

# TRUCKEE SANITARY DISTRICT EMPLOYEE HANDBOOK & ADDENDUM

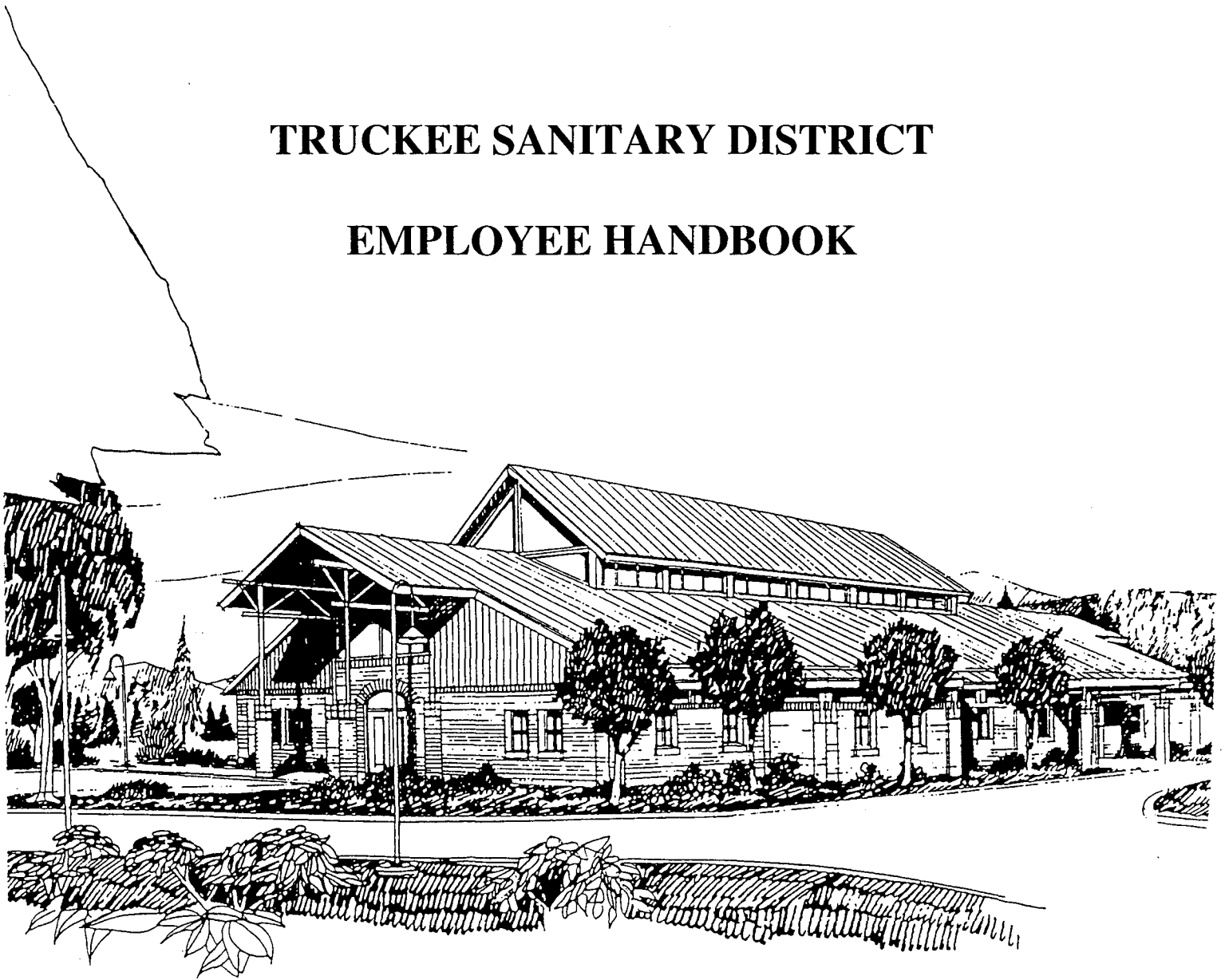
## Employee Handbook

- Employee Handbook – 9/1/02

## Addenda

- Head Protection Memo- 8/25/04
- On-Call Duty Memo- 8/30/04
- Compensatory Time and On Call Duty Memo- 3/28/06
- Shift Differential Policy Memo- 8/30/06
- Payment of Overtime Memo- 7/7/09
- Travel Compensation Memo- 4/8/10
- Security Cameras Memo- 12/2/14
- Anti-Bullying Law, Policy & Training Memo- 5/5/15
- Bicycle Use & Safety Memo- 9/22/15
- Professional Achievement Awards Memo- 11/24/15
- Maximum Sick Leave Accrual Memo- 12/1/15
- Panic Buttons Memo- 2/8/16
- Use of Personal Electronic Devices Memo- 9/29/16
- Uniform Allowance- New Boot Policy- 12/7/16
- Use of Personal Vehicle for TSD Business- 12/20/16
- Compensatory Time off- 6/5/17
- Parental Leave Act Memo- 12/6/17
- Lactation Accommodation Policy- 2/11/20
- Updated Harassment Discrimination- 2/24/20
- TSD COVID-19 Temporary Operating Program - 3/18/20
- Modified Operational Hours During TSD Covid-19 Memo - 6/11/20
- California Family Rights Act (CFRA) Policy - 12/21/20
- Administrative On-Call Vehicle Use Policy - 12/17/2020

**TRUCKEE SANITARY DISTRICT**  
**EMPLOYEE HANDBOOK**



**Effective: September 1, 2002**

# TRUCKEE SANITARY DISTRICT

## EMPLOYEE HANDBOOK

### BOARD OF DIRECTORS

President:	Brian Kent Smart
Vice President:	Michael F. Sullivan
Director:	Robert Affeldt, D.D.S.
Director:	Ron Sweet
Director:	Jerry Gilmore

### STAFF

O. R. Butterfield  
General Manager/Chief Engineer

Adopted: August 15, 2002    Effective: September 1, 2002

APPROVED:   
General Manager/Chief Engineer

All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

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## 1. INTRODUCTION

Dear Fellow Employee:

Welcome to Truckee Sanitary District (referred to in this handbook as the District). I personally hope that you will enjoy working with the District and that you will find your work interesting and challenging. As a service oriented organization, our goal is to conduct our daily activities in a manner reflecting pride, efficiency, and competence with a friendly and courteous attitude. The District is a public agency and follows appropriate state and federal laws regarding employment.


This Employee Handbook has been prepared to give employees a better understanding of the District. It contains statements of personnel policies and is designed to be a working guide for both employees and supervisors in the day to day operations of the District personnel programs. This handbook should increase understanding of District policy and help assure uniformity of policy application throughout the organization.

The language used in this Employee Handbook is not intended, nor is it to be construed, to constitute a contract (express or implied) between the District and any employee. All employment with the District is "at will". The District retains the discretion to add, modify, or delete any policies, procedures, work rules or benefits discussed in this handbook at any time, with or without advance notice.

No District employee, except the General Manager, has the authority to enter into any agreement that modifies or amends District policy as set forth in this handbook.

Employees shall sign the acknowledgment form at the back of this handbook, tear out the form, and return it to the Executive Secretary/Administrative Manager. This form will provide the District with a record that each employee has received, reviewed, understood and agreed to comply with this handbook.

Sincerely,

  
O. R. Butterfield, P.E.  
General Manager/Chief Engineer

## **2. HISTORY OF THE TRUCKEE SANITARY DISTRICT**

Established in 1906, the District is considered to be one of the oldest Sanitary Districts in California. A public agency, supported by public funds, the District operates under the Sanitary District Act of 1923, and is governed by rules and laws set forth in the Health and Safety Code of the State of California.

Our business is wastewater collection and transportation, a service upon which the entire community depends. We operate a collection and transportation system of 300 plus miles of sewer pipelines in an area of approximately 39 square miles. Wastewater is transported to the Tahoe-Truckee Sanitation Agency (T-TSA) treatment plant located in Martis Valley.

The District is governed locally by a five-member Board of Directors, elected at the general elections held in November. The Board of Directors is responsible for setting policy and general administrative procedures for the District. The policies and procedures set by the Board are then administered by the General Manager of the District.

Over the years, the District has been one of the most progressive Sanitary Districts in the State of California. Because of the difficult District terrain, and the sensitivity of our environment, the District is committed to a continuing program of monitoring, maintaining and improving the system.

The continued growth and expansion of the Truckee area creates a challenge to the District to provide increasing service to the public, while at the same time seeking a delicate balance with the fragile environment.

## **I. GENERAL EMPLOYMENT INFORMATION**

### **A. Minimum Standards for Employment**

#### **1. Employment eligibility**

All applicants must be eligible to work in the United States. An employee must produce documentation of eligibility to work in the United States as a condition of employment. Such documentation must be produced within three (3) days of hire.

#### **2. Post-offer, pre-employment testing**

After a conditional offer of employment has been made, the District shall require potential employees to submit to a pre-employment physical examination, including a drug screen, to determine a potential employee's ability to perform the offered job. In such cases, an offer will be contingent upon the receipt of a positive fitness determination and negative drug screen. The examination will be conducted by a medical clinic selected by the District and the District will pay all expenses of the examination.

#### **3. Driver's license requirement**

Applicants for positions must possess a valid State of California or Nevada motor vehicle driver's license and have a good driving record. (Good driving record means a satisfactory record with the Department of Motor Vehicles and insurable, at a reasonable expense as determined by the District, with the District's insurance carrier.) Applicants for certain District positions, as noted in the job announcement and job description, must also possess a commercial driver's license.

### **B. At-will Employment**

All employment with the District is "at-will." At-will employment means that either the District or the employee can terminate the employee's employment with the District, with or without cause, at any time with or without notice. No District employee, other than the General Manager, has the authority to enter into any agreement for employment for any specified period of time or otherwise contrary to at-will. Any such agreement must be in writing and approved by either the General Manager or the Board of Directors.

Employees must understand that their job responsibilities may change at any time during their employment. From time to time, employees will be asked to work on special projects or to assist with other work that the District needs performed. The District reserves the right, at any time, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

## **C. Equal Employment Opportunity and Non-discrimination Policies**

### **1. Equal employment policy**

As an equal opportunity employer, the District selects the best qualified individuals based on job-related qualifications, regardless of race, color, religious creed, sex, pregnancy, marital status, age, national origin, physical or mental disabilities, medical condition, sexual orientation, ancestry, veteran status or any other basis prohibited by statute. The District provides equal employment opportunity in all phases of employment including, but not limited to recruitment, selection, placement, transfers, training and development, promotions, demotions, compensation, benefits, layoff and terminations and other conditions or privileges of employment.

### **2. Non-discrimination policy**

The District does not condone and will not tolerate any actions on the part of any individual employed within the District to discriminate against any other individual employed with the District on any of the bases enumerated above. Employees who feel they have been discriminated against in any aspect of their employment with the District may seek redress by filing a discrimination complaint with the General Manager, with any other District supervisor or with the Executive Secretary/Administrative Manager for transmittal to the Board. For more information, see the District's Prohibition of Discrimination and Harassment policy in Chapter IV., Section I., page 33. Employees may also file formal complaints with the State of California Department of Fair Employment and Housing or with the federal Equal Employment Opportunity Commission.

### **3. Accommodation of disabilities**

The District will not unlawfully discriminate against any employee on the basis of his or her disability. Where appropriate, the District will make reasonable accommodation to permit an otherwise qualified individual with a known disability to perform the essential functions of a job. Employees who become disabled and wish accommodation to perform their job duties should contact the General Manager. The District reserves the right to require an employee to have a mental or physical examination, at the District's expense, to determine disability status, ability to perform job functions ("fitness for duty examinations") or potential accommodations.

The District may require or grant unpaid leave to an employee who is unable to perform an essential job function because of illness or injury or whose condition endangers his or her health or the health of others.

## **D. Open Door Policy**

The District has an Open Door Policy that encourages employee participation in decisions affecting them and their daily professional responsibilities. Employees who have job-related concerns or complaints are encouraged to discuss their concerns or complaints with their supervisor or any other management representative with whom they feel comfortable. The

District believes that this policy of open communication at all times is the best way to address employee concerns and to deal effectively with the daily challenges of our work.

## **E. Employment Status Definitions**

### **1. Full-time employee**

A full-time employee is an employee who is regularly scheduled to work 40 hours or more per week. Full-time employees are eligible for all benefits offered by the District (as discussed further in Chapter III. EMPLOYEE BENEFITS, page 13).

### **2. Part-time employee**

#### **a. Benefited part-time employee**

A benefited part-time employee is an employee who is regularly scheduled to work at least 30 but less than 40 hours per week. Benefited part-time employees are eligible for District health insurance benefits (as discussed further in Chapter III. EMPLOYEE BENEFITS, page 13), but must pay a portion of the cost. Benefited part-time employees will earn vacation and sick leave on a pro rata basis, based on the percentage of a full-time schedule the employee is regularly scheduled to work. Benefited part-time employees are not eligible for any other District benefits, except as required by law, unless specifically stated in this handbook.

#### **b. Non-benefited part-time employee**

A non-benefited part-time employee is an employee who is regularly scheduled to work less than 30 hours per week. Non-benefited part-time employees are not eligible for any District benefits including health insurance, vacation and sick leave, except as required by law.

