fleet vehicles and heavy equipment to the repair shop after unsafe conditions and/or mechanical defects have been reported by District employees.

(5) Enforce the established fleet safety policy's driving work rules, procedures, policies and best practices.

(6) Thoroughly investigate all vehicle accidents and make recommendations to avoid future accidents.

(7) Demonstrate support and interest in the fleet safety program.

iii) Employees. District employees will have the responsibility to:

(1) Adhere to the directives of this fleet safety policy and overall fleet safety program.

(2) Participate in in-service training and apply their education and training to the safe operation of assigned vehicles and heavy equipment.

(3) Immediately report any change to the status of their driver's license to their supervisor, the General Manager or designee.

(4) Conduct required pre-trip inspections and preventive maintenance on assigned vehicles and heavy equipment.

(5) Thoroughly complete and submit to supervisor pre-trip and post-trip inspection form.

(6) Report unsafe conditions and/or mechanical defects to the supervisor.

(7) Report all accidents immediately to the supervisor and thoroughly complete the District's accident report.

(8) If the accident involves a private vehicle, contact the police department whether injuries occurred or not.

(9) Immediately take pictures of all damaged property that occurred in the accident.

(10) Follow instructions in the "Accident Fact Kit", which is supplied by the District, and exchange information with individuals involved in the accidents along with witnesses.

(11) Maintain a valid California driver's license, which includes passing the required physical

exam and a satisfactory driving record both on and off the job.

(12) Employees are required to obey all Federal DOT, California DMV, and City of Costa Mesa traffic regulations.

(13) Seat belts and shoulder harnesses MUST BE WORN while operating or riding in District owned commercial and fleet vehicles. Inoperative or missing seat belts and/or harnesses shall immediately be reported to the supervisor. The vehicle or equipment shall not be operated until the repairs have been made.

(14) Employees who are assigned a vehicle and/or piece of heavy equipment are responsible for the daily inspection of the vehicle and/or heavy equipment and completion of the required forms. If an employee is unfamiliar with the operation or maintenance of a vehicle or piece of heavy equipment, it is his/her responsibility to request information and instructions on the proper procedures from his/her supervisor.

4) **USE OF DISTRICT VEHICLES.** The operation of District owned or leased vehicles and/or heavy equipment is a privilege/requirement, which may be withdrawn at any time at the sole discretion of the General Manager. An employee must comply with the following fleet safety driving rules and best practices in order to continue this granted privilege/meet the requirement to operate vehicles and heavy equipment:

a) Maintain an approved and valid California driver's license with the applicable classifications and endorsements, if required, at all times. Any loss or restriction of driving privileges during the employee's incumbency must be immediately reported to their supervisor, the General Manager or designee.

b) Employees who operate fleet automobiles, light trucks and medium trucks SHALL conduct a visual pre-trip inspection of the tires, brakes, headlights, taillights, directional lights, 4-way flashers, wipers, heater and defroster on the vehicle at each fueling.

c) Employees who operate commercial vehicles SHALL conduct and document the required "Pre-trip/Post-trip Inspection" prior to and at the conclusion of operating on public roadways as required by federal and state regulations.

d) Unless used during traffic control conditions, engines SHALL BE stopped and ignition keys removed when parking or leaving District vehicles and/or heavy equipment, unless parked within an enclosed garage.

i) Individuals not employed by the District are NOT PERMITTED as passengers in fleet vehicles unless authorized by the General Manager or designee. If the General Manager, or designee, is not sure of an acceptable deviation of the policy, they should consult with District Counsel to determine acceptable risk levels.

ii) While fueling fleet vehicles and/or heavy equipment:

(1) Smoking is PROHIBITED while fueling.

(2) Engines SHALL BE turned OFF during the fueling operation. Leaving the vehicle unattended while fueling is PROHIBITED.

(3) Using an object to "lock the nozzle" on a fuel pump nozzle while fueling is PROHIBITED.

(4) Fuel leaks and/or spills (diesel fuel, and hydraulic oil) shall be immediately absorbed and cleaned up by using materials from the District provided "spill kit". Spills over one gallon SHALL BE reported immediately to the supervisor.

iii) Report any fleet vehicle and heavy equipment mechanical problems immediately. NEVER drive a fleet vehicle and/or operate heavy equipment that does not appear safe.

iv) Heavy equipment SHALL BE properly maintained and inspected prior to each use.

v) Employees SHALL BE properly trained and certified on specialty and heavy equipment prior to its use.

vi) Employees ARE NOT ALLOWED to tamper, over-ride or disconnect any manufacturer installed safety features and devices.

vii) Vehicle interiors are to be kept clean and free of rubbish.

viii) Smoking in vehicles is NOT PERMITTED.

5) **DRIVER ORIENTATION AND TRAINING**. Orientation and training must supplement the employee's trial period to assure that all employees have the knowledge and skills necessary to perform the job in the manner expected, as well as to review the District's policies and practices with each employee. The orientation and the type and amount of training that is needed will vary directly with the complexity of the job assignments, and the knowledge and experience level of the employee.

a) The supervisor is responsible for orienting and training both new and current employees regarding the proper use, maintenance and operation of District vehicles and heavy equipment.

The following components shall be thoroughly covered during the employee's orientation/trial period.

6) **VEHICLE SAFETY RULES, POLICIES, PROCECURES AND PRACTICES.** Employee will be instructed before using the vehicles and/or heavy equipment for the first time on the following:

   a) Approved uses of District vehicles

   b) Vehicle accident procedures

   c) Maintenance repair reporting process, procedures and mandatory forms

   d) Vehicle and/or heavy equipment field breakdown procedures

   e) Proper storage and parking procedures

   f) Fueling practices and mandatory forms

   g) Drug Free Workplace Policy

   h) Fleet safety driving rules and best practices

7) **VEHICLE OPERATION (OFF ROAD).** Employees will be instructed on the proper use of vehicles and/or heavy equipment off road and the following:

   a) Proper use of the vehicle and/or heavy equipment's controls, features and attachments

   b) Procedures for operating vehicles or heavy equipment on the roadway

   c) Required inspection techniques

   d) Completing the mandatory pre-trip inspection form

   e) Proper use of safety features and equipment

   f) Cargo loading, unloading, and tie-down practices

   g) Backing procedures and use of spotters

   h) In addition, the District will provide ongoing in-service training programs which address the knowledge and skills necessary for all employees to perform in a satisfactory and safe manner.

8) **VEHICLE AND HEAVY EQUIPMENT MAINTENANCE AND CARE.** It is the responsibility of District management to ensure that all District owned or leased vehicles and heavy equipment assigned to their respective employees is in proper working condition at all times. The District shall ensure that an orientation and training program is developed for vehicles and heavy equipment.

   a) District management is accountable for assigned vehicles and heavy equipment. This accountability includes instruction of employees in the proper operation and preventative maintenance procedures and ensuring that routine vehicle inspections are performed on a pre-use basis and that inspection forms are completed and submitted in accordance with the established procedure.

9) **VEHICLE EMERGENCY BREAKDOWN PROCEDURE.** Employees are responsible for following the breakdown procedures whenever a vehicle becomes disabled in a public roadway:

   a) Get completely off the traveled roadway. Avoid curves, hills or places where the view may be obstructed.

   b) Shut down the vehicle.

   c) Set the parking brake to prevent movement.

   d) Turn on the 4-way flashers. If reflective triangles are available, set them near the vehicle and at approximately 100’ to warn approaching traffic.

   e) Call for assistance (911, management, etc.)

   f) Stay in and with the vehicle.

10) **EMERGENCY EQUIPMENT AND SUPPLIES.** Supervisors and employees are required to maintain and ensure that all commercial vehicles are carrying the following emergency equipment:

   a) Reflective triangles;

   b) Basic first aid kit;

   c) Small multi-purpose dry fire extinguisher; and the

   d) Proof of Insurance and vehicle registration cards.

1) **POLICY.** It shall be the policy of the District that every employee is entitled to a safe and healthful place in which to work. Every reasonable effort will be made in the interest of accident prevention, fire protection and health preservation.

2) RESPONSIBILITIES.

a) **General Manager.** The General Manager is responsible for ensuring the Injury & Illness Prevention Program (IIPP) is implemented. Duties include, but are not limited to:

i) Ensuring all employees actively support the IIPP.

ii) Providing the funding necessary to maintain an effective and compliant safety program.

b) **Managers & Supervisors.** Managers & Supervisors have the responsibility of providing a safe place to work including facilities, equipment, standards and procedures, adequate supervision and recognition for a job done properly. They are responsible for training all of their employees to perform their jobs properly and safely. They teach, demonstrate, observe and enforce compliance with established safety standards.

c) **IIPP Administrator.** The IIPP Administrator is General Manager, or designee, who has the responsibility for the implementation, maintenance and update of the Program.

d) **Employees.** Employees have the responsibility of performing their tasks properly and safely. They are to assure themselves that they know how to do the job properly, and ask for additional training or assistance when they feel there is a gap in their ability, knowledge, or training. They should never undertake any task, job or operation unless they are able to perform it safely.

3) COMPLIANCE.

a) **Management Responsibility.** Management is responsible for ensuring organizational safety and health policies are clearly communicated and understood by employees. Managers and supervisors are expected to enforce the rules fairly and uniformly.

b) **Employee Responsibility.** All employees are responsible for using safe work practices, following directives, policies and procedures, and for assisting in maintaining a safe work environment.

c) **Performance Evaluations.** As part of manager and supervisor regular performance evaluations, they are evaluated on what they have done to ensure a safe workplace for their respective employees. They are also evaluated on their positive or negative loss results.

i) As part of employee regular performance reviews, they are evaluated on their compliance with safe work practices.

d) **Recognition.** Managers, supervisors and employees who make a significant contribution to the maintenance of a safe workplace, as determined by their superiors, receive written acknowledgment maintained in their personnel files.

e) **Employee Training.** Employees are trained and retrained on the correct safety and health procedures.

f) **Employee Correction.** Employees who fail to follow safe work practices and/or procedures, or who violate organizational rules or directives, are subject to disciplinary action, up to and including termination in accordance with the organization's personnel-related policies and procedures.

i) Managers and supervisors correct safety violations in a manner considered appropriate by organizational management.