### **3. Temporary employee**

A temporary employee is an employee who is hired for a specific, limited period of time. Temporary employees may work a full-time or part-time schedule. Temporary employees are not eligible for any District benefits, including health insurance, vacation and sick leave, except as required by law.

### **4. Contract employee**

A contract employee is an employee who is hired pursuant to a contract for services between the District and the employee. The contract employee's relationship with the District is governed by the terms and conditions of their individual employment contract. Contract employees are compensated at a rate as determined by the General Manager with the approval of the Board of Directors.

5. Introductory employee

An introductory employee is an employee who has not completed his or her six (6) month introductory period as defined in Section F, below.

6. Regular employee

A regular employee is an employee who has successfully completed his or her six (6) month introductory period and has been offered and has accepted a regular position with the District.

7. Exempt employee

An exempt employee is an employee who meets specific tests established by the Fair Labor Standards Act (FLSA) and is exempt from overtime and minimum wage requirements. Generally, these employees occupy executive, administrative or professional positions.

8. Non-exempt employee

A non-exempt employee is an employee who does not meet FLSA exemption tests and, therefore, is paid a multiple of his or her regular rate of pay for overtime worked, as required by federal law.

**F. Introductory Period**

1. Generally

All newly hired employees are subject to a six (6) month introductory period. The introductory period is part of the District's hiring process during which the District continues evaluating the introductory employee to determine whether he or she should be offered a regular position with the District. This period also gives the introductory employee an opportunity to evaluate the job for which he or she is being considered and to determine whether it is the right job for him or her.

If an introductory employee successfully completes the introductory period, he or she may be offered regular full-time or part-time at-will employment. An employee's introductory period does not end automatically; it only ends when an employee is offered and has accepted a regular position. When appropriate, the General Manager may extend an employee's introductory period.

Regardless of whether an employee is in his or her introductory period or is a regular employee, both the employee and the District are free, at any time, with or without notice and with or without cause, to end the employment relationship.

## 2. Provisions governing introductory period

During the introductory period, the employee's supervisor will make reasonable efforts to evaluate the introductory employee's performance at least once. At the end of the introductory period, the employee's supervisor will make a recommendation as to whether the introductory employee should be offered a regular position with the District.

Subject to the applicable waiting period imposed by an insurance plan, introductory full-time and benefited part-time employees are eligible for District health insurance benefits (see Chapter III. EMPLOYEE BENEFITS, page 13).

### **G. Personnel Records**

#### 1. Notification of changes

Employees are responsible for ensuring that the District has accurate personnel information. Therefore, employees should notify the Executive Secretary/Administrative Manager immediately if there are any changes in personal data including, but not limited to, the following: legal name, address, telephone number, marital status, children, insurance beneficiaries, person(s) to notify in case of emergency, driver's license, and certifications relating to the employee's position.

#### 2. Review of personnel file

Employee personnel files are the property of the District and shall be maintained as confidential. Personnel files will only be accessible through the Executive Secretary/Administrative Manager. The Executive Secretary/Administrative Manager shall limit access to such files to authorized District personnel on a "need to know" basis.

Each employee may, at reasonable intervals, examine his or her own file upon request at a mutually convenient time during business hours. Employees must schedule an appointment with the Executive Secretary/Administrative Manager to review his or her personnel record. The review will take place in the presence of the Executive Secretary/Administrative Manager or his or her designee. Employees may obtain copies of documents they have previously signed from their personnel files. Personnel files may not be removed from the Administration Office Building without authorization from the General Manager.

#### 3. Information requests and employment references

The confidential information contained in an employee's personnel file will not be revealed to outside sources except as required by law, or with the written consent of the employee. The information listed below is a matter of public record and available to anyone.

The District will release such information regarding an employee or ex-employee in response to outside inquiries:

- a. Employee's name
- b. Position title and job description
- c. Status (e.g., regular, temporary, full-time, part-time)
- d. Hire date and/or termination date
- e. Wage range

Letters of recommendation or reference generally will not be given to employees upon separation of service. The District will only respond to written requests for information concerning or evaluating an individual's work performance with a written consent and release from the employee or former employee. All personnel records will be maintained for a period of time in accordance with applicable law.

#### **H. Employment of Relatives**

The District does not discriminate in employment on the basis of mental or familial status. Nonetheless, relatives of a present employee may be hired by the District only if the employment will not have an adverse impact on supervision, security, safety or morale or be a potential conflict of interest. The District has the sole discretion to determine the existence of such a potential for adverse impact or conflict of interest. For the purposes of this policy, "relatives" include the employee's spouse, children, siblings, parents, grandparents, grandchildren, aunts, uncles, nieces or nephews, whether by blood, adoption or marriage.

In the event that two current employees of the District marry or otherwise become subject to the restrictions of this policy after they are hired, and the District determines that a potential for adverse impact or conflict of interest as described above exists as a result of that relationship, the District will attempt to minimize the potential issues of supervision, safety, security, morale, or conflict of interest by attempting to reassign one of the employees to another position for which he or she is qualified, if such a position is available. If no such position is available, then one of the employees will be required to leave the District. After being told that one of the employees must leave the District, the decision as to which employee will leave must be made by the affected employees within 30 days. If the affected employees do not make a decision within 30 days, the District may terminate one or both of the affected employees.



## **II. WAGES, HOURS OF WORK AND PAYROLL PRACTICES**

### **A. Wage and Salary Rates**

The District has established a wage and salary plan that provides for appropriate compensation for positions of varying responsibility. As a general policy, the District monitors salary and benefit trends in comparable governmental agencies and private businesses to provide our employees with a competitive compensation program. As part of the District's wage and salary plan, the Board groups positions that involve similar duties into categories and determines the range of wages for these categories. Thereafter, the Board sets the compensation for the positions within each category commensurate with the diversity of tasks performed, the amount of responsibility and judgment exercised, and the level of qualification required to perform the position responsibilities successfully. Generally, the General Manager will review the District's wage and salary plan on an annual basis. The General Manager shall recommend changes, if necessary, to the Board of Directors. Any changes to the salary schedule plan must be approved by the Board of Directors.

Salary increases are based on a variety of factors including, but not limited to, performance, length of service, ability and willingness to learn, mastery and application of the various skills and abilities required by an employee's job, and the District's economic situation. Salary increases are not guaranteed at any time or under any circumstances.

### **B. Hours of Work**

#### **1. Working hours**

The District's workweek begins at 12:00 a.m. Thursday and ends after seven (7) consecutive 24 hour periods on Wednesday at 12:00 midnight.

The District is normally open for business, Monday through Friday, between the hours of 7:00 a.m. and 4:00 p.m. for administrative purposes. The field operation business hours are 7:00 a.m. to 3:30 p.m., Monday through Friday. An employee's supervisor will set up the employee's individual work schedule. Employees are generally assigned to work five (5) days a week, eight (8) hours per day. Employees' work schedules may be changed when required by District demands.

Employees are expected to be at their desks or work stations, ready to begin work at their scheduled start time. Unauthorized absences and/or tardiness for work will not be tolerated and may result in disciplinary action up to and including dismissal.

#### **2. Schedule exchanges**

The District establishes work schedules that are consistent with the operating requirements and responsibilities of the various departments. Work schedule exchanges will be approved only under special circumstances and not merely for employee convenience. Work schedule

exchanges will not be permitted if the exchange will result in disruption of or interference with normal operations or in excessive overtime. In any event, employees are not permitted to exchange work schedules without prior approval of the involved employees' supervisor(s).

### **C. Lunch Breaks**

All non-exempt field employees and non-exempt administrative employees shall take an unpaid lunch break as established and scheduled by their Supervisor. During an employee's lunch break, the employee is to cease all work.

### **D. Attendance and Punctuality**

All employees must maintain consistent and regular attendance, arrive at work promptly ready to perform their required duties, and remain on the job for their scheduled work hours. Any tardiness or absence may cause problems for an employee's supervisor and co-workers because an absent employee's workload must be covered by other employees. Employees should particularly avoid, whenever possible, any unscheduled absences from work as they are disruptive of the District's operations.

If an employee is unable to report to work as scheduled, he or she shall notify his or her immediate supervisor before, but at the latest within 30 minutes of, the time the employee is scheduled to begin work. Employees must inform their supervisors of the expected duration of any absence from work. If an employee must leave work before the end of the employee's scheduled work time, the employee shall notify his or her immediate supervisor as far in advance as possible.

Excessive absenteeism or tardiness (excused or not) may be grounds for discipline up to and including termination of employment. Each situation of excessive absenteeism or tardiness will be evaluated on a case-by-case basis. If an employee fails to report to work without notifying his or her supervisor for a period of three (3) days, the employee will be deemed to have abandoned his or her position and the District may terminate the employee.

### **E. Pay Day and Related Payroll Practices**

#### **1. Pay day**

Pay periods cover two (2) workweeks, starting on Thursday at 12:00 a.m. and ending two (2) weeks later on Wednesday at midnight. District employees are paid every other Friday for work performed during the previous pay period. If Friday is a District holiday, paychecks will be available on the preceding workday. Paychecks are normally available by the end of an employee's eight (8) hour shift from the employee's supervisor. If there is an error in an employee's paycheck, the employee must immediately report it to his or her supervisor.

## 2. Time sheets

In order to ensure that employees are properly paid for the time they work, the District must keep accurate time records. All non-exempt employees are required to record on their time sheet all hours worked. Therefore, employees must record the number of hours the employee worked each day. Employees must sign their time sheets confirming the number of hours they worked for each biweekly payroll period. Supervisors will submit signed time sheets to the Payroll Department. Employees must fill out an Absentee Report form to cover any time they leave the District premises for any reason during work hours other than scheduled lunch and rest breaks or District business.

Time sheets are the property of the District and constitute legal documents. Employees, other than the employee's own supervisor, will be disciplined for completing another employee's time sheet, allowing another employee to complete their time sheet or altering any time sheets. If an employee needs to amend or alter his or her time sheet to correct a recording error, the employee must consult with his or her supervisor and obtain the supervisor's approval and initials. No employee shall be permitted to review any time sheet other than his or her own.

## 3. Shift differential

All employees who are scheduled to work a nighttime shift (as designated by the General Manager) or for an emergency nighttime shift will receive a pay differential of \$7.00 per hour for each hour worked and a corresponding increase in any overtime premium for that period.

## 4. Payroll advances

The District does not permit employees to take advances against future paychecks or unaccrued vacation or sick leave.

# **F. Overtime Policy**

## 1. Generally

This policy applies only to the District's non-exempt employees. It is the District's general policy to avoid the need for overtime work whenever possible. Overtime shall be held to a minimum consistent with the efficient operation of the District. Overtime shall only be used to cover emergency situations or where requiring employees to work overtime is more economical than adding new or temporary employees. Temporary employees shall be used to assist with seasonal peak work loads, emergency situations, vacation relief, sick leaves and other situations involving fluctuating staff levels.

## 2. Payment for overtime

Employees are paid overtime for all hours worked over eight (8) in a workday or over 40 in a workweek. Any overtime worked will be paid at a rate of 1.5 times the employee's regular rate

of pay. Overtime will be paid in quarter hour (15 minutes) increments. A two hour minimum call out pay applies to the active On Call employee. Time off with pay for any reason will not be deemed hours worked for purposes of overtime calculation.

If an employee is called back to work outside his or her normally scheduled work hours, the employee will be compensated at his or her overtime rate for all hours worked during the call back. If an employee is called back to work the hours worked are computed from the time the employee begins responding to the call to the time the employee returns home.

Non-exempt employees may request to accumulate compensatory time off in lieu of receiving pay for overtime work (as discussed further in Chapter III. EMPLOYEE BENEFITS, Section D. Compensatory Time Off, page 16).

### 3. Approval of overtime

All overtime work must be authorized in advance by the appropriate supervisor, except in cases of emergency.

### **III. EMPLOYEE BENEFITS**

The following is a summary of the District's current employee benefits. The District reserves the right to add to, subtract from or otherwise modify these benefits and/or the employee eligibility requirements for such benefits at any time. When possible, the District will provide employees with advance notice of such modifications.

#### **A. Insurance Coverage and Other Fringe Benefits**

##### **1. Generally**

Subject to the restrictions below, the District currently offers medical, dental and vision care insurance benefits (collectively, health insurance benefits) to its full-time employees and their dependents and, on a pro rata basis, to its benefited part-time employees and their dependents. The District also provides life insurance for full-time and benefited part-time employees. The District provides all benefits/insurances mandated by state and federal law. Detailed descriptions of all the insurance plans are available in the Administration Office.

##### **2. Eligibility**

Subject to the applicable waiting periods imposed by an insurance plan, full-time and benefited part-time employees become eligible for District sponsored health insurance benefits on their first day of work. For full-time employees, the District pays 100% of the premiums for health insurance benefits for the employees and their dependents. For benefited part-time employees, the District pays a proportionate share of the premiums for the employees and their dependents; the employees are responsible for paying the remaining share of their premiums. The proportionate share covered by the District is determined by the percentage of a full-time schedule the benefited part-time employee is scheduled to work on a regular basis. For instance, if a part-time employee is regularly scheduled to work 30 hours a week (75% of a full-time schedule), the District would pay 75% of that employee's health insurance premiums.