4) COMMUNICATION.

a) **Two-Way Communication.** Management recognizes open, two-way communication between management and staff on health and safety issues is essential to an injury-free and productive workplace.

b) **The Organization's System of Communication.** The following system of communication is designed to facilitate a continuous flow of safety and health information between management and staff in a readily understandable form.

i) An orientation program is given to all new employees and includes a review of the Injury & Illness Prevention Program and a discussion of policy and procedures the employee is expected to follow.

ii) The organization has safety meetings where safety is freely and openly discussed by all present. Field tailgate safety meetings are held monthly. Office safety meetings are held quarterly. All employees are expected to attend their respective meetings and are encouraged to participate in discussion.

iii) From time to time, safety notifications may be sent via e-mail to office employees. Copies of such e-mails would be distributed to employees who do not have computers.

iv) Other methods of communicating pertinent health and safety information are used as they are identified.

c) **Safety Suggestions and Hazard Reporting.** All employees are encouraged to inform their supervisors or other management personnel of any matter which they perceive to be a workplace hazard or a potential workplace hazard. They are also encouraged to report suggestions for safety improvement.

i) This reporting can be done orally or preferably in writing. If done in writing, the notification may be given directly to the supervisor, the IIPP Administrator or other management personnel, or placed in a suggestion box.

ii) If an employee wishes to report anonymously, a hazard, safety suggestion or other safety problem he or she can complete an Employee Report Form, and not indicate his/her name.

iii) No employee shall be retaliated against for reporting hazards or potential hazards, or for making suggestions related to safety.

iv) Management reviews all suggestions and hazard reports.

v) If employees provide their names in regard to the notification, they shall be informed of what is being done within five working days of receipt.

5) **HAZARD IDENTIFICATION AND EVALUATION.** Inspection of the workplace is our primary tool used to identify unsafe conditions and practices. While we encourage all employees to continuously identify and correct hazards and poor safety practices, certain situations require formal evaluation and documentation.

a) **Safety Inspections.** Internal safety inspections are conducted on a monthly basis for all shop and maintenance facilities. Safety inspections are conducted for all office areas at least annually. Hazards found are corrected on the spot or recommendations are submitted for future corrections.

b) **Additional Inspections.** Inspections are also conducted in accordance with Cal-OSHA requirements:

i) Whenever new substances, processes, procedures or equipment present a new safety or health hazard.

ii) Whenever management/supervision become aware of a new or previously unrecognized

hazard, either independently or by receipt of information from an employee.

iii) Whenever it is appropriate to conduct an unannounced inspection.

6) **CORRECTION OF HAZARDS.** When a hazard exists it is corrected on a timely basis based on the severity of the hazard. If imminent danger exists to any employees, management and supervision remove these employees from the danger at once, and personnel who are provided with the necessary safeguards correct the hazard.

7) TRAINING.

a) **Orientation - New Employees.** The General Manager or designee conducts the initial orientation on general safety within the first two days the new employee is on the job. All employees are provided with a copy of the IIPP.

b) **Initial On-The-Job Training.** When an employee first starts to work, a manager/supervisor trains the employee in all aspects of safety for the purpose of educating the new employee on the hazards of the work environment and the required safety procedures to mitigate those hazards.

i) The manager/supervisor conducts this training and documents it by using the New Employee Training Checklist. The manager/supervisor and the employee sign the Checklist when the training is completed. The Checklist then becomes a permanent part of the employee's personnel file.

ii) All new hires are given a copy of the organization's Injury & Illness Prevention Program and those rules and regulations (Code of Safe Practices) applying their work environment. The New Employee Training Checklist is filled out during the employee's initial on-the-job training.

c) Specific Organization-Wide Training:

i) Emergency Action Plan. This training includes what the employee is to do under specific circumstances, such as fire, earthquake, medical emergency and bomb threat.

ii) First Aid, CPR and Blood borne Pathogen Training. Designated employees receive first aid, CPR and blood borne pathogen training in accordance with the American Red Cross and/or American Heart Association requirements.

iii) Defensive Driver Training. All employees who may drive on organization business receive defensive driver training not less than every three years. Driving on organization business includes driving organization vehicles as well as personal vehicles.

iv) Ergonomics. All employees receive ergonomic training for their specific jobs. At minimum, each employee receives training on proper lifting techniques and, if necessary, computer workstation design.

v) Retraining. Reasons for retraining include change of job assignment, change of operations or materials, observation of poor work habits, or update of training methods. Managers and supervisors perform retraining:

(1) When an existing employee changes job functions.

(2) On at least an annual basis as a refresher program.

(3) Such training includes general workplace safety, job-specific hazards and/or hazardous materials, as applicable.

d) **Specialized Training**. Supervisors are trained in their responsibilities for the safety and health of their employees. Such training includes both safety management and technical subjects.

i) Supervisors are trained in the hazards and risks faced by the employees under their immediate direction.

ii) Managers, supervisors and the IIPP Administrator:

(1) Determine safety-training needs.

(2) Implement new training programs.

(3) Evaluate the effectiveness of these programs.

(4) In addition, training is provided whenever:

(a) New substances, processes, procedures or equipment pose a new hazard and there is a lack of skill or knowledge to deal with the situation.

(b) Management, supervision or the IIPP Administrator become aware of a previously unrecognized hazard and there is a lack of skill or knowledge to deal with the hazard.

8) **RECORD KEEPING.** In coordination with other CMSD management, the IIPP Administrator is responsible for maintaining all documentation relating to the implementation of the IIPP:

a) For the purpose of displaying a tracking history of occupational safety and health programs and activities, all documents are maintained for a minimum of one year plus the current year, unless otherwise stated.

b) For example, at the end of each year, the prior year's documents are removed from the files. During the next year, current year documents are maintained along with the just-past year's documents.

c) Specific records are maintained for each of the topics within the IIPP to include, but not be limited to:

i) Employee recognition and correction

ii) Safety meetings and other safety communication

iii) Safety suggestions and hazard reporting

iv) Hazard identification and correction

v) Occupational injury & illness investigations

vi) Training

9) **REPORTING ON-THE-JOB INJURIES**. Employees shall report personal injuries sustained or injuries suffered by other incapacitated employees immediately to their supervisor. The supervisor shall ensure necessary medical treatment is provided by either referring the employee to the District's Company Nurse Program or calling the District's Company Nurse on the employee's behalf. The Company Nurse will provide the employee with the necessary treatment options available to him/her and provide instructions for any follow-up care. The Supervisor will also conduct an investigation of the injury and document such. Documentation shall be reported on a "Supervisor's Accident Investigation Report" and the injured employee shall complete an "Employee's Claim for Workers Compensation Benefits", form DWC-1. The supervisor shall submit the documents within one working day of receipt of the completed DWC-1 form from the employee, as required by law.

a) In the event of life periling injuries, or hospitalization of the employee, the General Manager, or designee, shall be notified immediately by phone. The General Manager, or designee, shall review and evaluate the events leading to an on-the-job injury for remedial action.

b) Whenever a supervisor is advised by an employee that a medical condition may be work related in the employee's opinion, the supervisor shall immediately advise the employee of the right to file a worker's compensation claim and provide the DWC-1 form to the employee. The District

shall investigate all claims for determination of whether the medical condition is work related, as provided under worker's compensation law.

1) SYMPTOMS OF HEAT ILLNESS.

a) Fainting (heat syncope) – a worker who is not accustomed to hot environments and who stands still in the heat may faint.

b) Preventive/Response Measure.

i) Upon lying down in a cool place, the worker should soon recover. By moving around and drinking plenty of water, the worker can prevent further fainting.

2) **SYMPTOMS OF HEAT CRAMPS.**

a) Heat cramps are painful spasms of the muscles that occur among those who sweat profusely in heat, drink large quantities of water, but do not adequately replace the body's salt loss. The drinking of large quantities of water tends to dilute the body's fluids, while the body continues to lose salt. Shortly thereafter, the low salt level in the muscles causes painful cramps. The affected muscles may be part of the arms, legs, or abdomen, but tired muscles (those used in performing the work) are usually the ones most susceptible to cramps.

b) Preventive/Response Measure.

c) Drink electrolyte solutions such as Gatorade or plenty of water during the day and try eating more fruits such as bananas to help the body hydrate during hot weather.

3) **SYMPTOMS OF HEAT EXHAUSTION.**

a) Heat exhaustion includes several symptoms, which may resemble the early signs of heat stroke. Heat exhaustion is caused by the loss of large amounts of fluid by sweating, sometimes with excessive loss of salt. A worker suffering from heat exhaustion still sweats but experiences extreme weakness or fatigue, giddiness, nausea, or headache. In more serious cases, the victim may vomit or lose consciousness. The skin is clammy and moist, the complexion is pale or flushed, and the body temperature is normal or only slightly elevated.

b) Preventive/Response Measure.

i) The employee suffering these symptoms should be moved to a cool location such as shaded area or air-conditioned building. Have the worker lie down with his/her feet slightly elevated. Loosen his/her clothing, apply cool, wet clothes or fan him/her. Have him/her drink water or electrolyte drinks. Try to cool him/her down and have him/her checked by medical personnel. Victims of heat exhaustion should avoid strenuous activity for at least a day, and they should continue to drink water to replace lost body fluids.