##### **3. Reimbursement of medical insurance deductible**

The District will reimburse full-time employees, and a proportionate share for benefited part-time employees, for monies spent by the employee on annual deductibles (the employee's and his or her insured dependent's) under the District's medical insurance plan. In order to obtain reimbursement, the employee must submit a copy of the "Explanation of Benefits" form showing the amount of the covered medical expense applied to the annual deductible.

##### **4. Public employees' retirement plan (PERS)**

The District maintains a competitive retirement plan for its employees through PERS. All full-time regular employees are required to subscribe to the PERS Retirement Plan. The details of the Retirement Plan are set forth in the Summary Plan Description which is distributed to all

participating employees. Eligible employees are required to enroll as of their first date of employment with the District.

5. Employee assistance program

A District employee who voluntarily seeks assistance from the District in dealing with substance abuse problems shall be referred immediately to the District’s Employee Assistance Program (EAP). All such interactions shall be confidential. Depending upon the circumstances, participation in such program may require a written waiver from the employee to cause the EAP to provide written proof of attendance.

**B. Holiday Leave**

The following are the official District holidays. Only full-time employees, whether introductory, regular or temporary, will be eligible to be paid for these holidays. Part-time employees are not entitled to any holiday benefits.

- |                   |                        |
|-------------------|------------------------|
| New Year’s Day    | Labor Day              |
| President’s Day   | Veteran’s Day          |
| Good Friday       | Thanksgiving Day       |
| Memorial Day      | Day after Thanksgiving |
| Independence Day  | Christmas Day          |
| Floating Holiday* |                        |

The holiday begins at 12:00 a.m. and ends at 12:00 midnight on the designated date. All eligible employees will receive eight (8) hours of holiday pay at the employee’s regular rate of pay. All employees who are required to work during a designated holiday will be paid for their hours worked at 1.5 times the employee’s regular rate of pay. When a holiday falls on Sunday, the following Monday shall be deemed the holiday. When a holiday falls on a Saturday, the previous Friday shall be deemed the holiday.

\*The Floating Holiday is taken by each employee, as desired at any time during the calendar year, for cultural, religious, or personal reasons. New employees hired on or before June 15<sup>th</sup> will be eligible for the Floating Holiday for that year. Unused Floating Holidays will be paid at time of termination of employment.

**C. Vacation Leave**

1. Rate of leave accrual

Subject to paragraph 2 below, all full-time non-exempt employees will accrue vacation leave based on the following schedule. Employees must reach the anniversary of their date of hire before advancing to the next step of the vacation schedule. Additionally, employees do not accrue vacation leave during any unpaid leave of absence.

Years of Employment	Rate of Accrual
Date of hire through 5 years	8.00 hours per month (96 hours/12 days per year)
6 through 11 years	10.00 hours per month (120 hours/15 days per year)
12 years or more	13.33 hours per month (160 hours/20 days per year)

Subject to paragraph 2 below, benefited part-time employees will accrue vacation leave on a pro rata basis, based on the above schedule. For instance, a benefited part-time employee who has been working for the District for 2 years and who is regularly scheduled to work 30 hours a week (75% of a full time schedule) will accrue vacation at a rate of 6 hours per month (75% of 8.00 hours per month).

#### 2. Maximum Accrual of Leave

A non-exempt full-time employee may accrue vacation leave hours up to a maximum of 240 hours (30 days). A benefited part-time employee may accrue up to a pro rata share of 240 hours (30 days). For instance, a benefited part-time employee who has been working for the District for 2 years and who is regularly scheduled to work 30 hours a week (75% of a full time schedule) may accrue a maximum of 180 hours (22.5 days) (75% of the maximum). Once an employee has accrued the maximum number of vacation leave hours, that employee will not accrue any additional vacation leave until his or her accrued leave drops below the maximum.

#### 3. Exempt employees

Exempt employees will accrue vacation hours at a rate of 20 hours per month for a total of 30 days per year. Exempt employees may accrue up to a maximum of 240 hours (30 days) leave. Once an exempt employee has accrued his or her maximum number of vacation leave hours, that employee will not accrue any additional vacation leave until his or her accrued leave drops below the maximum.

#### 4. Use of leave

If a holiday falls during an employee's preapproved vacation, that day will not be charged against his or her vacation time.

Deficit vacation leave requests (requesting a negative balance of leave) will not be allowed. Leave taken in excess of that which is accrued will be considered leave without pay. Leave/time off without pay will not be allowed, except in extenuating circumstances. Leave/time off without pay must be approved in writing by the General Manager.

5. Request for leave

An employee must submit all vacation requests, on an Absentee Report form, to their supervisor for prior approval. Requests shall be submitted by employees at least 24 hours in advance. The primary factor in the scheduling of vacations will be the efficient functioning of the District. Vacation leaves must be scheduled at a time that will not cause serious disruption to or interference with work programs.

6. Introductory period

An employee will accrue and may use accrued vacation leave during his or her introductory period.

7. Termination of employment

Upon termination of employment with the District, an employee will be compensated for all accrued and unused vacation leave.

**D. Compensatory Time Off**

Non-exempt employees may request to accumulate compensatory time off in lieu of receiving pay for overtime work. Compensatory time off is defined as hours when an employee is not working and which are paid for at the employee's regular rate of pay. Overtime work must be authorized in advance by the employee's supervisor/department manager.

Compensatory time off is accumulated at a rate of one and one-half (1.5 ) hours for each hour of overtime worked. No employee shall be allowed to accumulate more than 24 hours of compensatory time in any calendar year. Compensatory time off may not be used before it is accumulated.

Use of compensatory time off shall be requested at least 24 hours in advance by the employee in writing and taken at a mutually agreeable time so long as it does not create an undue hardship on the District. Any accrued compensatory time off shall be used during the calendar year in which it is earned.

Employees will be paid for all accumulated compensatory time off as of December 31<sup>st</sup> of each calendar year on the first paycheck of the next calendar year or upon termination. Pay for accumulated compensatory time off shall be at the employee's regular hourly rate of pay in effect at the time of payment.

**E. Make-up Time**

Make-up time hours are defined as those hours worked in excess of eight (8) hours in a day or over 40 in a workweek at straight time rates. Employees may be allowed to work at straight-time rates while making up work time that is lost (in the same work week) because of personal



obligations. Requests for make-up time must be in writing noting the day/hours that were missed and the request must be approved by the employee's supervisor prior to the employee working the make-up time. The maximum amount of make-up time that may be worked in any workweek shall be two (2) hours and shall be made-up within the same workweek as the time lost.

## **F. Sick Leave**

### **1. Purpose**

Paid sick leave is an income protection benefit that is earned by employees to be used when an employee needs time off due to his or her own illness or injury, the illness or injury of the employee's immediate family member or to attend a medical appointment. It is not to be confused with vacation leave or other types of leave. Sick leave may only be used under the circumstances described below.

### **2. Rate of leave accrual**

Subject to paragraph 3 below, all full-time employees will accrue 8 hours (1 day) of sick leave per month and benefited part-time employees will accrue sick leave on a pro rata basis. Employees do not accrue sick leave during any unpaid leave of absence.

### **3. Maximum accrual of leave**

Full-time employees may accrue up to a total of 187.5 days (1,500 hours) of sick leave. Benefited part-time employees may accrue up to a pro rata share of 187.5 days of sick leave. Once an employee has accrued his or her maximum number of sick leave days, that employee will not accrue any additional sick leave until his or her accrued leave drops below the maximum.

### **4. Use of leave**

Sick leave may be taken for personal illness, personal disability, or an illness or disability of an immediate family member who requires the employee's personal attention. Sick leave may also be used for the employee's or the employee's immediate family member medical, dental and eye care appointments. Use of sick leave for medical appointments must be limited to the time required for travel to and from the appointment and attendance at the appointment. Whenever possible, planned appointments should be scheduled so as to minimize the disruption to the District's operations.

Accrued sick leave can be taken by eligible employees in increments of .25 hours. Paid holidays falling within periods of sick leave will not be deducted from an employee's accrued sick leave.

For purposes of this sick leave policy, immediate family member is defined as the employee's spouse, domestic partner, child, child of a domestic partner, sibling, parent, grandparent and the employee's spouse's child, sibling, parent and grandparent.

Deficit sick leave requests (requesting a negative balance of leave) will not be allowed. Once accrued sick leave is exhausted, accrued vacation should be used in its place. Leave taken in excess of that which is accrued will be considered leave without pay. Leave/time off without pay will not be allowed, except in extenuating circumstances. Leave/time off without pay must be approved in writing by the General Manager.

#### 5. Request for leave

To claim sick leave with pay, an employee must notify his or her supervisor at or prior to the beginning of his or her work-reporting time on the first day of absence from work and at periodic intervals during the term of the absence. The reporting frequency shall be established by the General Manager depending on the circumstances surrounding the absence. Any change in an employee's previously reported return status should be communicated to employee's supervisor as soon as possible. Failure to provide proper notice of the initial or continued need for sick leave may result in the denial of sick leave with pay and may result in disciplinary action. Requests for payment of sick leave must be submitted, on an Absentee Report form, to the employee's supervisor for approval.

If an employee develops a medical condition while on vacation leave, the length of time for which he or she was under a licensed health care provider's care or required hospitalization and which can be supported by a licensed health care practitioner's statement can be converted to sick leave.

#### 6. Medical certification/verification

The District retains the right, in its discretion, to request certification from an appropriate licensed health care provider for all absences due to an employee's illness or disability or the illness or disability of the employee's immediate family member. The District reserves the right to request a second medical opinion, at the District's expense, before approving leave. The District also retains the right, in its discretion, to request verification of a medical, dental or eye care appointment. The District may withhold sick pay if an employee fails to submit a satisfactory certification or verification upon request. Before allowing an employee to return to work following a sick leave absence of more than three (3) days, the District reserves the right to require that the employee produce medical certification that he or she is able to return to work and of any restrictions on the employee's ability to perform his or her normal work activities.

#### 7. Introductory period

An employee will accrue and may use accrued sick leave during his or her introductory period under the circumstances described in this section.

## 8. Coordination of benefits

When an employee is unable to work due to illness or injury and is receiving either State Disability Insurance or Workers' Compensation Insurance benefits, the District will coordinate the payment of accrued sick leave and/or vacation leave to the employee with payments from the appropriate entity (Employment Development Department or State Compensation Insurance Fund).

## 9. Termination of employment

Upon retirement or termination of employment while in good standing, an employee will receive payment for his or her accumulated sick leave in the following manner: An employee with at least five (5) and less than ten (10) years of District service will receive payment for his or her accumulated sick leave at 50% of the employee's regular rate of pay. Employees with ten (10) or more years of District service will receive payment for his or her accumulated sick leave at 100% of the employee's regular rate of pay.

At the end of any calendar year, employees who have been employed by the District for at least five (5) years may, at the employee's option, cash out any accrued sick leave over 160 hours at 50% of the employee's regular rate of pay. Employees will not receive pay in lieu of sick leave under any other circumstances.

### **G. Bereavement Leave**

In the event of a death in the employee's immediate family, full-time and benefited part-time employees may request up to five (5) days off with pay, to make the necessary arrangements and to attend the funeral service. An employee may use accrued vacation for any additional days off. For purposes of this policy, immediate family includes the employee's spouse and the following relatives of the employee or the employee's spouse: parent, legal guardian, child, grandparent, grandchild or sibling, whether related by blood or marriage.

### **H. Jury or Witness Duty Leave**

An employee who receives a jury duty summons or a witness subpoena should bring the summons or subpoena to the employee's supervisor within three (3) working days of receipt so that arrangements can be made to accommodate the employee's need for time off. If called to jury duty or witness duty, any regular full-time employee will be paid up to a maximum of ten (10) working days per year for the working hours lost while on jury or witness duty. In return, any funds received for jury or witness duty must be endorsed and forwarded to the District. Payment for working days lost while on Jury Duty in excess of ten (10) working days, will be at the discretion of the District Board. The District will return to the employee any amount intended as compensation for mileage, meals, and lodging. [NOTE: This policy does not apply to witnesses testifying as an expert in any matter. Employees wishing to testify as an expert witness must apply for unpaid leave or use vacation time.]

Employees on jury or witness duty are, however, expected to work during the hours their presence as a juror, potential juror or witness is not required. The employee must contact his or her supervisor after receiving jury duty or witness instructions to discuss whether the employee will be able to work during the time he or she is on duty. An employee on jury or witness duty for more than ten (10) working days will be permitted to use accrued vacation or be placed on an unpaid leave of absence for the remainder of the time he or she is absent. The employee will, however, be paid for any time he or she works while on the unpaid leave. Employees are expected to report to their supervisor at the end of their jury or witness duty with a statement from the court of time served.

### **I. Military Duty Leave**

Upon request, employees will be granted military leaves of absence in accordance with federal and state laws governing such leaves.

### **J. Time Off to Vote**

Employees are encouraged to fulfill their civic responsibilities by voting. If an employee does not have sufficient time outside of working hours to vote at a statewide election, the employee may, without loss of pay, take off no more than two (2) hours to enable the employee to vote. The time off for voting shall be only at the beginning or end of the employee's regular working shift, whichever allows the most free time for voting and the least time off from the regular working shift, unless otherwise mutually agreed.

If the employee on the third working day prior to the day of election, knows or has reason to believe that time off will be necessary to be able to vote on election day, the employee shall give the District at least two (2) working days' notice that time off for voting is desired, in accordance with this policy. Employees should request time off to vote by submitting an Absentee Report form to their immediate supervisor. Employees must submit a voter's receipt on the first working day following the election.