4) SYMPTOMS OF HEAT STROKE.

a) Heat stroke is the most serious of health problems associated with working in hot environments. It occurs when the body's temperature regulatory system fails and sweating becomes inadequate. The body's only effective means of removing excess heat is compromised with little warning to the worker that a crisis stage has been reached.

b) A heat stroke victim's skin is hot, usually dry, red or spotted. Body temperature is usually 105ºF or higher, and the worker is mentally confused, delirious, perhaps in convulsions or unconscious. Unless the worker receives quick and appropriate treatment, death can occur.

c) Preventive/Response Measure.

i) Any worker with signs or symptoms of heat stroke requires immediate hospitalization. However, first aid should be immediately administered. This includes removing the worker to a cool area, thoroughly soaking the clothing with water, and vigorously fanning the body to increase cooling. Further treatment at a medical facility should be directed to the continuation of the cooling process and the monitoring of complications, which often accompany the heat stroke. Early recognition and treatment of heat stroke are the only means of preventing permanent brain damage or death.

5) **RECOGNIZING HEAT ILLNESS RISK FACTORS.** As noted earlier, environmental risk factors for heat illness include air temperature, relative humidity, radiant heat from the sun and other sources, conductive heat sources such as the ground, air movement, workload severity and duration, protective clothing and personal protective equipment worn by employees. Personal risk factors for heat illness include age, degree of acclimatization, general health, water consumption, and use of medications, caffeine, or alcohol, which can affect the body’s water retention or other physical response to heat. The following are the responsibilities for every District employee to recognize heat illness risk factors.

a) General Manager or Designee – Issuing Heat Stroke Alert as indicated in the Heat Illness Index Chart, which is attached to this Employee Handbook hereto as Attachment “A”.

i) Ensuring employees who are working in hot environments take necessary precautions as outlined in the Heat Conditions Table, which is attached to this Employee Handbook hereto as Attachment “B”, as well as determining what activities can be performed during a danger period.

b) Supervisors – Evaluating work conditions before sending employees to perform outdoor work in hot conditions. Temperature above 80ºF, especially with heavy physical work activities, would represent conditions where there is a risk of heat illness. Other factors, such as high humidity or

work activities that restrict the body's ability to cool itself, such as protective clothing, could result in a risk of heat illness at lower temperatures. Supervisors must also:

i) Establish a schedule for work and rest periods during hot days.

ii) Go over with staff how to recognize signs and symptoms of heat illness and be prepared to give first aid if necessary.

iii) Annual training of staff who work in high heat areas.

iv) Use the Heat Illness Index Chart to assess the environmental risk of heat illness, based on temperature and relative humidity. Provision of water and shade should be implemented whenever the Heat Index exceeds 80ºF.

v) Realize individual employees vary in their tolerance to heat stress conditions.

c) Employees – Employees must attend training on the environmental risk of heat illness and follow the instructions given. They are also responsible for monitoring themselves for signs and symptoms of heat illness as outlined in the Heat Conditions Table. Employees must also:

i) Pace the work, taking adequate rest periods in shade or cooler environment

ii) Keep shaded from direct heat where possible by wearing a hat and applying sunscreen.

iii) Drink plenty of water. In hot environments the body requires more water than it takes to satisfy thirst. Drink before you are thirsty. Electrolyte drinks are encouraged but not necessary, plain water works well.

6) **ACCLIMATIZATION.** Employees need time for their bodies to adjust to working in the heat. This "acclimatization" is particularly important for employees returning to work after a prolonged absence, recent illness, moving from a cool to a hot climate, or working during the beginning stages of a heat wave. For heavy work under hot conditions, a period of fourteen days of progressively increasing work time, starting with about two hours work per day is required under this program. The Wastewater Maintenance Superintendent will monitor his/her staff closely for signs and symptoms of heat illness, particularly when they have not been working in the heat for the last few days or when a heat wave occurs.

7) **WATER.** Clean, fresh, and cool potable water shall be readily available and free of charge to employees. Whenever environmental risk factors for heat illness exist, drinking water will be provided in sufficient quantities to provide one quart per employee per hour for the entire shift (at

least two gallons per employee for an eight-hour shift). The Wastewater Maintenance Superintendent is responsible to ensure that his/her staff has an adequate supply of drinking water and that the water is provided as close to the employee working area as practicably possible. Employees are encouraged to drink water frequently.

8) **SHADE.** A shaded area that provides complete shade for all the employees will be provided. Employees may use this area when they are suffering from heat illness or believe they need a recovery period to prevent heat illness. The shaded area shall be open to the air or ventilated and cooled and access shall be permitted at all times. Canopies, umbrellas or other temporary structures may be used to provide shade, provided they block direct sunlight. The Wastewater Maintenance Superintendent is responsible to ensure that his/her staff has access to a shaded area.

9) **RESPONDING TO HEAT ILLNESS.** The following procedures must be followed if the supervisor recognizes signs or symptoms of heat illness in his/her staff or an employee recognizes symptoms in himself/herself:

   a) Move to a shaded area or air-conditioned building for a recovery period of at least five minutes.

   b) Drink plenty of water.

   c) If the condition appears to be severe or the employee does not recover, then emergency medical care is needed. Emergency medical care shall be provided by the following method:

   d) Thoroughly soaking the clothing with water, and vigorously fanning the body to increase cooling.

   e) Call 911. Be ready to provide emergency response personnel with directions to work location

   f) If necessary, transport employee to one of the following facilities to receive immediate medical care:

      i) Costa Mesa Fire Department, Station 1, 2803 Royal Palm Drive

      ii) Costa Mesa Fire Department, Station 2, 800 Baker Street

      iii) Costa Mesa Fire Department, Station 3, 1865 Park Avenue

      iv) Costa Mesa Fire Department, Station 4, 2300 Placentia Avenue

      v) Costa Mesa Fire Department, Station 5, 2450 Vanguard Way

vi) Costa Mesa Fire Department, Station 6, 3350 Sakioka Drive129
vii) Hoag Hospital, One Hoag Drive, Newport Beach

g) Regardless of the employee's protest, no employee with any of the symptoms of possible serious heat illness noted in this program should be sent home or left unattended without medical assessment and authorization.

10) **HIGH HEAT PROCEDURES.** The following procedures shall be followed when the temperature exceeds 95 degrees.

a) An effective communication system shall be implemented so that employees may readily contact their supervisor. Effective communication systems can include communication orally, through observation, or by electronic means.

b) Observation of employees of alertness and signs of heat illness.

c) Designation of one or more employees on each work site as the authorized employee to call for emergency medical services.

d) Reminding employees more frequently throughout the work shift to drink plenty of water.

e) A pre-shift meeting before the commencement of work to review high heat procedures, encouraging employees to drink plenty of water and to remind employees to take cool down rest periods when needed.

11) **TRAINING.** All employees who may work outdoors in conditions where there are environmental risk factors for heat illness shall be provided training on the proper measures to protect themselves and their colleagues. The training will include the following information:

a) Why it is important to prevent heat illness;

b) Procedures for acclimatization;

c) The need to drink water frequently;

d) The need to take breaks out of the heat;

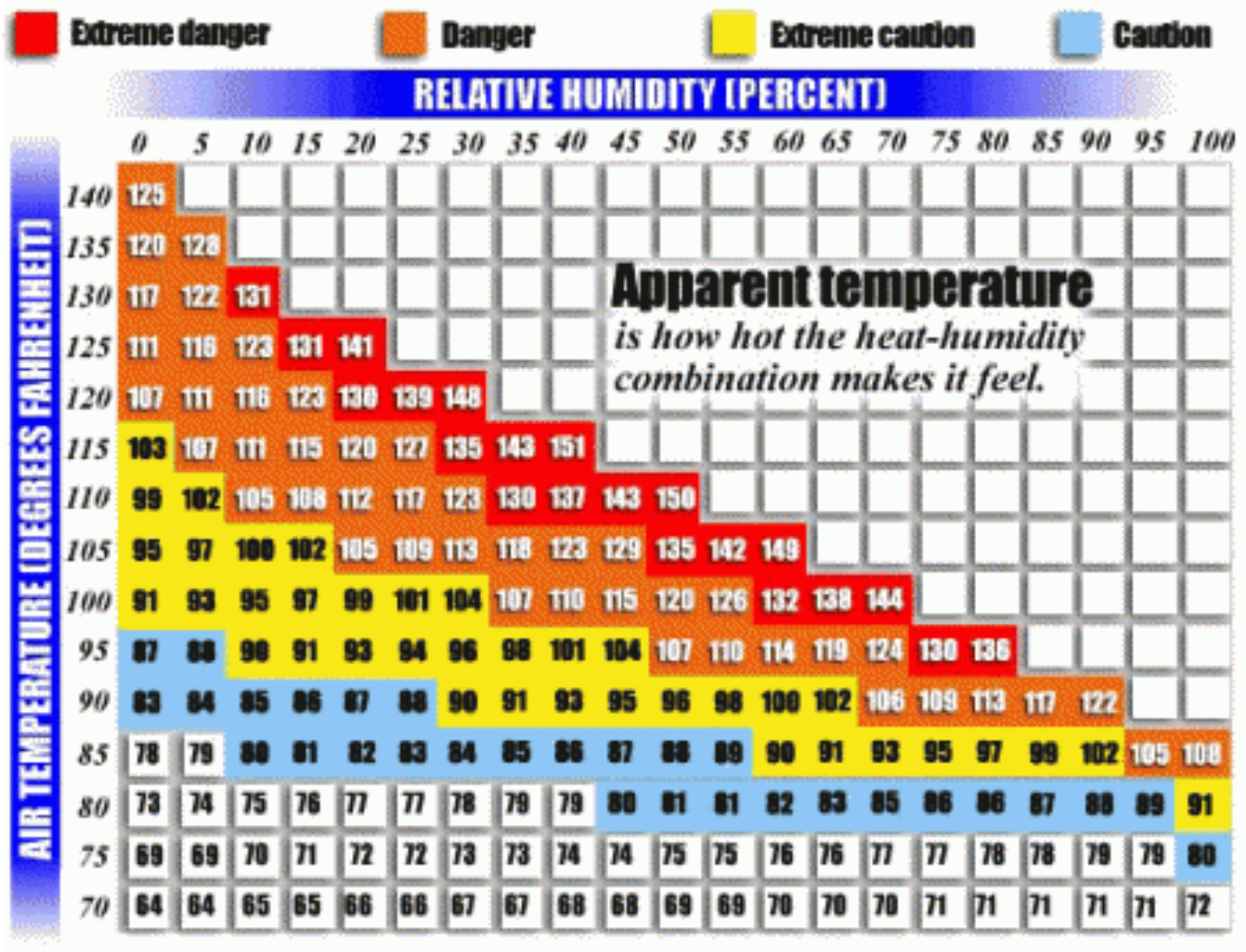
e) How to recognize symptoms of heat illness;

f) How to contact emergency services and how to effectively report the work location to 911; and

g) The importance of choosing water instead of soda or other caffeinated beverages, and avoiding alcoholic beverages altogether during high heat.

Attachment A

*Heat Index Chart from NOAA's National Weather Service



Caution	**Heat fatigue may occur. Normal summer working conditions should be observed.**

Extreme Caution:	**Heat cramps or heat exhaustion likely to occur. Maintenance Supervisor, with Operations Manager's approval, will implement adjusted schedules and procedures.**
Danger	**Heat exhaustion or heat cramps likely. Heat Stroke may occur upon prolonged exertion. Operations Manager will approve any employees who are requested to continue working in such an environment.**
Extreme Danger:	**Heat stroke likely to occur working under these conditions. General Manager or his/her designee will issue Heat Stroke Alert requiring CMSD employees to be removed from such an environment.**

Attachment B

Heat Conditions Table

Condition	Signs/Symptoms	First Aid
HEAT RASH	Irritated skin Red or pink tiny dots or pimples	**Place the person in a shade/cool place and allow skin to dry.**
FAINTING	Blurred vision Dizziness	**Have the person lie down on his/her back in a shaded area. Increase water intake.**
HEAT CRAMPS	Painful muscle spasms Heavy sweating	**Drink electrolyte solution such as Gatorade. Increase water intake Rest in a shade/cool environment.**
HEAT EXHAUSTION	Pale and clammy skin Possible fainting Weakness, fatigue Nausea Vomiting Dizziness Blurred vision Body temperature slightly elevated	**Lie down in a cool environment with his/her feet slightly elevated. Loosen his/her clothing. Apply cool, wet cloths or fan him/her. Drink water or an electrolyte solution like Gatorade. Seek medical attention.**

HEAT STROKE	Cessation of sweating Skin hot and dry Red face High body temperature Unconsciousness Collapse Convulsions Confusion or erratic behavior Life threatening condition	**Remove the person to a shade/cool environment.** **Thoroughly soak the clothing with water.** **Vigorously fan the body to increase cooling.** **Dial 911**

1) **PURPOSE.** Costa Mesa Sanitary District recognizes that the use of alcohol and/or controlled substances in the workplace is not conducive to safe working conditions. In order to promote a safe, healthy and productive work environment for all employees, it is the objective of the District to have a work force that is free from the influence of alcohol and controlled substances. The purpose of this policy is to outline the goals and objectives of the Costa Mesa Sanitary District's (District) drug and alcohol testing program and provide guidance to supervisors and employees concerning their responsibilities for carrying out the program. The Costa Mesa Sanitary District reserves the right to amend this policy from time to time in order to comply with changes, amendments or interpretations of Federal Regulations.

2) **POLICY.** The District has a vital interest in maintaining a safe, healthy, and efficient working environment. Being under the influence of a drug or alcohol on the job poses serious safety and health risks to the user and to all those who work with the user. The use, sale, purchase, transfer, or possession of an illegal drug in the workplace, and being under the influence of alcohol poses unacceptable risks for safe, healthy, and efficient operations.

   a) The District has the right and obligation to maintain a safe, healthy, and efficient workplace for all of its employees, and to protect the organization's property, information, equipment, operations and reputation, as well as protecting the public.

   b) The District recognizes its obligations to the public for the provision of services that are free of the influence of illegal drugs and alcohol, and will endeavor through this policy to provide drug- and alcohol-free services.

   c) The District further expresses its intent through this policy to comply with federal and state rules, regulations or laws that relate to the maintenance of a workplace free from illegal drugs and alcohol.

   d) As a condition of employment, all employees are required to abide by the terms of this policy and to notify District management of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

   e) The District has a heightened interest in safety concerns with heavy equipment operators and others who operate potentially dangerous equipment that justifies special provisions relating to those employees.

3) **DEFINITIONS.**
   a) **Accident** means an unintended happening or mishap where there is loss of human life (regardless of fault), bodily injury or significant property damage.

b) **Adulterated Specimen** means a specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

c) **Alcohol.** The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol, including but not limited to beer, wine and distilled spirits.

d) **Alcohol Concentration** means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this regulation. For example, 0.02 means 0.02 grams of alcohol in 210 liters of expired deep lung air.

e) **Alcohol Use** means consumption of any beverage, mixture, or preparation, including any medication containing ethyl alcohol. Since ingestion of a given amount of alcohol produces the same alcohol concentration in an individual whether the alcohol comes from a mixed drink or cough syrup, the Department of Transportation prohibits the use of any substance containing alcohol, such as prescription or over-the-counter medication or liquor-filled chocolates. Prescription medications containing alcohol may have a greater impairing affect due to the presence of other elements (e.g., antihistamines).

f) **Breath Alcohol Technician (BAT)** means a person trained to proficiency in the operation of the Evidential Breath Testing (EBT) device that the technician is using in the alcohol testing procedures. BATs are the only qualified personnel to administer the EBT tests.

g) **Chain of Custody** means the procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of collection to final disposition.

h) **Collection Site** means a place designated by the District where individuals present themselves for the purpose of providing a specimen of either urine and/or breath.

i) **Commercial Motor Vehicle** means a motor vehicle, or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or (2) has a gross vehicle weight rating of 26,001 or more pounds; or (3) is designed to transport 16 or more passengers, including the driver; or (4) is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations.

j) **Confirmation Test** for alcohol testing means a second test, following a screening test with a

result of 0.02 or greater that provides quantitative data of alcohol concentration. For controlled substances testing this means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry (CG/MS) is the only authorized confirmation method of cocaine, marijuana, opiates, amphetamines, and phencyclidine.)

4) **Contraband.** Any article, the possession of which on District premises or while on District business, causes an employee to be in violation of District Personnel Rules and Regulations or state and/or federal law. Contraband includes illegal drugs, drug paraphernalia, lethal weapons, firearms, explosives, incendiaries, and stolen property.

   a) **Controlled Substance (Drug) Test.** A method of detecting and measuring the presence of alcohol and other controlled substances, whether legal or illegal, in a person's body. A controlled substance test may be either an initial test or confirmation test. An initial controlled substance test is designed to identify specimens having concentrations of a particular class of drug above a specified concentration level. It eliminates negative specimens from further consideration.

      i) Controlled substances will be tested under the Department of Health and Human Services guidelines. The primary (initial or screening) controlled substance test thresholds for a verified positive test result are those that are equal to or greater than:

         (1) Amphetamines
         (2) Amphetamine/Methamphetamine (1)
         (3) 500 ng/ml
         (4) MDMA (Methylenedioxymethamphetamine) 500 ng/ml
         (5) Cocaine Metabolites 150 ng/ml
         (6) Marijuana Metabolites 50 ng/ml
         (7) Opiate Metabolites
         (8) Codeine/Morphine (2) 2000 ng/ml
         (9) 6-Acetylmorphine 10 ng/ml
         (10) Phencyclidine (PCP) 25 ng/ml
         (11) A confirmation drug testing is a second analytical procedure to detect the presence of a specific drug or its metabolite. The confirmation procedure is conducted independent of the initial test and uses a different technique and chemical principle in order to confirm reliability and accuracy. The confirmatory controlled substance test thresholds for a verified positive test result are those that are equal to or greater than:
         (12) Amphetamines
         (13) Amphetamine 250 ng/ml
         (14) Methamphetamine (3) 250 ng/ml

(15)MDMA (Methylenedioxymethamphetamine) 250 ng/ml
(16)MDA (Methlenedioxyamphetamine) 250 ng/ml
(17)MDEA (Methlenedioxyethamphetamine) 250 ng/ml
(18)Cocaine Metabolite (Benzoylecgonine) 100 ng/ml
(19)Marijuana Metabolite
(20)(THCA: Delta-9-tetrahydrocannabinol-9-carboxylic acid) 15 ng/ml
(21)Opiate Metabolites
(22)6-Acetylmorphine 10 ng/ml
(23)Codeine 2000 ng/ml
(24)Morphine 2000 ng/ml
(25)Phencyclidine (PCP) 25 ng/ml80

(a) Methamphetamine is the target analyte
(b) Morphine is the target analyte
(c) Specimen must also contain amphetamine at a concentration greater than or equal to100 ng/ml

b) **Covered Employee** means a person including a volunteer, applicant, or transferee, who performs a safety-sensitive function for the District.

c) **Department of Transportation Guidelines** means the controlled substance and alcohol testing rules (49 CFR Part 199 (PHMSA - Pipeline), Part 219 (FRA - Railroad), Part 382 (FMCSA - Commercial Motor Vehicle), 654 (FTA - Mass Transit) and 14 CFR 61 (FAA - Aviation) et. al.) setting forth the procedures for controlled substance and alcohol testing (49 CFR Part 40) in all the transportation industries.

d) **Designated Employer Representative (DER)** means an employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with Department of Transportation Guidelines.