### **K. Other Leaves**

1. General provisions
  - a. Unpaid leave is defined as unpaid time off taken after an employee has exhausted all sick and/or vacation leave. Requests for an unpaid leave for any purpose must be submitted in writing to the General Manager.
  - b. Vacation and sick leave are not accrued during an unpaid leave. Additionally, employees do not receive any holiday benefits while on unpaid leave. Exceptions may be made, at the District's discretion, for unpaid leaves of less than 30 days.

- c. Employees taking an unpaid leave must make arrangements to fund District insurance benefits during the period of the unpaid leave of absence. Benefits paid by the District will be suspended during the period the employee is on unpaid leave. Exceptions may be made, at the District's discretion, for unpaid leaves of less than 30 days.
- d. As a general rule, employees must exhaust their accrued vacation leave, and under certain circumstances their accrued sick leave, before they will be eligible for an unpaid leave of absence.
- e. An employee's failure to return from a leave, unless followed by another approved leave of absence, or an employee's failure to present reasons for not returning as arranged, will be considered abandonment of the position and may result in immediate termination of employment.

## 2. Industrial Illness or Injury Disability (IID) Leave

Any employee who sustains a work-related (occupational) disability will automatically, if necessary, be granted an IID leave. Each employee who is unable to work as a result of illness or injury arising out of or in the course of employment by the District, will be entitled to use sick leave and/or vacation leave to supplement the amount the employee receives in worker's compensation benefits, up to the amount of the employee's regular net pay.

Employees who are out of work on an IID leave must keep the District informed of his or her status and expected date of return. An employee returning to work from such leave must provide the District with reasonable advance notice of release to return. The employee must also provide the District with a physician's statement releasing the employee to return to his or her former position and setting forth any restrictions on the employee's ability to perform his or her normal work activities. The District may be unable to retain employees who are unable to return to work after a reasonable period of time. Each situation will, however, be evaluated on a case-by-case basis.

## 3. Non-industrial Disability (NID) Leave

Employees may request an NID leave for a disability arising by reason of non-industrial illness or injury. Alternatively, the General Manager may send an employee home or to seek medical attention when there is evidence that the employee has developed a medical condition which either renders the employee unable to work or presents a hazard to the employee, co-workers, or the public.

Each employee who is unable to work as a result of non-industrial illness or injury will be entitled to use sick leave and/or vacation leave to supplement the amount the employee receives in State Disability Insurance benefits (if applicable), up to the amount of the employee's regular net pay.

a. Request for leave

Requests must be submitted in writing and will be considered on a case-by-case basis. Requests should state the reasons for the leave and its expected duration. Prior to being granted an unpaid NID leave, employees must exhaust all of their accrued sick leave. The General Manager will review all such requests. The General Manager, in consultation with the President of the Board of Directors, may grant an NID leave for 60 days or less. Requests for an NID leave for more than 60 days must be approved by the Board, after consideration of the General Manager's recommendation. A request for an extension of an NID leave must be made at least five (5), but preferably ten (10), days prior to the expiration of the approved leave.

b. Medical certification

Employees seeking such leave must also provide a licensed health care practitioner's written statement specifying the reasons for the leave, the anticipated duration of the leave and any restrictions on the employee's ability to perform his or her normal work activities. The District may request a second medical opinion, at District expense.

c. Return to work

Employees who wish to return from an approved leave of absence prior to the expiration of the leave must notify the General Manager in writing at least five (5) days before returning to work. Before any employee will be permitted to return to work from an NID leave, the employee must provide medical certification that he or she is able to return to work. An employee unable to perform the essential duties of his or her former position with or without a reasonable accommodation may be reassigned or terminated.

4. Pregnancy Disability Leave

Employees may take unpaid time off work while they are disabled by pregnancy, childbirth or related medical conditions. An employee is disabled by pregnancy if, in the opinion of her health care provider, because of the pregnancy she is unable to work at all or is unable to perform any one or more of the essential functions of her job or to perform these functions without undue risk to herself, the successful completion of her pregnancy, or to other persons.

a. Amount of leave

An employee is entitled to leave for the period of time the employee is actually disabled by pregnancy, childbirth or related medical conditions, up to a maximum of four (4) months.

b. Request for leave

Employees shall provide at least oral notice to the District of their need for pregnancy disability leave, and the anticipated timing and duration of the leave. For foreseeable events, if possible, the employee must provide 30 days advance notice of the need for such leave. The employee

must consult with the District and make a reasonable effort to schedule any planned medical treatment or supervision so as to minimize disruption to the District's operations. Any scheduling, however, shall be subject to the approval of the employee's health care provider. For events that are unforeseeable 30 days in advance, the employee must notify the District as soon as practicable. All requests should be made to the General Manager.

c. Terms of leave

Pregnancy disability leave may be taken intermittently or on a reduced work schedule when medically advisable, as determined by the employee's health care provider. If it is medically advisable for an employee to take intermittent leave or leave on a reduced work schedule and the need for such intermittent leave or reduced work schedule is foreseeable based on planned medical treatment because of pregnancy, the District may require the employee to transfer temporarily to an available alternative position. This alternative position shall have the equivalent rate of pay and benefits, the employee must be qualified for the position, and it must better accommodate recurring periods of leave than the employee's regular job. It does not have to have equivalent duties. Transfers to an alternative position may include altering an existing job to accommodate better the employee's need for intermittent leave or a reduced work schedule.

d. Medical certification

Any request for pregnancy disability leave must be supported by medical certification from a licensed health care provider. The employee must provide the required medical certification within 15 calendar days after the District's request for certification, unless it is not practicable under the circumstances to do so. Failure to provide the required medical certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required medical certification within 15 days of being asked to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated medical certification.

e. Use of paid leave benefits

An employee taking an approved pregnancy disability leave must use accrued sick leave, and once sick leave is exhausted, they may elect to use vacation leave during any otherwise unpaid portion of her pregnancy disability leave. Use of vacation or sick leave will not extend the maximum duration specified above.

f. Return to work

Before permitting an employee to return to work, the employee must provide medical certification from a licensed health care practitioner that she is able to return to work and any restrictions on the employee's ability to perform her normal work activities. Employees returning from pregnancy-related disability leave are entitled to reinstatement to the same or comparable position consistent with applicable law. The District retains the right to deny reinstatement when such reinstatement would substantially undermine the District's ability to

operate safely and efficiently.

#### 5. Exceptional Leave of Absence

An unpaid leave of absence may be granted for exceptional circumstances not covered by one of the above enumerated reasons. In order to request an exceptional leave of absence, an employee must submit a written request for such leave of absence to the General Manager, setting forth the reasons for and expected duration of the requested leave of absence. The General Manager and the Board will take into consideration the best interests of the District and the employee when granting or denying a request for an exceptional leave of absence. The General Manager, in consultation with the President of the Board of Directors, may grant a leave of absence for 60 days or less. Requests for a leave of absence for more than 60 days must be approved by the Board, after consideration of the General Manager's recommendation. Prior to being granted an unpaid exceptional leave, employees must exhaust all of their accrued vacation leave, holiday time, and under certain circumstances, their accrued sick leave.



## **IV. EMPLOYEE STANDARDS OF CONDUCT**

### **A. Conflict of Interest**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the District's business dealings. For the purposes of this policy, a relative is defined to include the employee's spouse, children, parents, siblings, grandparents, aunts, uncles, nieces, and nephews, who have this relationship with the employee either by blood or marriage.

The mere existence of a relationship with outside firms does not automatically create an impermissible conflict of interest. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she disclose to the District's General Manager as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties. Personal gain may result not only in cases where the employee or relative has a significant ownership in a firm with which the District does business but also when an employee or relative receives any kickback, bribe, gift, or special consideration as a result of any transaction or business dealings involving the District.

Employees are not permitted to solicit, obtain, accept or retain any personal benefit from any supplier, vendor, customer, client or any individual or organization doing or seeking business with the District. As used here, personal benefit means a gift, gratuity, favor, service, compensation in any form, discount, special treatment, or anything of monetary value. The exceptions to this prohibition are as follows: business meeting meals and consumable gifts offered to an entire work group during the holiday season. Employees should consult the General Manager in all other circumstances to determine the propriety of any other personal benefits.

All Directors, the General Manager, and other designated employees of the District must execute the required Conflicts of Interest Disclosure Statement required by the Fair Political Practices Commission, as may be amended from time to time, upon assuming their respective positions with the District and annually thereafter, and must agree to be bound by the provisions of the Political Reform Act. State law establishes separate and distinct policies regarding the prohibition of certain defined conflicts of interest, as well as the disclosure of income, assets, and business positions. It is the employee's responsibility to comply with these laws and policies and to contact the General Manager regarding these requirements.

### **B. Outside Employment**

#### **1. Generally**

No District employee shall engage in any employment, for others or as self-employed, for compensation outside of the employee's District employment unless the employee has obtained

the written approval of the General Manager prior to employment. With respect to outside employment, employees should be guided by the following principles: Such employment must not interfere with the effective performance of District assignment; such employment must not be with another Sanitary District or with any other organization that could constitute a potential conflict of interest; and such employment must not be pursued on an employee's paid leave time or on an employee's unpaid leave time (unless approved in advance in writing by the Board of Directors).

## 2. Approval by the General Manager

The General Manager shall not unreasonably withhold his or her approval. Approval generally will be given unless the General Manager finds that such outside employment activity or enterprise:

- a. Involves the use of District employment time or District facilities, equipment, or supplies;
- b. Involves receipt or acceptance by the employee of any money or other consideration for the performance of an act which the employee is normally required or expected to perform in the regular course of District employment or as a part of assigned duties as a District employee;
- c. Involves such time demands as would render performance of assigned duties as a District employee less efficient; or
- d. Is inconsistent, incompatible or in conflict with the duties, functions, or responsibilities of the District position.

## 3. Notification of decision

The General Manager shall notify the District employee in writing of a final decision within ten (10) days after receiving a request for such approval from the District employee. The General Manager may make any restrictions on outside employment consistent with operation of the District. Any District employee, who engages in any outside employment for compensation in violation of this section, shall be subject to disciplinary action, up to and including dismissal. In the event the employee wishes to appeal the District's determination under this policy, the employee may appeal pursuant to the procedures described in Chapter IV. EMPLOYEE STANDARDS OF CONDUCT, Section R. Internal Complaint Procedures, page 48, commencing with a formal complaint.

### **C. Public Relations**

Employees shall conduct themselves in a manner that will always reflect positively upon the District. In dealing with the public, all employees must maintain a polite and helpful attitude.

When relaying information to the public, employees must state only factual information and must limit their comments to the subject about which the member of the public has inquired. Employees are not permitted to make any admissions of responsibility on behalf of the District. Requests for further information shall be referred to the District Administrative Office to be handled by the General Manager.

#### **D. Use of District Resources**

##### **1. General policy**

District property includes all documents, records, software, and files relating to District business, as well as all lockers, desks, vehicles, tools, equipment, uniforms, and other property of any kind, whether owned, leased, rented or used by the District. All District property must be maintained according to District rules and regulations. Lockers, desks and vehicles supplied to employees by the District must be kept clean. All District property must be used only for work related purposes, must be used with care and must not be abused.

The District reserves the right to inspect all District property including, but not limited to, work areas, desks, file drawers, voicemail systems, e-mail systems, and computer systems and computer files to insure compliance with its rules and regulations. These inspections may be without notice to the employee and/or in the employee's absence. Prior authorization must be obtained from an employee's supervisor before any District property may be removed from the premises.

##### **2. Telephones**

The District's telephones are for official District business only. Employees must keep all personal telephone calls to a minimum so as not to interfere with District work. Friends and relatives should be discouraged from calling during working hours unless there is an emergency. District Employees are prohibited from making long distance telephone calls at District expense.

The District's telephones must be used in a professional and lawful manner and solely for the benefit of the District.

##### **3. Computers**

The District's computers are for District business only. Employees may not use the District's computers for any personal business unless prior approval has been received from the employee's supervisor, in which case the District's computers may be used for personal business only during the employee's nonworking time.

The District's computers must be used in a professional and lawful manner and solely for the benefit of the District. The District may access and read information on its computers at any time to ensure compliance with this policy and for other District or business reasons. Therefore,

employees should not assume that personal information they place on the District's computers is confidential.

#### 4. Facsimile and Copying Machines

The District's facsimile and copying machines are for District business only. Employees may not use the District's facsimile and/or copying machines for any personal business unless prior approval has been received from the District, in which case the District's facsimile/copying machines may be used for personal business only during the employee's non-working hours.

#### 5. Electronic Mail Policy

It is the District's policy that the electronic mail (e-mail) system, like other District property, be used in a professional and lawful manner and solely for the benefit of the District.

##### a. The Nature of E-Mail

When a message is deleted from the e-mail system, a record of it may remain on the computer system. The District requires that all employees exercise appropriate discretion in using the e-mail system, because there is the possibility that inappropriate communications on e-mail may, not only be widely published, but also permanently stored. Even though e-mail feels like a less formal communication than business letters, employees must remember that e-mail messages are District communications and must be treated as such.