e) **Dilute Specimen** means a specimen with creatinine and specific gravity values that are lower than expected for human urine.

f) **District** means Costa Mesa Sanitary District.

g) **District Premises or District Facilities.** All property of District including, but not limited to the offices, facilities and surrounding areas on District-owned or -leased property, pump stations, sewer line easement areas, parking lots, and storage areas. The term also includes District-owned or -leased vehicles and equipment wherever located.

h) **District Time** means any period of time in which the safety-sensitive employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

i) **Driver** means any person who operates a commercial motor vehicle. This includes full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer. For the purposes of pre-employment/pre-duty testing only, the term driver includes a person applying to an employer to drive a commercial motor vehicle.

j) **Drug Testing.** The scientific analysis of urine, blood, breath, saliva, hair, tissue, and other specimens of the human body for the purpose of detecting a drug or alcohol.

k) **Drug (Controlled Substance) Metabolite** means the specific substance produced when the human body metabolizes (changes) a given drug (controlled substance) as it passes through the body and is excreted in urine.

l) **Evidential Breath Testing Device (EBT)** means the device to be used for breath alcohol testing.

m) **HHS** means the United States Department of Health and Human Services.

n) **Illegal Drug.** Any drug which is not legally obtainable; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose; any over-the-counter drug being used at a dosage level other than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer; and any drug being used for a purpose not in accordance with bona fide medical therapy. Examples of illegal drugs are cannabis substances, such as marijuana and hashish, cocaine, heroin, methamphetamine, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.

o) **Initial Specimen Validity Test** means the first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid.

p) **Invalid Drug Test** means the results reported by an HHS-certified laboratory in accordance with the criteria established by HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

q) **Laboratory** means any United States laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of HHS Mandatory Guidelines for

Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under 49 CFR Part 40.

r) **Legal Drug.** Any prescribed drug or over-the-counter drug that has been legally obtained and is being used for the purpose for which prescribed or manufactured.

s) **Limit of Detection (LOD)** means the lowest concentration at which a measure can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

t) **Limit of Quantitation** for quantitative assays, means the lowest concentration at which the identity and concentration of the measured can be accurately established.

u) **Medical Review Officer (MRO)** means a licensed physician responsible for analyzing laboratory results generated by an employer's controlled substance (drug) testing program. The MRO is knowledgeable about substance abuse disorders and has appropriate medical training to interpret and evaluate positive test results.

v) **Negative Dilute Test Results** means drug test results that are negative for the five drug/drug metabolites but has a specific gravity value lower than expected for human urine.

w) **Negative Test Results** means for: (1) a drug test the result reported by an HHS- certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration level for the drug or drug class and the specimen is a valid specimen; and (2) an alcohol test with an alcohol concentration of less than 0.02 BAC.

x) **Non-Negative Test Results** means a test result found to be adulterated, substitute, invalid, or positive for drug/drug metabolites.

y) **Performing (Safety Sensitive Function)** means a safety-sensitive employee is considered to be performing a safety sensitive function and includes any period in which the safety-sensitive employee is actually performing, ready to perform, or immediately available to perform such functions.

z) **Positive Test Results** means for: (1) for a drug test means the result reported by an HHS-certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations; and (2) an alcohol test with a confirmed alcohol concentration of 0.04 BAC or greater.

aa) **Post-Accident Alcohol and/or Controlled Substance Testing.** Conducted after accidents on employees whose performance could have contributed to the accident. For drivers this is

determined by a citation for a moving traffic violation and for all fatal accidents even if the driver is not cited for a moving traffic violation. See Accident.

bb) **Pre-Employment Controlled Substance Testing.** Conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first time. Also required when employees transfer to a safety sensitive-position.

cc) **Prohibited Drugs (Controlled Substances)** means Amphetamines, Cocaine, Marijuana, Opiates or Phencyclidine.

dd) **Prohibited Substances** means and is synonymous to drug abuse and/or alcohol misuse or abuse.

ee) **Random Alcohol and/or Controlled Substance Testing.** Conducted on a random unannounced basis just before, during or just after performance of safety sensitive functions.

ff) **Reasonable Belief.** A belief based on objective facts sufficient to lead a prudent person to conclude that a particular employee is unable to satisfactorily perform his or her job duties due to drug or alcohol impairment. Such inability to perform may include, but not be limited to, decreases in the quality or quantity of the employee's productivity, judgment, reasoning, concentration and psychomotor control, and marked changes in behavior. Accidents, deviations from safe working practices, and erratic conduct indicative of impairment are examples of "reasonable belief" situations.

gg) **Reasonable Suspicion Alcohol and/or Controlled Substance Testing.** Conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse or controlled substance abuse.

hh) **Reconfirmed** means the result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

ii) **Refuse to Submit (To an Alcohol and/or Controlled Substance Test).** The following are considered a refusal to test if the employee:

i) Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer; or

ii) Fails to remain at the testing site until the testing process is complete; or

iii) Fails to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations; or

iv) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen; or

v) Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure; or

vi) Fails or declines to take a second test the employer or collector has directed you to take; or

vii) Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the 'shy bladder' or 'shy lung' procedures; or

viii) Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process); or

ix) If the MRO reports that there is verified adulterated or substituted test result; or

x) Failure or refusal to sign Step 2 of the alcohol testing form.

jj) **Rehabilitation.** The total process of restoring an employee to satisfactory work performance through constructive confrontation, referral to the SAP and participation in SAP recommendations such as education, treatment and/or support groups to resolve personal, physical or emotional/mental problems which contributed to job problems.

kk) **Rejected for Testing** means the result reported by an HHS-certified laboratory when no tests are performed for a specimen because of a fatal flaw or a correctable flaw that is not corrected.

ll) **Return-to-Duty and Follow-Up Alcohol and/or Controlled Substance Testing.** Conducted when an individual who has violated the prohibited alcohol or controlled substance conduct standards returns to performing safety sensitive-duties. Follow-up tests are unannounced and at least 6 tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return to duty upon the SAP recommendation.

mm) **Return-to-duty Agreement** means a document agreed to and signed by the employer, safety-sensitive employee and the Substance Abuse Professional that outlines the terms and conditions under which the safety-sensitive employee may return to duty after having had a

verified positive controlled substance test result or an alcohol concentration of 0.04 or greater on an alcohol test.

nn) **Safety-Sensitive Employee (Function and/or Position).** An employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

oo) **Screening (Initial) Test.** In alcohol testing, it means an analytical procedure to determine whether a safety-sensitive employee may have a prohibited concentration of alcohol in their system. In controlled substance testing, it means an immunoassay screen to eliminate negative urine specimens from further consideration.

pp) **Split Specimen Collection** means a collection in which the urine collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

qq) **Substance Abuse Professional (SAP)** means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker (with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol- related disorders, the license alone does not authorize this), Certified Employee Assistance Professional (CEAP), or addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

rr) **Substituted Specimen** means a specimen with creatinine and specific gravity values that are so diminished that they are not consistent with normal human urine.

ss) **Supervisor** means a person in authority who has had one hour of training on the signs and symptoms of alcohol abuse and an additional hour of training on the signs and symptoms of controlled substance abuse.

tt) **Under the Influence** a condition in which a person is affected by a drug or by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. A determination of being under the influence can be established by a professional opinion, a scientifically valid test, such as urinalysis or blood analysis, and in some cases by the opinion of a layperson.

uu) **Vehicle** means a bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel used for mass transportation.

vv) **Verified Negative Drug Test** means a drug test result reviewed by a Medical Review Officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by Department of Transportation Guidelines.

ww) **Verified Positive Drug Test** means a drug test result reviewed by a Medical Review Officer and determined to have evidence of prohibited drug use above the minimum cutoff levels established by Department of Transportation Guidelines.

5) **EDUCATION.** Supervisors and other management personnel are to be trained in:

a) Detecting the signs and behavior of employees who may be using drugs or alcohol in violation of this policy;

b) Intervening in situations that may involve violations of this policy;

c) Recognizing the above activities as a direct job responsibility.

d) Employees are to be informed of:

i) The health and safety dangers associated with drug and alcohol abuse;

ii) The provisions of this policy.

6) **PROHIBITED ACTIVITIES.**

a) **Legal Drugs.** The undisclosed use of any legal drug, which could interfere with the safe and efficient performance of duties or operation of District equipment, by any employee while performing District business or while on District premises is prohibited. However, an employee may continue to work even though using a legal drug if District management has determined, after consulting with General Manager, that such use does not pose a threat to safety and that the using employee's job performance is not significantly affected. Otherwise, the employee may be required to take leave of absence or comply with other appropriate action as determined by District management.

i) An employee whose medical therapy requires the use of a legal drug, which could interfere with the safe and efficient performance of duties or operation of District equipment, must report such use to his or her supervisor prior to the performance of District business. The supervisor who is so informed will contact the General Manager.

ii) The District at all times reserves the right to judge the effect that a legal drug may have on

job performance and to restrict the using employee's work activity or presence at the workplace accordingly. If there is a question regarding an employee's ability to perform assigned duties safely and effectively while using legal drugs, the District may require medical clearance.

b) **Illegal Drugs and Alcohol.** The use, sale, purchase, transfer or possession of an illegal drug by any employee while on District premises or while performing District business is prohibited.

i) The use, sale or purchase of alcohol by any employee while on District premises or while performing District business is prohibited.

7) **DISCIPLINE.** Any employee who possesses, distributes, sells, attempts to sell, or transfers illegal drugs on District premises or while on District business will be discharged immediately.

a) Any employee who is found to be under the influence of alcohol in violation of this policy will be subject to discipline up to and including discharge.

b) Any employee who is found to be in possession of contraband in violation of this policy will be subject to discipline up to and including discharge.

c) Any employee who is found through drug or alcohol testing to have in his or her body a detectable amount of an illegal drug or of alcohol will be subject to discipline up to and including discharge.

d) Any employee who knows or has reasonable suspicion that another employee is using, selling, under the influence or otherwise in violation of this policy shall have a duty to report that suspicion to the General Manager. Failure to report such suspicion may result in discipline up to and including discharge.

8) **DRUG AND ALCOHOL TESTING OF ALL JOB APPLICANTS.** Applicants for employment may be subject to drug and alcohol testing in accordance with the law.

a) Such an applicant must pass the drug test to be considered for employment.

b) An applicant will be notified of District's drug and alcohol testing policy prior to being tested; will be informed in writing of his or her right to refuse to undergo such testing; and will be informed that the consequence of refusal is termination of the pre-employment process.

c) An applicant will be provided written notice of this policy and by signature will be required to acknowledge receipt and understanding of the policy.

9) If an applicant refuses to take a drug or alcohol test, or if evidence of the use of illegal drugs by an applicant is discovered, either through testing or other means, the pre-employment process will be terminated.

10) **DRUG AND ALCOHOL TESTING OF EMPLOYEES BASED ON REASONABLE BELIEF.** District will notify employees of this policy by:

    a) Providing to each employee a copy of the policy, and obtaining a written acknowledgement from each employee that the policy has been received and read.

    b) Announcing the policy in various written communications and making presentations at employee meetings.

    c) District may perform drug or alcohol testing:

        i) of any employee who manifests "reasonable belief" behavior;

        ii) of any employee who is involved in an accident that results or could result in the filing of a Workers' Compensation claim; or

        iii) of any employee who is subject to drug or alcohol testing pursuant to federal or state rules, regulations or laws.

    d) An employee's consent to submit to drug or alcohol testing when reasonable belief exists is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including discharge, for a first refusal or any subsequent refusal.

    e) An employee who is tested in a "reasonable belief" situation may be placed on administrative leave pending receipt of written tests results and whatever inquiries may be required.

11) **APPEAL OF DRUG OR ALCOHOL TEST RESULT – NON-SAFETY SENSITIVE EMPLOYEES.** An employee whose drug or alcohol test is reported positive will be offered the opportunity to:

    a) Obtain and independently test, at the employee's expense, the remaining portion of the urine specimen that yielded the positive result;

    b) Obtain the written test result and submit it to an independent medical review at the employee's expense.

12) **INSPECTION AND SEARCHES.** District may conduct unannounced general inspections and searches

for illegal drugs or contraband on District premises or in District vehicles or equipment wherever located. Employees are expected to cooperate.

a) Contraband is an article that is illegal to possess.

b) Illegal drugs, drugs believed to be illegal, and drug paraphernalia found on District property will be turned over to the Costa Mesa Police Department and the full cooperation given to any subsequent investigation.

c) Other forms of contraband, such as firearms, explosives, and lethal weapons, will be subject to seizure during an inspection or search. An employee who is found to possess contraband on District property or while on District business will be subject to discipline up to and including discharge.

d) If an employee is the subject of a drug-related investigation by District or by a law enforcement agency, the employee may be placed on administrative leave pending completion of the investigation.

13) **SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES.** This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transportation industry. The Federal Motor Carrier Safety Administration (FMCSA) of the Department of Transportation has enacted 49 CFR Part 382 that mandate urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The Department of Transportation has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the Department of Transportation has enacted 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," which requires the establishment of drug free workplace policies and the reporting of certain drug-related offenses to the Department of Transportation. The policy incorporates those requirements of safety-sensitive employees and others when so noted.

14) **APPLICABILITY.** This policy applies to all safety-sensitive employees and contractors when they are on District property or when performing any District related business. It applies to off-site lunch periods and breaks when a safety-sensitive employee is scheduled to return to work. Visitors, vendors, and contracted employees are governed by this policy while on District premises, and they will not be permitted to conduct business if found to be in violation of this policy.

a) A listing of Costa Mesa Sanitary District employee function and/or position classifications can be found in Appendix 'A' of this policy statement. A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

15) **PROHIBITED SUBSTANCES.** "Prohibited substances" addressed by this policy include the following:
16) Drugs: Amphetamines, Cocaine, Marijuana, Opiates and Phencyclidine (PCP).

a) **Alcohol.** The use of beverages or substances, including any medication, containing alcohol such that it is present in the body at a level in excess of that stated in Department of Transportation guidelines while actually performing, ready to perform, or immediately available to perform any District business is prohibited. "Alcohol" is defined as: the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol, including methyl or isopropyl alcohol.

17) **PROHIBITED CONDUCT.**

a) Manufacture, Trafficking, Possession, and Use Any safety-sensitive employee engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol on District premises, in District vehicles or while conducting District business off the premises is absolutely prohibited. Violation will result in removal from safety-sensitive duty and immediately terminated.

b) Impaired/Not Fit for Duty Any safety-sensitive employee who is reasonably suspected of being impaired, under the influence of a prohibited substance, or not fit for duty shall be removed from safety-sensitive job duties and be required to undergo a reasonable suspicion controlled substance or alcohol test. Employees failing to pass this reasonable suspicion controlled substance or alcohol test shall remain off duty and be IMMEDIATELY TERMINATED. A controlled substance or alcohol test is considered positive (failed) if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in the Department of Transportation guidelines.

c) Alcohol Use No safety-sensitive employee may report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol or when his/her breath alcohol concentration is 0.04 or greater. No safety-sensitive employee shall use alcohol while on duty or while performing safety-sensitive functions. No safety-sensitive employee shall use alcohol within four hours of reporting for duty nor during hours that he/she is on call. Violation of this provision is prohibited and will subject the employee to removal from safety-sensitive duty and referral to a Substance Abuse Professional (SAP).

d) Compliance with Testing Requirements All safety-sensitive employees are subject to controlled substance testing and breath alcohol testing. Any safety-sensitive employee who refuses to comply with a request for testing, who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately and be terminated. Refusal to submit to a test can include an inability to provide a urine specimen or breathe sample without a valid

medical explanation, as well as a verbal declaration, obstructive behavior or physical absence resulting in the inability to conduct the test.

e) Treatment/Rehabilitation Program An employee with a controlled substance and/or alcohol problem will be afforded an opportunity for treatment in accordance with the following provisions:

i) Voluntary Admittance: All employees who feel they have a problem with controlled substances and/or alcohol may request voluntary admission to a rehabilitation program. Requests must be submitted to an Administrator or his/her designee for review. Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the safety- sensitive employee. An employee failing to complete the program will be subject to termination from employment. An employee completing a rehabilitation program must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and be subject to unannounced follow-up testing for 36 months following return to duty. A positive result on the return-to-duty test or on the unannounced follow-up tests within a 36 month period will result in termination from employment.

ii) Participants in the rehabilitation program many use accumulated sick leave, vacation and floating holidays, if any.

18) **NOTIFYING THE DISTRICT OF CRIMINAL DRUG CONVICTION.** Pursuant to the "Drug Free Workplace Act of 1988" any employee who fails to immediately notify the District of any criminal controlled substance statute conviction shall be subject to disciplinary action, up to and including termination of employment.

19) **PROPER APPLICATION OF THE POLICY.** The District is dedicated to assuring fair and equitable application of this Substance Abuse Policy. Therefore, supervisors are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy with respect to his/her subordinates shall be subject to disciplinary action, up to and including termination.

20) **TESTING FOR PROHIBITED SUBSTANCES.**

a) Analytical urine controlled substance testing and breath testing for alcohol will be conducted as required under Department of Transportation guidelines. All safety-sensitive employees shall be subject to testing prior to employment, randomly, for reasonable suspicion, and following an accident, as defined in the Department of Transportation guidelines. In addition, all safety-sensitive employees will be tested prior to returning to duty after failing a controlled substance and/or alcohol test. Employees who have returned to duty will be subject to unannounced follow-up tests for up to five years, as determined by a Substance Abuse Professional (SAP).

Safety-sensitive employees who perform safety-sensitive functions as defined in the Department of Transportation guidelines shall also be subject to testing on randomly selected, unannounced basis.

b) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in the Department of Transportation guidelines.

c) The controlled substances that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). An initial controlled substance screen will be conducted on each specimen. For those specimens that are positive, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the controlled substance levels present are above the minimum thresholds established in the Department of Transportation guidelines.

d) Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). If the initial test indicated an alcohol concentration of 0.02 or greater, a confirmation test will be performed to confirm the result of the initial test. An employee who has a confirmed alcohol concentration of 0.02 but less than 0.04 will be removed from his/her position for at least twenty-four hours unless a retest results in an alcohol concentration less than 0.02. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of Department of Transportation guidelines and this policy.

e) Any safety-sensitive employee who has a confirmed positive controlled substance or alcohol test will be removed from his/her position, informed of educational and rehabilitation program available, and immediately terminated.

f) The District affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process.

g) Employees in Safety-sensitive positions may be tested under any of the following circumstances:

   i) Pre-Employment Testing All applicants for safety-sensitive classifications shall undergo urine controlled substance testing prior to employment. Receipt of a satisfactory test result is required prior to employment and failure of a controlled substance test will disqualify the applicant from further consideration for employment. Pre-Employment testing requirements will be conducted in compliance with current law.

ii) Reasonable Suspicion Testing All safety-sensitive employees will be subject to urine and /or breathe testing when there is a reasons to believe that controlled substances or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the effects of substance abuse. Examples of reasonable suspicion include, but are not limited to, the following:

(1) Adequate documentation of unsatisfactory work performance or on-the-job behavior.

(2) Physical signs and symptoms consistent with prohibited substance use.

(3) Occurrence of a serious or potentially serious accident that may have been caused by human error.

(4) Fights (to mean physical contact), assaults and flagrant disregard or violations of established safety, security, or other operation procedures.

iii) Reasonable suspicion determinations will be made by a supervisor who is trained to detect the signs and symptoms of controlled substance and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to prohibited substance abuse or misuse.