Accordingly, the e-mail system may not be used to send jokes or other comments to others that may be perceived as discriminatory, harassing, offensive, or disruptive or to send material that disparages an individual, company, or business entity or discloses personal information without authorization.

##### b. Access to E-Mail

The e-mail system is not a private mode of communication. When you use e-mail, you are creating District documents that may be read by others in circumstances, including, but not limited to, the following business or legal purposes:

- (1) During regular system maintenance;
- (2) When a business need exists to access the employee's mail box;
- (3) In response to a legal request to disclose e-mail messages from law enforcement officials or in ongoing legal proceedings;
- (4) When the District has reason to believe that the employee is using e-mail in violation of District policies (including, but

not limited to, its policies prohibiting discrimination and harassment, misappropriation of District property, or using District equipment for personal purposes); or

- (5) For periodic, unannounced inspection by the District for business purposes.

System security features, including passwords and message delete functions, do not prevent the District from accessing any message at any time. Employees must be aware that the possibility of such access always exists.

Should employees make incidental use of the e-mail system to transmit personal messages, such messages will be treated no differently than other messages and may be accessed by the District under any of the circumstances in the preceding list. E-mail is not a personal bulletin service. Solicitations, offers to buy and sell goods or services, and other personal messages to large groups via the e-mail system are not appropriate uses of this District asset.

#### **E. Tools and Equipment**

The District supplies all tools and equipment for the employee's use while at work. As needed, full-time personnel will be issued District security keys to access District facilities as part of his or her assignments. District hand tools and equipment are the responsibility of the employees and any losses will be replaced by the District and may be charged to the employee, depending on the circumstances. The field employees using District tools and equipment are reminded that their daily assignments are away from District premises and that their work sites may be subject to casual or deliberate theft of District property. It is the employee's responsibility to determine the degree of hazard which may exist at a work site and to exercise caution regarding security of District property. If an employee has concerns about security of District property at a work site, the employee should inform the General Manager of his or her concerns so that appropriate measures can be taken.

District insurance coverage does not insure employee personal property. Therefore, employees who bring such personal property to the District do so at their own risk. If equipment or tools are required which the District does not possess, or which the employee cannot locate, the employee should notify the General Manager so that the need can be met.

#### **F. Uniforms and Safety Apparel for Field Employees**

1. Dress and grooming standards

The dress and grooming standards for field employees are governed by the requirements of safety and comfort. For example, employees who work with machinery are not permitted to wear their hair loose if long or to wear loose fitting clothing. Employees must tuck their shirts inside their pants at all times and may not wear shorts or any pants with holes, rips or tears.

## 2. Uniforms

The District will provide each employee with the required uniform components on an as needed basis. After initial distribution, if a component needs replacing, the employee must return the original component to the District upon receipt of the replacement. Upon termination of employment, an employee must clean and return all uniform components to the District. All components of the District uniform are provided solely for the employee's safety during working hours and are not to be worn when an employee is not on duty.

During working hours, District field personnel shall wear the uniforms provided by the District at the District's expense. These uniforms consist of the following items, depending on the weather and working conditions: pants, District baseball cap (no other logo caps are permitted), shirts, steel toed work boots, insulated steel toe snow boots, insulated coveralls, winter coat, hard hat, rain suit, leather gloves, rubber gloves, and safety glasses.

All employees will wear a hard hat when in the field (whenever outside of the administration areas or outside a vehicle).

Dirty uniform items are not to be taken home under any circumstances. The purpose of this restriction is to prevent possible contamination at home or elsewhere by properly laundering and maintaining uniforms at the District. The District provides facilities for the sole purpose of cleaning District uniforms. Uniforms are not to be washed in any other facilities due to the possible contamination from sewage bacteria. It is each employee's responsibility for keeping his or her uniform clean and presentable at all times.

Lockers and changing areas are provided to each employee for storage of the District uniform while not in use and for changing into and out of uniform at the beginning and end of work. Employees are expected to be dressed and in their uniforms ready to begin work at the beginning of their shift. Employees will be permitted to clean up and change into their personal clothes 15 minutes before the end of their shift.

## 3. Safety Boots

Field employees must wear steel toed safety boots at all times while working. The District will pay the actual cost of the safety boots up to a maximum of \$150.00. Any amounts spent on safety boots over \$150.00 must be paid by the employee.

The District has made arrangements with Red Wing Shoe Store in Reno for the store to bill the District directly for employee safety boots purchase, up to the maximum of \$150.00. The Red Wing Shoe Store will require an employee to pay, at the time of purchase, the amount of the purchase price that exceeds the \$150.00 limit. A price list and a catalog for Red Wing Shoes are available in the Administration Office. In order to purchase boots from the Red Wing Shoe Store, employees must provide the Shoe Store with a District certificate letter. This certificate letter is available from the Administration Office. Certificate letters authorizing a purchase of new safety boots will be issued on an as needed basis, typically every twelve (12) months.

Replacement for worn out boots that are less than a year old must be authorized by the Uniform Committee.

#### 4. Safety Glasses

Prescription safety glasses are available for employees who need them. An employee may see the ophthalmologist or optometrist of his or her choice for the eye examination (under the District's or the employee's own vision plan) and prescription safety glasses. In order to purchase prescription safety glasses you must obtain a District certificate letter from the Administration Office. For lenses to be deemed "safety" lenses, they must be at least three (3) millimeters in thickness. "Safety" frames must be stamped with the government standard Z87 stamp. The eye doctor's office will assist employees in selecting lenses and frames that meet these standards. Employees who are currently wearing only safety lenses and not safety frames will be required to purchase safety frames during their next annual eye examination. Employees who do not require prescription safety glasses must obtain nonprescription safety glasses from the District.

The District's current vision plan will cover the actual cost of an eye examination to a maximum of \$ 100.00. This policy pays for one eye examination every calendar year. As needed, but not more than annually, the District will pay for a new pair of prescription safety lenses up to maximum of \$250.00 for lenses and frames. Basic safety frames will be purchased every other calendar year, on an as needed basis. The District will not pay for scratch coating, tinting, or any additional cosmetic options for the glasses outside of plastic or glass safety lenses and basic safety frames. The doctor's office may bill the District directly for the actual cost of the safety lenses and basic safety frames. Any options purchased above the basic cost must be paid by the employee directly to the doctor's office.

#### **G. Personal Appearance**

The District's image as perceived by District customers and others with whom the District does business is a direct result of the employees who meet and serve the public and business persons each day. The District has a reasonable grooming code to maintain its positive, professional image and to assure employee safety by providing well maintained and identified work clothing. Accordingly, all employees are expected to present a neat and clean appearance when they report to work and to dress in a manner consistent with the nature of the work performed. Employees who report to work inappropriately dressed, out of uniform or who are not clean in appearance may be asked to leave without pay and return in acceptable/required attire. Employees who violate this policy will be subject to discipline up to and including termination.

Hair, regardless of length, must be clean and neatly trimmed and arranged. Hair, mustaches and beards shall be kept neatly groomed and at a length so as not to endanger the employee when operating District equipment or machinery.

Employees are not permitted to wear jewelry to work if the length and/or style of the jewelry might endanger the employee's safety when operating District equipment or machinery.

## **H. Use of Vehicles and Travel Policy**

### **1. Generally**

Personal use of District vehicles, other than specifically authorized commuting to and from work in situations set forth below, is strictly prohibited. Furthermore, District vehicles may only be driven by District employees and directors. When not in use, District vehicles shall be parked at the District's vehicle storage facility, except as outlined in paragraph 2 below. Improper or unauthorized use of District vehicles will result in disciplinary action up to and including termination.

Family members are not authorized to drive/ride in a District vehicle nor shall family members be taken to a District job site. All manufacturer's recommended safety procedures and instructions shall be strictly adhered to, including seat belt and air bag rules for proper use.

### **2. Specifically authorized commuting**

The General Manager, Assistant General Manager, Executive Secretary/Administrative Manager, and General Superintendent are subject to being called at all times and, therefore, are entitled to keep a District vehicle at their residence during non work hours. Similarly, an employee who is On Call will be entitled to keep a District vehicle at his or her residence during non work hours for the period that the employee is on such duty.

### **3. Permitted use of District vehicles**

If possible, the District will provide a vehicle for transportation to and from business meetings held away from the District, and work-related conventions, conferences, seminars or events District employees are invited to attend. If an employee drives his or her own personal vehicle, the District will pay the current rate for mileage as set from time to time by the Internal Revenue Service.

An employee may request permission to have his or her spouse accompany the employee in a District vehicle if required to spend one or more nights away from home on District business or other work-related functions. Employees will not be reimbursed for travel expenses of their spouses.

### **4. Overnight travel expenses**

When authorized, employees who must be away from their home overnight on District business shall be reimbursed for reasonable accommodations, meals and other related expenses. Alcohol-related expenses will not be reimbursed. Receipts must be submitted by the employee to the accounting department.



The District may provide a credit card for payment of transportation, meals, lodging, gasoline or other legitimate business travel expenses. All expenses not placed on the District's credit card must be verified by receipts and submitted for reimbursement with an expense voucher. All business travel credit card receipts must be turned in to the District immediately upon returning from the travel. The District's credit card is for use on District business only. Any misuse of the District credit card will result in disciplinary action up to and including termination. Furthermore, the District will seek full reimbursement for any improper expenses charged to the credit card.

## 5. Employee requirements

When traveling on District business, all employees must use safety belts and observe all traffic laws. The District will not assume financial responsibility for traffic citations received by employees driving either District owned vehicles or privately owned vehicles while on District business.

District employees must possess a valid California or Nevada Class C motor vehicle driver's license and maintain a good driving record. Any cost associated with renewing a Class C license will be paid by the District. Additionally, such employees must be insurable under the District's automobile insurance policy at a reasonable rate. Failure to meet any of these requirements shall be cause for discipline up to and including termination.

Any employee who is convicted of a moving vehicle violation either on or off duty, must report such information to the General Manager immediately. Any employee who has his or her driver's license suspended or revoked, must report such information to the General Manager immediately and may be suspended, terminated or placed on a leave of absence. The District may terminate an employee whose license is suspended or revoked, who is convicted of a moving vehicle violation that raises serious questions about their ability to drive safely, who becomes uninsurable as a driver at a reasonable rate, or who fails to report any of this information in a timely manner. The District will receive notices from the Department of Motor Vehicles to monitor the employee's driving record.

Employees who work in the positions listed in the Controlled Substance and Alcohol Testing Program for Commercial Driver's (Chapter VI., Section J. Safety-sensitive employee, page 64) must also possess a valid Class A or B driver's license as a condition of employment. Any cost associated with obtaining and maintaining a Class A or B license will be paid by the District.

### **I. Prohibition of Discrimination and Harassment**

#### 1. Purpose

The purpose of this policy is to maintain and foster a work environment that is free of discrimination and harassment.

## 2. General statement

The District strictly prohibits unlawful discrimination or harassment on the basis of an employee's or applicant's race, sex, religious creed, color, national origin, ancestry, age, marital status, sexual orientation, medical condition, physical or mental disability or any other basis protected by statute. Such harassment is demeaning and harmful to both the victim and the District. It can result in high turnover, absenteeism, low morale, the loss of productivity and an uncomfortable atmosphere in which to work. The District will not tolerate any such discrimination against or harassment of its employees and will take affirmative steps to stop it.

## 3. Harassment prohibited

This policy prohibits harassment in any form, including:

Verbal harassment such as epithets, jokes, derogatory comments or slurs based on the person's race, sex, religious creed, color, national origin, ancestry, age, marital status, sexual orientation, or physical or mental disability or other protected status;

Physical harassment such as assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on one of the categories above; and

Visual harassment such as derogatory posters, cartoons or drawings, based on one of the categories above.

Such harassment includes conduct that has the purpose or effect of unreasonably interfering with the individual's work performance; creating an intimidating, hostile, threatening or offensive working environment; or adversely affecting the employee's performance, evaluation, assigned duties, or any other condition of employment or career development.

## 4. Sexual harassment policy

### a. General policy

It is the District's policy to maintain a working environment free of sexual harassment which can cause stress, decrease productivity, undermine the integrity of employment relationships, and decrease morale. Sexual harassment is a form of sex discrimination and is against the law. Any behavior that constitutes sexual harassment is strictly prohibited and will not be tolerated. Such behavior is subject to disciplinary action which may include suspension, demotion, or dismissal. This definition includes many forms of offensive behavior and also includes gender-based harassment of a person of the same sex as the harasser.

b. Definition of sexual harassment

Sexual harassment includes, but is not limited to, any unsolicited and unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature which occurs under any of the following circumstances:

- (1) Submission to such conduct is made either expressly or by implication a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual; or when
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; creating an intimidating, hostile, threatening or otherwise offensive working environment; or adversely affecting the employee's performance, evaluation, assigned duties or any other condition of employment or career development.

Sexual harassment also includes any act of retaliation against an employee for reports of violations of this policy or for participating in the investigation of a sexual harassment complaint.

Other examples of sexual harassment include unwelcome sexual flirtations or propositions; verbal abuse of a sexual nature; graphic verbal comments about an individual's body; sexually degrading words used to describe an individual; and the display in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons, or calendar illustrations.

5. Procedures regarding all harassment complaints

a. Reporting

An employee who feels that he or she has been or is being harassed based on any of the categories listed in this policy, or is aware of or suspects the occurrence of any such harassment, must immediately report it to the General Manager, any other District supervisor or to Executive Secretary/Administrative Manager for transmittal to the Board. It is important that employees inform the District as soon as possible about any such harassment as nothing can be done to remedy the situation if the District does not know that it exists.

Nothing in this policy prohibits an employee who feels comfortable doing so from letting a fellow employee know when the fellow employee's behavior or comments are offensive and/or unwelcome to the recipient. Employees are not, however, under any circumstances, required to handle these situations on their own. If an employee is not comfortable handling a situation directly with another employee, the employee should immediately report the conduct to one of the persons listed above. In any event, if the behavior or comments continue after the fellow

employee has been informed that the recipient finds the conduct offensive and/or unwelcome, such conduct must be reported to a supervisor or manager immediately.

b. Investigation

The District will investigate all complaints of harassment in a prompt and thorough manner. The District's investigation will be designed to maintain, to the extent possible, the privacy and confidentiality of all parties involved. The General Manager is responsible for directing an investigation into such allegations and for implementing appropriate remedial action, where warranted.

c. Resolution

After investigation, if the General Manager or other investigator finds that unlawful harassment has occurred, the District will take appropriate and immediate action to end any harassment and prevent its recurrence. Where appropriate, the District may first work to resolve the matter informally. If the matter is not suitable for informal resolution, appropriate formal action will be taken. The complainant will not be required to meet with the alleged harasser.

The District will not retaliate against any employee for filing a report and will not knowingly permit any retaliation by other District employees. If an employee feels that he or she has been or is being subjected to retaliation for reporting sexual harassment or for participating in a sexual harassment investigation, the employee should report such retaliation to his or her supervisor or any other supervisor with whom the employee feels comfortable speaking. Employees are also urged to contact the Executive Secretary/Administrative Manager if they desire counseling on coping with harassment.

d. Supervisors' responsibilities

Each supervisor has the responsibility of maintaining a work environment free of harassment based on the categories above. This responsibility includes being available to discuss this policy with the employees he or she supervises and assuring them that they are not required to endure offensive, degrading or exploitative treatment or any other form of harassment based on one of the categories above. If an employee alleges that harassment has occurred, it is the responsibility of the supervisor to take immediate action by reporting the allegation of harassment to the General Manager or to the Board, if appropriate.

e. Discipline

Any employee found to have harassed anyone in or from the District based on one of the categories above will be disciplined. Appropriate disciplinary action, up to and including termination, will be taken depending upon the specific circumstances.

f. Board of Directors

If the complainant is not satisfied with the General Manager's or investigator's determination, the complainant may present his or her complaint to the Board Secretary for transmittal to the Board of Directors. The Board of Directors decision will be final.

The District also strictly prohibits harassment of any member of the general public by any person conducting District business or otherwise representing the District.

Employees are urged to contact his or her supervisor, the Executive Secretary/Administrative Manager or the General Manager if they have any questions or concerns about these policies, or if they want further information.

**J. Drug and Alcohol Policy**

1. Purpose of policy

It is the intent of the District to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. The District has a vital interest in maintaining safe, healthful and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency, and success at the District. Employees who are under the influence of drug or alcohol on the job compromise the District's interests, endanger their own health and safety and the health and safety of others, and can cause a loss of efficiency, productivity, or a disruptive working environment. The possession, use or sale of alcohol or drugs in the workplace also poses unacceptable risks to safe, healthful and efficient operations.

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, and operations, the District has established this policy concerning the use of alcohol and drugs.

As a condition of continued employment with the District, all employees, with the exception of employees in safety sensitive positions, must abide by this policy. Employees in safety-sensitive positions must abide by the policy in Chapter VI. CONTROLLED SUBSTANCE AND ALCOHOL TESTING PROGRAM FOR COMMERCIAL DRIVERS, page 53).

An employee is not fit for duty when the employee has ingested alcohol, illegal drugs or any legal drugs that impair the employee's ability to work safely.

2. Definitions

- a. Alcohol: the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- b. Illegal drug: a drug substance or immediate precursor which is listed in any schedule in the California Health and Safety Code,

- unless being used pursuant to and consistent with a physician's prescription.
- c. Legal drug: prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they are prescribed or manufactured.
  - d. Under the influence: having impaired physical coordination, balance and/or control and/or impaired mental functions of judgment, decision making, memory, concentration and cognitive problem solving due to the ingestion of a substance.
  - e. Reasonable suspicion: suspicion based on facts, circumstances, physical evidence, physical signs and symptoms or a pattern of performance and/or behavior that would cause a person to reasonably conclude that an employee may be under the influence of a prohibited substance; suspicion based on information provided to management by another employee, law enforcement official or by other people believed to be reliable.

### 3. Prohibited conduct

The prohibitions of this section apply wherever the interests of the District may be adversely affected, including any time an employee is on District premises, conducting or performing District business, regardless of location, or operating or responsible for the operation, custody, or care of District equipment or other property.

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

- a. Alcohol: (1) Use, possession, transfer, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol; or (2) being under the influence of alcohol.
- b. Illegal drugs: (1) Use, possession, transfer, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or (2) being under the influence of any illegal drug or other controlled substance.
- c. Legal drugs: (1) Abuse of any legal drug; (2) purchase, sale, transfer, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with the law; or (3) working while impaired by the use of a legal drug whenever such impairment might: (a) endanger the safety of any person; (b) pose a risk of significant damage to District property; or (c) substantially interfere with job performance or the efficient operation of the District's business.

If an employee is taking any medication that might impair the employee's ability to perform his or her job functions in a safe manner, the employee must inform his or her supervisor so that the supervisor can arrange for appropriate precautions to be taken.

4. Disciplinary action

a. First violation

**A first violation of this policy may result in immediate discharge.** Discharge will result from any violation that causes injury to the employee or any other person, that results in significant damage to District property or that involves the possession illegal drugs or other controlled substances. If the District, in its discretion, decides not to discharge an employee, continued employment may be conditioned on satisfactory completion of an approved drug or alcohol abuse assistance or rehabilitation program when recommended by the District. If an employee is not discharged for a first violation of this policy, the employee will receive a final written warning and immediate suspension without pay for a period determined by the District. [Note: Suspensions without pay will not be imposed upon an exempt employee in such a manner as to effect his or her status as a salaried employee.]

b. Second violation

A second violation of this Guideline at any time will result in the employee's immediate discharge.

c. Effect of discharge on eligibility for rehire

If an employee is discharged for a violation of this policy, the employee will not be eligible for rehire by the District.

5. Confidentiality

Disclosures employees make to the District concerning their use of drugs or participation in any drug or alcohol counseling or rehabilitation program will be treated confidentially as required by law.

6. Counseling/Employee assistance

If an employee suspects that he or she has an alcohol or drug problem, even in the early stages, the employee is encouraged voluntarily to seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. If an employee wishes voluntarily to enter and participate in an approved alcohol or drug rehabilitation program, the employee is encouraged to contact the General Manager, who will determine whether the District can accommodate the request by providing leave for the time necessary for the employee to complete participation in the program. Employees should be aware that participation in a rehabilitation program will not necessarily shield an employee from the imposition of disciplinary action for

violation of this policy. However, District management encourages voluntary efforts at rehabilitation and may take voluntary rehabilitation efforts into consideration when making decisions about the imposition and severity of discipline.

7. Drug testing

a. Reasonable suspicion

If a supervisor has a reasonable suspicion that an employee is working in an impaired condition, or is otherwise in violation of this policy, the supervisor must report his or her suspicion to the General Manager. The General Manager may require the employee to take a drug test. In such cases, the District will provide for transportation of the employee to the testing facility. An employee's refusal to take a drug test after being instructed to do so by the General Manager will constitute grounds for discipline, up to and including termination.

b. Procedures

The District will refer employees to an independent, certified clinic or laboratory for administration of drug testing. The clinic or laboratory will inform the District as to whether the employee passed or failed the test. Failure will constitute violation of this policy and will subject the employee to discipline, up to and including dismissal. All drug test results will be treated as confidential information and handled accordingly.

**K. Policy Against Violence in the Workplace**

1. Purpose of policy

The safety and security of its employees is of primary importance to the District. This policy is aimed to preserve a violence-free workplace for all employees. The following behavior will not be tolerated while on District property or during the course of District business:

- a. Threats against fellow employees, visitors, guests or other individuals;
- b. Threatening behavior towards fellow employees, visitors, guests or other individuals;
- c. Acts of violence against fellow employees, visitors, guests or other individuals

Violation of this policy will lead to disciplinary action, which may include, but is not limited to: written reprimand, suspensions without pay, dismissal, arrest, and prosecution.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on District property or during the course of conducting District business, shall be removed from the premises as quickly as safety permits, and shall remain off District premises pending the outcome of an investigation. The District will investigate the situation and initiate an appropriate



response, which may include, but is not limited to: written reprimand, suspension or termination of employment, criminal prosecution of the person or persons involved, or any other action deemed appropriate.

No existing District policy, practice or procedure should be interpreted to prohibit decisions by any District employee that are designed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing.

## 2. Obligation to report

Every District employee has an obligation to report immediately any violence or threat of violence against any co-workers, supervisor, manager, visitor, or any other individual. This report should be made as quickly as possible—by paging system, radio, pager, or telephone—regardless of the time of day or night that the threat or violence occurs. Emergencies should be reported immediately to the general manager, department head, and to most senior supervisor on site. If the situation warrants, the sheriff shall also be notified.

## 3. Confidentiality

To the extent possible, an employee reporting an act of violence or the threat of violence will be accorded confidentiality. However, identities of individuals making such reports may be legally required to be revealed to accuse persons during the course of an investigation or when discipline results from such reports. Investigation records will be held in the strictest confidence, to the extent permissible by law. The privacy rights of all parties involved in an investigation will be protected to the greatest extent possible.

## 4. Retaliation

Employees reporting real or perceived threats in good faith will not be subject to harassment or retaliation. Whether or not discipline results from an investigation of a reported instance of violence, the District will not condone retaliation of any kind. Acts of retaliation or behavior suggestive of retaliation shall be reported to a department head or general manager. All employees are assured that they may report an actual or potentially violent incident or participate in any investigation without fear of retaliation by the District, a supervisor or another employee.

Employees should also realize 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. The reports must be factual, based upon witnessed events, without assuming or guessing about motives, reasons, intentions, or making other subjective observations about an employee's behavior.

5. District employee actions

District employees must:

- a. Never make a threat, even if you are “just kidding”. All threats will be considered serious and may result in your discharge.
- b. Never engage in an act of violence. It will result in disciplinary action, up to and including termination.
- c. Report any threat or act of violence immediately to your supervisor, the department head, general manager, or any member of management.
- d. Never bring a weapon to work. As used herein, weapon includes firearms, a fixed blade knife or knives greater than three and one-half inches in length (except where clearly required by your job and as authorized and approved in writing by your supervisor), explosives, hazardous materials, or any item that could be reasonably be defined as a weapon.
- e. Learn to recognize the early warning signs of violence listed below. If you see any of them, report it immediately to your supervisor, department head, general manager, or any member of management.

6. Early warning signs of possible impending violence

- a. Any explicit or implicit threat to or about a co-worker, a supervisor or manager, or the District; especially threats of bodily injury or death.
- b. Any statement expressing identification with, support, or endorsement of, or commenting favorably upon a recent event or perpetrator of violence.
- c. Any employee expressing an overwhelming concern that he or she is being persecuted by a supervisor, manager, co-worker, or the District.
- d. Any employee who is involved in a physically abusive relationship with another person, or who has made threats of violence.
- e. Anyone carrying a weapon on District premises, or in the course of doing business for or with the District.

7. Supervisor/Manager responsibilities
  - a. Take appropriate and immediate action to prevent injury.
  - b. Notify the department head and/or general manager as soon as possible with details of the act or threat of violence.
  - c. Investigate every reported threat or act of violence. The investigation will be immediate, thorough, and objective. It will include interviews with people having knowledge of the incident. Documentation of the investigation will be maintained in a confidential file in the Administration office. To protect the privacy of the people involved, detailed information regarding investigations and subsequent actions will be confidential.
  - d. Carry out appropriate preventive and disciplinary action.

#### **L. Workplace Safety**

The District will take reasonable steps to assure a safe work environment and to protect the health and well-being of its employees in compliance with federal, state and local safety regulations. To accomplish this goal, the District has developed a safety program which satisfies legal requirements and promotes the use of common sense and safe practices among employees.

Employees are expected to comply with safety rules and to exercise caution in all their work activities. Employees must report immediately any unsafe conditions to their supervisors. Furthermore, employees should correct any unsafe conditions they encounter if they can do so without posing a risk of harm to themselves or others.

Employees must report immediately, to a District supervisor and to the Administration Office, ANY accident occurring at work or while conducting District business that results in injury, regardless of how insignificant the injury appears to be. Failure to report a work related injury or illness within 24 hours from the time of injury may result in disciplinary action. Any employee who is injured or becomes ill has the right to be treated by their personal physician; however, this request must be made in writing and be in the employee medical file before any injury or illness occurs. If an employee has designated a personal physician and that physician is not available or has not designated a personal physician the employee will be treated at a Hospital Emergency Room.

Employees will be trained and given periodic updates in accordance with the District's injury and illness prevention program. All employees are required to review the District's Injury Prevention Program Manual located in the Administration Office Library. Employees are responsible for complying with the safety procedures as outlined in the program manual. Violations of safe working procedures are grounds for disciplinary action.