21) **POST ACCIDENT TESTING.** All safety-sensitive employees will be required to undergo controlled substance and/or breathe alcohol testing if they are involved in an accident with a District vehicle. This includes all safety-sensitive employees who are on duty in the vehicles and any other whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if the safety-sensitive employee receives a citation within eight (8) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or if one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

a) Following an accident, the safety-sensitive employee will be tested as soon as possible, but not to exceed eight (8) hours for alcohol and 32 hours for controlled substances. If an alcohol test is not administered within two hours following the accident, the District shall prepare and maintain a record stating the reasons the test was not promptly administered. Further, if an alcohol test is not administered within eight (8) hours or a controlled substance test is not administered within 32 hours following the accident, the District shall cease attempts to administer testing and shall prepare and maintain a written record. Any safety-sensitive

employee who leaves the scene of an accident without appropriate authorization prior to submission to controlled substance and/or breath alcohol testing will be considered to have refused the test and subject to termination. That being said, the testing requirement should not be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a safety-sensitive employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care. Furthermore, the results of a breath alcohol, a blood alcohol or a urine controlled substance test conducted by Federal, State, or local officials having independent authority for the test, shall be considered valid, provided those tests conform to the applicable Federal, State or local testing requirements, and that the results of the tests are obtained by the District.

22) **RANDOM TESTING.** Employees working in safety-sensitive classifications will be subjected to randomly selected, unannounced testing. The random selection will be by a scientifically valid method. Each safety- sensitive employee will have an equal chance of being tested each time selections are made. Safety-sensitive employees will be tested either just before departure, or during duty, or just after the safety-sensitive employee has ceased performing his/her duty.

23) **EMPLOYEE REQUESTED TESTING.** Any safety-sensitive employee who questions the result of a required controlled substance test under Department of Transportation guidelines may request that an additional test be conducted. This additional test may be conducted at the same laboratory or at a different DHHS certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are to be paid by the employee unless the second test invalidated the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the Department of Transportation guidelines. The safety-sensitive employee's request for a retest must be made to the MRO within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

24) **EMPLOYEE ASSESSMENT.** Any safety-sensitive employee who tests positive for the presence of controlled substances or whose breath alcohol concentration is above the minimum thresholds set forth in the Department of Transportation guidelines will be immediately terminated.

a) If a safety-sensitive employee is returned to duty following rehabilitation, he/she must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and be subject to unannounced follow-up tests for a period of one to five years, as determined by the SAP. The cost of any rehabilitation and subsequent controlled substance and/or alcohol testing is borne by the safety-sensitive employee and is on a one time basis only. Employee will be immediately terminated on the occurrence of a second verified positive test result. Employees may use accumulated sick leave, vacation and floating holidays, if any, to participate in the prescribed rehabilitation program.

25) **CONTACT PERSON.** Any questions regarding this policy should contact the following District Designated Employer Representative (DER):

   a) General Manager or Designee Manager
   628 West 19th Street, Costa Mesa, CA 92627 (949) 645-8400 ext. 224

   b) The DER of the District will maintain a list of the specific positions within the above listed classifications that are covered under Department of Transportation regulations.

26) **CONFIDENTIALITY.** All information relating to drug or alcohol testing or the identification of persons as users of drugs and alcohol will be protected by District as confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the persons in question.

27) **APPENDIX A. SAFETY-SENSITIVE EMPLOYEE (FUNCTION AND/OR POSITION) CLASSIFICATIONS FOR COSTA MESA SANITARY DISTRICT.**

   a) Class "A" commercial driver's license holder

   b) Class "B" commercial driver's license holder

   c) Class "C" driver's license holder with a Hazardous Materials Endorsement

   d) The DER of the District will maintain a list of the specific positions within the above listed classifications that are covered under Department of Transportation regulations.

28) **PROCEDURES FOR COSTA MESA SANITARY DISTRICT REASONABLE SUSPICION TESTING.** A safety-sensitive employee who may possibly be under the influence of alcohol and/or controlled substances is observed by a supervisor.

   a) Any employee may identify someone suspected of alcohol and/or controlled substance to any supervisor. Employees should realize, however, that it is against District policy to make false or malicious statements about other employees and doing so can result in disciplinary action being taken against the offending employee. However, the supervisor must witness firsthand the safety-sensitive employee's signs and symptoms.

   b) The supervisor is then obligated to insure that the matter is immediately investigated.

c) If possible, two supervisors determine (independently or together) that the safety- sensitive employee in question may indeed be under the influence of alcohol and/or controlled substances.

d) When the supervisor(s) suspect and believe that the safety-sensitive employee may be under the influence of alcohol and/or controlled substances, the safety-sensitive employee is then immediately suspended from duty (with pay) and driven by District staff (or others designated) to the District specified collection site. Because of a testing facility requirement, the safety-sensitive employee in question must show proof of identification, such as a photo driver's license or state-issued photo identification card.

e) Whenever practical, an Administrator should be notified in advance of the employee being taken to the collection site.

f) At the collection site, the safety-sensitive employee will be required to submit a urine sample in the event that controlled substances are suspected or a breath sample in the event that alcohol intoxication is suspected to the on-duty technician. Care will be taken to provide the safety-sensitive employee with maximum privacy without compromising the integrity of the sample.

g) The District will take precautions to prevent the safety-sensitive employee being tested from going back to work and driving their own car home. Instead, the safety- sensitive employee will be given assistance in obtaining a ride home from the collection site.

h) The safety-sensitive employee whose test results are negative (less than 0.02 alcohol concentration) will be reinstated. The safety-sensitive employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04, will not be permitted to return to duty or perform a safety-sensitive function for 24 hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater for alcohol will immediately terminated.

i) The safety-sensitive employee whose controlled substance test results are verified negative will be reinstated. The safety-sensitive employee whose controlled substance test is verified positive by the Medical Review Officer will be immediately terminated.

29) **PROCEDURES - RANDOM TESTING.** The compliance District notifies the supervisor to send the safety-sensitive employee to the collection site for alcohol and/or controlled substance testing.

a) The supervisor notifies the safety-sensitive employee to go to the collection site for alcohol and/or controlled substance testing immediately. Because of a testing facility requirement, the safety-sensitive employee in question must have proof of identification, such as a photo driver's

license or state-issued photo identification card.

b) At the collection site, the safety-sensitive employee will be required to submit a urine sample in the event that controlled substances are to be tested for, or a breath sample in the event that alcohol is being tested for to the on-duty technician. Care will be taken to provide the safety-sensitive employee with maximum privacy without compromising the integrity of the sample.

c) The safety-sensitive employee whose test results are negative (less than 0.02 alcohol concentration) will be reinstated. The safety-sensitive employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04, will not be permitted to return to duty or perform a safety-sensitive function for 24 hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater for alcohol will be immediately terminated.

d) The safety-sensitive employee whose controlled substance test results are verified negative will be reinstated. The safety-sensitive employee whose controlled substance test is verified positive by the Medical Review Officer will be immediately terminated.

30) **PROCEDURES - POST ACCIDENT.** The safety-sensitive employee notifies a supervisor that an accident has occurred.

a) The supervisor determines that the circumstances of the accident warrant a post- accident test when a citation was issued or a fatality occurred. Thereafter, the supervisor directs the safety-sensitive employee to immediately go to the collection site for alcohol and controlled substance testing. Because of a testing facility requirement, the safety-sensitive employee in question must have proof of identification, such as a photo driver's license or state-issued photo identification card.

b) At the collection site, the safety-sensitive employee will be required to submit a urine sample for controlled substances and a breath sample for alcohol testing to the on- duty technician. Care will be taken to provide the safety-sensitive employee with maximum privacy without compromising the integrity of the sample.

c) An Administrator will be notified that an accident has occurred and that the safety- sensitive employee was instructed to go to the collection site.

d) The safety-sensitive employee whose test results are negative (less than 0.02 alcohol concentration) will be reinstated. The safety-sensitive employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04, will not be permitted to return to duty or perform a safety-sensitive function for 24 hours after administration of the

test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater for alcohol will be immediately terminated.

e) The safety-sensitive employee whose controlled substance test results are verified negative will be reinstated. The safety-sensitive employee whose controlled substance test is verified positive by the Medical Review Officer will be immediately terminated.

31) **PROCEDURES - CHAIN OF CUSTODY FOR CONTROLLED SUBSTANCE SPECIMENS.** At the time a specimen is collected, the safety-sensitive employee will be given a copy of the specimen collection procedures.

a) Urine will be in a wide-mouthed clinic specimen container which will remain in full view of the safety-sensitive employee until split, transferred to, sealed and initialed in two tamper-resistant urine bottles.

b) Immediately after the specimens are collected, the urine bottles will, in the presence of the safety-sensitive employee, be labeled and then initialed by the employee. If the sample must be collected at the site other than the controlled substance and/or alcohol testing laboratory, the specimens will then be placed in the transportation container. The container will be sealed in the safety-sensitive employee's presence and the safety-sensitive employee will be asked to initial or sign the container. The container will be sent to the designated testing laboratory on that day or the earliest business day by the fastest available method.

c) A chain of custody form will be completed by the on-duty technician during the specimen collection process and attached to and mailed with the specimen.

32) **PROCEDURES - SPECIMEN COLLECTION OF STRANGE AND/OR UNRECOGNIZABLE SUBSTANCES.** A safety-sensitive employee is observed with a strange and/or unrecognizable substance.

a) The supervisor, in the presence of a witness, places the strange and/or unrecognizable substance into a clear plastic bag. The bag is sealed, labeled and signed by both the supervisor and a witness.

b) An incident report is made and signed by both the supervisor and a witness.

c) The plastic bag containing the specimen and a copy of the incident report is taken to the collection site for transportation to the laboratory for analysis.