## **M. Performance Evaluations**

During the introductory period, the employee's supervisor will evaluate the introductory employee's performance at least once. Thereafter, the District will make reasonable efforts to evaluate employees annually around April 1. At their supervisors' discretion, employees may be evaluated more frequently depending upon their length of service, job position, past performance, changes in job duties or recurring performance problems.

Performance evaluations will be based on factors such as the quality and quantity of the employee's work, the depth of the employee's job knowledge, the employee's initiative, work attitude and attitude toward others. The performance evaluation should help an employee assess his or her progress or development as a District employee. It should also highlight areas for improvement and objectives or goals for future work performance. Positive performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of the District and depend upon other factors in addition to performance.

Each performance evaluation and rating shall be presented to the employee for his or her review and signature. The performance review rating is not subject to the District's internal complaint procedure (as described further in Chapter IV. EMPLOYEE STANDARDS OF CONDUCT, Section R. Internal Complaint Procedures, page 48). An employee who disagrees with his or her review may request a meeting with the General Manager to discuss the review and/or file a written statement of his or her objections, and the reasons therefor, which will be attached to the review and placed in the employee's personnel file.

## **N. Educational Assistance**

### **1. Educational assistance**

#### **a. Generally**

It is the District's policy to develop a better educated and more highly skilled work force by providing educational assistance to its employees in accordance with the guidelines set forth below.

#### **b. Eligibility and reimbursement**

Only full-time employees who have completed at least one full year of continuous service with the District will be eligible for educational assistance. The District will reimburse employees for District approved costs of certain educational or training classes.

c. Eligible courses of study

To be reimbursable, the classes must be directly related to the employee's present job or must enhance the employee's potential for advancement to a position within the District which the individual has a reasonable expectation of achieving. Furthermore, the courses or programs must be offered by accredited institutions of learning and must be given at a time outside of the employee's regular working hours. Additionally, the employee must receive a grade of C (or its equivalent) or higher in order to obtain reimbursement.

d. Procedures for obtaining educational assistance

Requests for educational assistance must be approved prior to enrollment. Written requests shall be submitted to the General Manager by way of the employee's immediate supervisor. The written request must contain the following information: course title, course description, times and dates on which the employee desires to attend the course, name of educational institution offering the course, statement of expected costs related to the course and a brief statement of how the course is job-related. The supervisor shall provide the General Manager with his or her recommendation as to whether the request should be approved or denied. In determining whether to approve a request for educational assistance, supervisors and the General Manager will consider the nature and purpose of the course of study, the benefits to be derived by the employee and the District, the level of responsibility and the length of service of the employee and the estimated cost. The final decision shall be made by the General Manager.

To receive reimbursement upon completion of a preapproved class, the employee shall submit the final grade statement along with receipts for tuition, textbooks, registration, laboratory and library fees.

2. Training programs

In addition to the above, the District may elect to send employees to approved training programs, seminars, and/or conferences from time to time at its expense. These programs are normally scheduled during regular working hours and non-exempt employees will be paid during the time they attend these programs.

**O. Disciplinary Action**

1. Generally

The rules of conduct, discipline and counseling procedures set forth in these policies represent guidelines which the District believes are generally appropriate to govern employee conduct. The District retains discretion to determine what constitutes improper conduct and what is the appropriate disciplinary action in each individual situation. These guidelines do not grant any employee a specific guarantee that any particular procedure will be used or that any particular disciplinary action will be taken. Appropriate discipline will be determined on a case-by-case basis.

If an employee violates District policy, the employee will be subject to disciplinary action up to and including termination. Such action may begin at any one of the following steps, depending on the nature of the offense:

- Counseling or oral communications
- Written communications
- Suspension
- Demotion
- Dismissal

[NOTE: Suspensions will not be imposed upon exempt employees in such a manner so as to affect their salaried status.]

## 2. Examples of inappropriate conduct

The following list contains examples of actions or behaviors that may subject an employee to disciplinary action, up to and including dismissal. Action may be taken against an employee for these and other activities or conduct that interferes with the orderly and reasonable pursuit of the District's objectives. This list is not exhaustive. Discipline, up to and including dismissal, may be imposed for actions not set forth below.

- a. Unsatisfactory job performance
- b. Falsification of employment application or physical examination questionnaire, or any other fraud, whether through misrepresentation or omission, in securing employment;
- c. Falsification, unauthorized removal, alteration or destruction of any District records;
- d. Unauthorized use or theft of District property, including vehicles, or property for which the District is responsible or of property of co-workers, customers or vendors;
- e. Negligence or other misconduct which could cause damage to or waste of District property or the property of any employee or customer; any negligence or misconduct which could impair or disrupt District services;
- f. Threatening, intimidating, fighting, harassing, coercing, or interfering with others while on duty or while on District business or District property; failure to work harmoniously with other employees;
- g. Possession of firearms, explosives or other dangerous weapons, or violation of criminal laws while on duty or while on District business or District property, including District vehicles, or any attempt to bring such dangerous items onto District property;
- h. Insubordination including, but not limited to, failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;

- i. Discourteous or other inappropriate treatment of the public or other employees;
- j. Excessive tardiness or absenteeism; failure to maintain consistent and regular attendance or unauthorized absence;
- k. Failure to comply with safety rules, regulations, policies, practices and procedures, including failure to wear safety equipment as directed; any action which indicates a lack of concern for injury to self or others;
- l. Dishonesty;
- m. Use, possession, manufacture, distribution, transfer, sale, solicitation or being under the influence of alcohol or illegal drugs on District property, including District vehicles, or while conducting District business;
- n. Failure to maintain a valid California or Nevada motor vehicle driver's license and a good driving record (including, insurability under the District's automobile insurance policy at a reasonable rate, as determined by the District), if driving is one of the employee's essential job functions;
- o. Violation of any District rule, policy or procedure; and
- p. Any other circumstances which the District believes warrant corrective action.

### 3. Disciplinary procedures

When an employee engages in misconduct or an employee's job performance is unsatisfactory, the District may initiate disciplinary action against the employee. The District has the discretion to administer the level of discipline it believes is appropriate under the circumstances, in light of the nature of the offense and, if deemed relevant by the District, the employee's performance record. The District shall notify an employee of all disciplinary action taken against the employee.

Before the District determines that an employee should be either suspended without pay, demoted/reduction in pay or dismissed from his or her employment for disciplinary reasons, the District may, at its sole discretion, provide the employee with some or all of the following:

- a. Written notice of the proposed disciplinary action;
- b. Reasons for the proposed disciplinary action;
- c. A copy of charges against the employee and the materials upon which the proposed disciplinary action is based;
- d. An opportunity to respond in writing and/or an opportunity to meet with the General Manager to present the employee's point of view.

If the District chooses to give the employee the aforementioned opportunity to respond, then after considering the employee's response, the District will make a final decision regarding the proposed disciplinary action and serve notice of that decision on the employee.

#### 4. Appeal of disciplinary action

If an employee is disciplined by a suspension of five (5) or more days without pay, demotion/reduction in pay and/or dismissal, the employee may appeal the disciplinary action to the Board of Directors through the following procedure. Within five (5) working days of service of the notice of disciplinary action, if served in person, or within ten (10) working days of service of the notice, if served by mail, the employee may file and serve the District's Board of Directors with an appeal of the disciplinary action. The appeal shall consist of a brief, concise statement explaining the employee's job performance or conduct and setting forth the reasons why the employee believes the disciplinary order imposed by the General Manager should be overturned or modified. Service of the appeal will be deemed sufficient and complete when delivered to the Secretary to the District's Board of Directors in person or when it is deposited in the United States mail, postage prepaid, and addressed to the District's Administration Office. Unless impracticable, the District's Board of Directors will set the matter for hearing within 30 days of receipt of the appeal. The Board's decision regarding the disciplinary action shall be final and binding.

#### **P. Reductions in Force**

The District Board, upon recommendation of the General Manager, may lay off any employee as a result of material changes in duties or organization or shortage of work or funds. Layoffs shall be made according to District needs, taking work performance into consideration.

#### **Q. Resignation; Termination**

An employee who voluntarily resigns their employment with the District is asked to give the District the courtesy of two (2) weeks' notice. Employees are asked to submit any statements of resignation in writing to their supervisor.

Prior to leaving District employment, all employees should have an exit interview with the General Manager or designated representative. During the exit interview, employees will be asked to comment on their job duties and work load, advancement opportunities, quality of supervision, District policies and procedures, quality of working environment, salary, benefits and overall impressions of the District. All District owned property (i.e., vehicles, keys, uniforms, identification badges, credit cards) must be returned to the District upon resignation or termination.

#### **R. Internal Complaint Procedures**

##### 1. Purpose

The District is committed to effective communication with employees about their wages, hours, and working conditions. The District understands that during the course of District business, disputes can and will arise. The District urges employees to resolve these disputes through open communication. The purpose of the internal complaint procedure is to allow all employees to



voice job-related complaints, to have them considered fairly by the District, and to have them resolved at the lowest level possible. The procedures outlined are intended to meet these objectives.

These internal complaint procedures are not applicable to the following: (1) complaints involving harassment, which are specifically addressed in the District's Prohibition of Discrimination and Harassment policy; and (2) employee discipline, which is covered by the Disciplinary Action policy.

## 2. Policies and procedures

The following policies and procedures shall be adhered to in processing all internal complaints:

- a. The employee may select another employee, who is not involved in the complaint, as his or her representative to assist him or her under this policy;
- b. The District will not take punitive action against an employee for utilizing the complaint procedure.
- c. Each party involved in a complaint should act promptly so that the complaint can be resolved as quickly as possible. Every effort should be made to complete action within the time limits specified in the complaint procedure. The General Manager may, however, extend the time limitation for any step if he or she finds it necessary and appropriate.

## 3. Informal complaint procedure

An employee who has a complaint should first discuss the issue with his or her immediate supervisor within five (5) working days from the time the employee first becomes aware of the issue. The immediate supervisor should make sure that any complaint receives prompt, fair attention. The immediate supervisor must notify the employee of his or her decision about the issue within ten (10) working days from the time the employee first brought the issue to the immediate supervisor's attention. If the immediate supervisor decides to take no action, he or she should give the employee an explanation of the reasons for that decision. If the complaint is settled at this point, no further action will be taken.

## 4. Formal complaint procedure

- a. Written statement to General Manager

An employee must use the District's informal complaint procedures before filing a formal complaint. If the complaint is not resolved to the employee's satisfaction using the informal complaint process, the employee may, within five (5) working days after receiving the immediate supervisor's decision regarding the informal complaint, submit a formal complaint. To do so, the employee must submit to the General Manager a written statement giving a concise account of

the complaint. The written statement shall include: the date the issue arose or came to the employee's attention; a concise summary of the facts; the rule, regulation or policy the employee claims was violated; the names of the individuals involved; and other pertinent information that may be necessary to arrive at a full understanding of the complaint.

The General Manager shall reply in writing within five (5) working days after receiving the written complaint. If the complaint is settled at this point, no further action will be taken.

b. Appeal to the Board of Directors

If the issue is still not resolved to the employee's satisfaction, he or she shall have five (5) working days from receipt of the General Manager's written decision in response to the employee's formal complaint to file a written appeal to the Board of Directors. The appeal must be submitted to the Secretary to the Board and must include the employee's written complaint, the General Manager's response, and the employee's statement as to why he or she is dissatisfied with the General Manager's response. The Board of Directors will consider the complaint at a properly noticed Board meeting. The Board may, at its discretion, interview the employee, the employee's supervisor and any other individuals with pertinent information. As soon as practicable, the Board shall reply in writing to the employee regarding the complaint and its determination of the complaint will be final and binding on all parties.

Alternatively, the Board may, at its discretion, hire an impartial hearing officer to hear the appeal of an employee's complaint. Under such circumstances, the hearing officer shall prepare a written proposed decision and submit the proposed decision to the Board. If the Board so requests, the hearing officer shall also prepare a record and include findings of fact and conclusions of law in his or her written proposed decision. If the Board rejects the proposed decision, it may review the record and shall prepare, with the assistance of legal counsel, its own decision which may include findings of fact and conclusions of law.

## **V. INJURY AND ILLNESS PREVENTION PROGRAM**

The District is committed to providing a safe work environment. To that end, the District has put in place an Injury and Illness Prevention Program which provides safety training to all employees on a regular basis and regular inspections of the workplace for safety hazards. More information on this program is available from the General Manager.

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## **VI. CONTROLLED SUBSTANCE AND ALCOHOL TESTING PROGRAM FOR COMMERCIAL DRIVERS**

Pursuant to the requirement of the Omnibus Transportation Employee Testing Act of 1991, the District has implemented a controlled substance and alcohol testing program and substance abuse policy (referred to hereafter as the Policy) for employees in safety sensitive positions.

As with any District policy, the District reserves the right to change, alter, amend, and interpret the regulations governing this Policy without notice.

The purpose of this Policy is to assure worker fitness for duty and to protect our employees and the public from risks posed by the use of alcohol and controlled substances. 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.

The 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.