33) **PROCEDURES - ALCOHOL CONCENTRATION.** The safety-sensitive employee and the on duty Breath Alcohol Technician (BAT) complete the alcohol testing form to ensure that the results are properly

recorded.

a) After an explanation of how the breathalyzer works, an initial breath sample is taken.

b) If the results of the initial test show an alcohol concentration of 0.02 or greater a second or confirmation test must be conducted. The confirmation test must not be conducted less than 15 minutes after, nor more than 20 minutes after the screening test.

c) The confirmation test will utilize Evidential Breath Testing devices that prints out the results, date and time, a sequential test number, and the name and serial number of the Evidential Breath Testing device to ensure the reliability of the results.

1) All employees of the District are entitled to workers' compensation rights and benefits per California Labor Code.

2) The District's workers' compensation coverage is provided by the Special District Risk Management Authority (SDRMA).

3) The District utilizes a Medical Provider Network (MPN), Well Comp Managed Care Services, which is an entity of health care providers approved by the DWC (Department of Workers' Compensation) administrative director to treat workers injured on the job. Information about the MPN is posted at the District and provided upon hire and notice of workplace injury or illness.

4) Employees may be treated by a personal physician instead of the MPN, if selected in advance. To do so, the employee must provide written notice to the District prior to a workplace injury or illness stating that their physician agrees to provide treatment. Notice may also be provided using the optional SDRMA Notice of Pre-designation of Personal Physician form.

5) After an employee is injured, the employee shall immediately notify their supervisor. The supervisor shall ensure necessary medical treatment is provided by either referring the employee to the District's Company Nurse Program or calling the District's Company Nurse on the employee's behalf.

6) The Company Nurse will inform the employee of available treatment options and provide instructions for any follow-up care.

7) The injured employee or their designated representative shall receive and complete the employee portion of the Department of Workers Compensation form (DWC 1).

8) If an employee declines to have medical treatment, they must complete the employee portion of the Declination of Medical Treatment and Incident Form.

9) All forms must be returned to supervisors within 24 hours of notification of a workplace illness or injury.

10) Employees should retain a copy of all forms for their records.

11) Supervisors must complete the employer portion of the (DWC 1) form.

12) If the employee declines treatment, supervisors must complete the employer portion of the Declination of Medical Treatment and Incident Form.

13) For employees requesting medical treatment, supervisors must complete Form 5020 (Employer's

Report of Occupational Injury or Illness); write the employee's name and incident date on the Treating Physician Checklist and print, sign, and date the initial treatment authorization.

14) All forms shall be completed within 24 hours of notification of a workplace injury or illness.

15) Employees should take the Treating Physician Checklist and treatment authorization to the designated medical facility or pre-designated physician.

16) In addition, supervisors are required to complete the Supervisor Incident Form for any treated or untreated workplace injury or illness and mail it, along with indicated attachments to:

York Insurance Services Group
313 East Foothill Blvd.
Upland, CA 91786

17) Any employee who is eligible for temporary disability payments under the workers' compensation law shall, for the duration of such payments, receive only that portion of regular salary which, together with said payments, will equal regular salary.

18) Unless otherwise advised in writing by the employee within a five-day period, such salary payments made during a period of temporary disability payments shall be charged against the employee's accumulated paid time off.

19) Should the employee's accumulated paid time off be exhausted, the employee shall be subject to a leave of absence without pay.

20) In order for the employee to not endure an undue hardship caused by the time lag involved in temporary disability, the employee, at the discretion of the General Manager, may be paid full salary to the extent of accumulated paid time off.

21) Upon receipt of temporary disability payments, the employee shall endorse such payments to the District.

22) After exhausting paid time off, and while the employee continues to receive workers' compensation benefits, the District may collect from the employee the employee's cost of insurance and the District may pay the employer's cost of insurance.

23) After the employee has exhausted paid time off and workers' compensation benefits, the employee will be responsible for paying the entire employer/employee cost of insurance.

EMPLOYEE HANDBOOK - APPENDIX A
COMPENSATION & BENEFITS SUMMARY
FULL-TIME EMPLOYEES

FULL-TIME EMPLOYEES	SOURCE
COMPENSATION • Merit Pay – 0-5% based on performance and salary • Salary Range Adjustments – determined annually, based on CPI (Consumer Price	 • Handbook • Handbook
HEALTH BENEFITS • "Benefits Bucket" – $920 to $1,380/month to pay for medical, dental, vision and/or supplemental life insurance, as applicable. Must elect medical or provide proof of opt-out. ○ Medical Insurance is provided by CalPERS ○ Dental Insurance is provided by Delta ○ Vision Insurance is provided by VSP (Vision Service Plan) ○ Life Insurance is provided by Voya (a.k.a. ReliaStar Life or ING) • District-Paid Life Insurance ($50,000 plan) provided by Voya • District-Paid Long-Term Disability Insurance provided by Voya • District-Paid EAP (Employee Assistance Programs) through MHN & ComPysch	 • Handbook ○ CalPERS Plan Document ○ SDRMA Plan Document ○ SDRMA Plan Document ○ SDRMA Plan Document • ING Plan Document • ING Plan Document • Handbook, SDRMA & Voya Plan Documents
VOLUNTARY BENEFITS (Employees Pay All Costs) • ICMA-RC Deferred Compensation Plan (457b) with hardship loan option • Technology Loans - $200 to $2,500, one at a time after 6 months' of service • Tuition Reimbursement Program - $5,000 max per calendar year after 6 months' service • Short-Term Disability Insurance provided by AFLAC • Hospital Advantage Insurance provided by AFLAC • Cancer Care Insurance provided by AFLAC • Accident Insurance provided by AFLAC	 • Handbook/Plan Doc • Handbook • Handbook • AFLAC Plan Documents • AFLAC Plan Documents • AFLAC Plan Documents • AFLAC Plan Documents
OTHER BENEFITS • Rewarding Ideas Program – up to $1000 for improvement suggestions • Safety Award for Excellence – monthly/annual recognition awards • District-Paid Travel Assistance & Funeral Planning/Concierge provided by Voya	 • Admin. Regulations • Admin. Regulations • Voya Plan Document
PAID TIME OFF • Sick Leave – 3.70 hours per pay period • Vacation – 92 to 188 hours annually based on years of service with cash out option • Compensatory Time – if applicable. With approval, may convert overtime to comp time. • Holidays – 12 in total (New Year's, Martin Luther King, Presidents', Memorial, 4th of July, Labor Day, Thanksgiving -Thu & Fri, Veterans', Christmas, & Two 8-hour Floating Holidays) • Bereavement –5 day maximum per instance	 • Handbook • Handbook • Handbook • Handbook • Handbook • Handbook • Handbook
RETIREMENT • CalPERS 2% at 62 - new members; CalPERS 2% at 60 – classic members (CalPERS 2% @ 55 for employees hired before 7/1/11) • Retirement Health Savings (RHS) Plan provided by ICMA-RC. Employees contribute 1%; District matches 1%. Employee amounts vest immediately, District after 5 years of service.	 • Handbook/CalPERS Plan • RHS Plan Document
EXEMPT EMPLOYEES • Executive Leave – 40 hours per fiscal year with 20 hour cash out option	 • Handbook
DESIGNATED EMPLOYEES • Cell Phone Allowance	 • Handbook

SEWER EMPLOYEES • Sewer Crew Premium Pay – 1.5% for each CWEA certification grade • Welder Premium Pay – 1.5% for welding certification • Safety Shoe Reimbursement – up to $150 every 12 months	 • Handbook • Handbook • Handbook
STANDBY EMPLOYEES • Standby Pay - $50 per day • Phone Advice Pay - minimum 1 hour pay • Call Out Pay – overtime for hours worked	 • Handbook • Handbook • Handbook

This Document is intended as a summary. Refer to source documents for details.Information is subject to change. See Human Resources for questions.

EMPLOYEE HANDBOOK - APPENDIX A
COMPENSATION & BENEFITS SUMMARY
PART-TIME EMPLOYEES

PART-TIME EMPLOYEES	SOURCE
COMPENSATION • Merit Pay – 0-5% based on performance • Salary Range Adjustments – reviewed annually based on CPI (Consumer Price Index)	• Handbook • Handbook
HEALTH BENEFITS • District-Paid EAP (Employee Assistance Programs) through MHN & ComPysch • CalPERS Medical Insurance Plan (if eligible, must pay all costs)	• Handbook, SDRMA & Voya Plan Documents • Varies, see Full-time list
VOLUNTARY BENEFITS (Employees Pay All Costs) • Technology Loans - $200 to $2,500, one at a time after 6 months' of District service	• Handbook
OTHER VOLUNTARY BENEFITS • Rewarding Ideas Program – up to $1000 for improvement suggestions • Safety Award for Excellence – monthly/annual recognition awards • District-Paid Travel Assistance & Funeral Planning/Concierge provided by Voya	• Admin. Regulations • Admin. Regulations • Voya Plan Document
PAID TIME OFF • Military/ Reserve Duty Leave (per law)	• Handbook
RETIREMENT • CalPERS 2% at 62 - new members • CalPERS 2% at 60 – classic members	• Handbook/CalPERS Plan • Handbook/CalPERS Plan
DESIGNATED EMPLOYEES • Cell Phone Allowance	• Handbook
SEWER EMPLOYEES • Sewer Crew Premium Pay – 1.5% for each CWEA certification grade • Welder Premium Pay – 1.5% for welding certification • Safety Shoe Reimbursement – up to $150 every 12 months	• Handbook • Handbook • Handbook
STANDBY EMPLOYEES • Standby Pay - $50 per day • Phone Advice Pay - minimum 1 hour pay • Call Out Pay – overtime for hours worked	• Handbook • Handbook • Handbook

This Document is intended as a summary. Refer to source documents for details.Information is subject to change. See Human Resources for questions.