### **A. 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 safety-sensitive position is defined as any position requiring the use of a Class "A" or Class "B" commercial driver's license as required by the State to operate a commercial motor vehicle. A safety-sensitive employee is considered to be performing a function in a safety-sensitive position during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions. A listing of safety-sensitive positions is shown in Section 10., Safety-sensitive employee (function and/or position) classifications for District, of this Policy.

## B. Prohibited substances

"Prohibited substances" addressed by this Policy include the following:

### 1. Drugs

Marijuana, amphetamines, opiates, phencyclidine (PCP) and cocaine,

### 2. 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.

## C. Prohibited conduct

### 1. Manufacture, trafficking, possession, and use

Any safety-sensitive employee engaging in the unlawful manufacture, distribution, dispensing, possession and/or use of a controlled substance and/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 immediate termination; except, when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.

### 2. 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 and/or breath alcohol test. Employees failing to pass this reasonable suspicion controlled substance or breath alcohol test shall be immediately terminated. A controlled substance or breath 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.

### 3. Alcohol use

No safety-sensitive employee may report for duty or remain on duty while the employee is under the influence or impaired 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 (4) hours of reporting for duty nor during hours that he or she is On Call. No driver shall possess alcohol, unless the alcohol is manifested and transported as part of a shipment. Violation of this provision is prohibited and will subject the employee to immediate termination. A safety-sensitive employee whose breath alcohol concentration is greater than 0.02 but less than 0.04, will be removed from his/her position for at least 24 hours following the administration of the test.

#### 4. 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 also include an inability to provide a urine specimen or breath 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 or refusal to take a second test.

#### 5. 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:

**Voluntary Admittance:** All employees who feel they have a problem with controlled substances and/or alcohol are encouraged to seek confidential assistance voluntarily through the District's Employee Assistance program. The District will be supportive of those who seek help voluntarily and prior to the imposition of disciplinary action. Such support may include providing a leave of absence to obtain necessary treatment and other assistance at the discretion of the District. Requests must be submitted to the General Manager or his/her designee for review. The General Manager will make the final determination. **Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the employee.** An employee failing to complete a rehabilitation/treatment program will be subject to termination from employment. An employee completing a rehabilitation/treatment 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.

This provision does not apply to an employee who comes forward just after he or she has been notified that the employee must undergo a random, reasonable suspicion, post accident or any other controlled substance and/or alcohol test required by this Policy. This provision cannot be used to avoid the consequences of a positive test or a refusal to

test. This provision is only available to an employee one time during his or her employment with the District.

D. 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 for violations occurring in the workplace shall be subject to disciplinary action, up to and including termination of employment.

E. Policy application of the policy

The District is dedicated to assuring fair and equitable application of this Controlled Substance and Alcohol Testing Policy. Therefore, trained supervisors are required to administer all aspects of the Policy in an unbiased and impartial manner. Any trained 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.

F. Testing for prohibited substances

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. 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.

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.

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.

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 24 hours following the administration of the test 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.

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 programs available and will be immediately terminated.

The District affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process.

Any employee who is the subject of a controlled substance and/or alcohol test conducted under this Policy shall, upon written request, have access to any records relating to his or her test. The employee shall bear the costs related to the copying of any such requested records.

**EMPLOYEES IN SAFETY-SENSITIVE POSITIONS may be tested under any of the following circumstances:**

1. Pre-employment testing

All applicants for safety-sensitive classifications shall undergo urine controlled substance and breath alcohol testing prior to employment. Receipt of a satisfactory test result(s) are required prior to employment and failure of a controlled substance and/or breath alcohol test will disqualify the applicant from further consideration for employment. Pre-Employment testing requirements will be conducted in compliance with current law. Pre-Employment testing is required when employees transfer to a safety sensitive-position.

2. Reasonable suspicion testing

All safety-sensitive employees will be subject to urine, controlled substance and/or breath testing when there is reasonable suspicion that the employee has engaged in prohibited conduct. Reasonable suspicion includes, but is not limited to, physical (including body odors), behavioral, speech, and performance observations indicative of probable alcohol misuse and use of controlled substances. 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:

- a. Adequate documentation of unsatisfactory work performance or on-the-job behavior.
- b. Physical signs and symptoms consistent with prohibited substance use.
- c. Occurrence of a serious or potentially serious accident that may have been caused by human error.

- d. Fights (to mean physical contact), assaults and flagrant disregard or violations of established safety, security, or other operation procedures.

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.

### 3. Post-accident testing

Safety-sensitive employees will be required to undergo both controlled substance and breath alcohol testing if they are involved in an accident with a District vehicle that results in a fatality. 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, both a post accident controlled substance test and breath alcohol test will be conducted if the safety-sensitive employee receives a citation under State or local law for a moving traffic violation arising from the accident and the accident either results in injuries requiring transportation to a medical treatment facility; or one or more vehicles incurring disabling damage that requires towing from the site.

Following an accident, the safety-sensitive employee will be tested as soon as possible, but the time is not to exceed eight (8) hours for alcohol and 32 hours for controlled substances. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to controlled substance and alcohol testing will be considered to have refused the test and subject to termination. Post accident testing of safety-sensitive employees will include not only the operation personnel, but any other employee covered by this Policy whose performance could have contributed to the accident.

A safety-sensitive employee may not use alcohol for eight (8) hours following the accident, or until he or she undergoes a post accident alcohol test, whichever occurs first.

### 4. 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.

### 5. 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 Medical Review Officer (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.

#### G. 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 and will be terminated.

#### H. Administrator

Any questions regarding this Policy should be directed to the following District representatives:

Name:	O.R. Butterfield	Bradley Stapley	Rebecca Ruby
Title:	General Manager	Assistant General Manager	Executive Secretary/ Administrative Manager

Address: 12304 Joerger Drive, Truckee, CA 96161-3312  
Telephone: (530) 587-3804

#### I. Definitions

Accident - means an unintended happening or mishap where there is loss of human life (regardless of fault), bodily injury or property damage.

Alcohol - means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

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.

Alcohol Use - means the drinking or swallowing of any beverage, mixture, or preparation, including any medication, containing 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).

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.

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.

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.

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.

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.)

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.

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:**

Alcohol	0.02	gr/210L.
Marijuana Metabolites	50	ng/ml
Cocaine Metabolites	300	ng/ml

Phencyclidine (PCP)	25	ng/ml
Opiates Metabolites	2000	ng/ml
Amphetamines	1000	ng/ml

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:**

Alcohol	0.04	gr/210L.
Marijuana Metabolite (THC) (1)	15	ng/ml
Cocaine Metabolite (2)	150	ng/ml
Phencyclidine (PCP)	25	ng/ml
Opiates		
Morphine	2000	ng/ml
Codeine	2000	ng/ml
6-Acetylmorphine (3)	10	ng/ml
Amphetamines		
Amphetamine	500	ng/ml
Methamphetamine (4)	500	ng/ml

(1) Delta-9-tetrahydrocannabinol-9-carboxylic acid  
(2) Benzoylcegonine  
(3) Test for 6-Acetylmorphine when morphine concentration exceeds 2000 ng/ml  
(4) Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/ml

**Covered Employee** - means a person including an employee volunteer, applicant, or transferee, who performs, is ready to perform, or is immediately available to perform a safety-sensitive function for the District.

**Department of Transportation Guidelines** - means the controlled substance and alcohol testing rules (49 CFR Part 199 (RSPA - Pipeline), Part 219 (FRA - Railroad), Part 382 (FHWA - 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.

**District** - means Truckee Sanitary District.

**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.

Driver - means any person who operates a commercial motor vehicle on behalf of the District. This includes, but is not limited to: 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.

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.

Evidential Breath Testing Device (EBT) - means the device to be used for breath alcohol testing.

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. The MRO shall give the driver an opportunity to discuss the test result with him or her. The MRO will report to the District's General Manager, or his/her designee, whether an individual tested positive or negative for a prohibited substance. The District's General Manager, or his/her designee, shall notify the driver of the result of any random, reasonable suspicion or post accident test with a verified positive result and the substance(s) for which the verified positive result was obtained. The employee has 72 hours after learning of the verified positive test result to make a request to the MRO for re-analysis.

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.

Post Accident Alcohol and/or Controlled Substance Testing - tests conducted after accidents on employees whose performance could have contributed to the accident.

Pre-employment Controlled Substance Testing - tests conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first time.

Prohibited Drugs (Controlled Substances) - means Marijuana, Cocaine, Opiates, Amphetamines, or Phencyclidine.

Prohibited Substances - means and is synonymous to prohibited drug abuse and/or alcohol.

Random Alcohol and/or Controlled Substance Testing - tests conducted on a random unannounced basis just before, during or just after performance of safety sensitive functions.

Reasonable Suspicion Alcohol and/or Controlled Substance Testing - tests conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol or controlled substance use.

Refuse to Submit (to an Alcohol and/or Controlled Substance Test) - means that a safety-sensitive employee:

1. fails to provide an adequate breath or urine sample for testing without a valid medical explanation after that safety-sensitive employee received notice of the requirement to be tested;
2. engages in conduct that clearly obstructs the testing process (i.e., verbal declarations, or obstructive behavior);
3. fails to appear for any test (except a pre-employment test) within a reasonable time as determined by the employer, after being directed to do so by the employer;
4. fails to remain at testing site until the testing process is complete (provided that an employee who leaves the testing site before a pre-employment test commences is not deemed to have refused to test);
5. in the case of directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the employee's provision of specimen;
6. fails or declines to take a second test the employer or collector has directed the employee to take;
7. fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process or;
8. fails to cooperate with any part of the testing process.

Rehabilitation - The total process of restoring an employee to satisfactory work performance through constructive confrontation, referral to the Substance Abuse Professional and participation in the Substance Abuse Professional recommendations such as education, treatment and/or support groups to resolve personal, physical or emotional/mental problems which contributed to job problems as referred to in Section 3. e. of this Policy.

Safety-sensitive Employee (function and/or position) - A covered 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.

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 or to identify a specimen that requires additional testing for the presence of drugs.

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.

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. The positions trained as supervisors are: General Manager, Assistant General Manager, Manager, Superintendent, Supervisor, and Executive Secretary/Administrative Manager.

J. Safety-sensitive employee (function and/or position) classifications for District

Funded and Unfunded Classifications Impacted by the Regulations

Superintendent	Lift Station Supervisor
Field Maintenance Supervisor	Vehicle Maintenance Supervisor
Lift Station Maintenance Worker	Mechanic
Inspector	Inspector/Maintenance Worker II
Maintenance Worker I, II, III	

An administrator will maintain the list of the specific positions within the District that are covered under Department of Transportation regulations. These classifications are subject to change.

K. Procedures

1. Reasonable suspicion testing

- a. A safety-sensitive employee who may possibly be under the influence of alcohol and/or controlled substances is observed by a trained supervisor.

Any employee may identify someone suspected of alcohol and/or controlled substance to any trained 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 trained supervisor must witness first hand the safety-sensitive employee's signs and symptoms.



- b. The trained supervisor is then obligated to insure that the matter is immediately investigated. If possible, two (2) trained supervisors determine (independently or together) that the safety-sensitive employee in question may indeed be under the influence of alcohol and/or controlled substances.
- c. When the trained supervisor(s) suspects and believes 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.

An administrator should be notified in advance of the employee being taken to the collection site.

- d. 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.
- e. 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.
- f. The safety-sensitive employee whose alcohol test results are negative (less than 0.02 alcohol concentration) will be returned to duty. 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.
- g. The safety-sensitive employee whose controlled substance test results are verified negative will be returned to duty. The safety-sensitive employee whose controlled substance test is

verified positive by the Medical Review Officer will be immediately terminated.

2. Random testing

- a. The compliance company notifies an Administrator to send the safety-sensitive employee to the collection site for alcohol and/or controlled substance testing.
- b. A trained 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.
- c. 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.
- d. The safety-sensitive employee whose alcohol test results are negative (less than 0.02 alcohol concentration) will be returned to duty. 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 returned to duty. The safety-sensitive employee whose controlled substance test is verified positive by the Medical Review Officer will be immediately terminated.

3. Post accident

- a. The safety-sensitive employee shall immediately notify his/her trained supervisor that an accident has occurred. If the trained

supervisor is not available, the driver shall immediately report the accident to another trained supervisor.

- b. The trained supervisor determines that the circumstances of the accident warrant a post accident test. The trained supervisor (or others designated) immediately escorts the safety-sensitive employee 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.
  - c. 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.
  - d. An administrator will be notified that an accident has occurred and that the safety-sensitive employee was instructed to report to the collection site.
  - e. The safety-sensitive employee whose test results are negative (less than 0.02 alcohol concentration) will be returned to duty. 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.
  - f. The safety-sensitive employee whose controlled substance test results are verified negative will be returned to duty. The safety-sensitive employee whose controlled substance test is verified positive by the Medical Review Officer will be immediately terminated.
4. Chain of custody for controlled substance specimens
- a. At the time a specimen is collected, the safety-sensitive employee will be given a copy of the specimen collection procedures.

- b. 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 (2) tamper-resistant urine bottles.
  - c. 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.
  - d. 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.
5. Specimen collection of strange and/or unrecognizable substances
- a. A safety-sensitive employee is observed with a strange and/or unrecognizable substance.
  - b. The trained 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 trained supervisor and a witness.
  - c. An incident report is made and signed by both the trained supervisor and a witness.
  - d. 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.
6. Alcohol concentration
- a. 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.

- b. After an explanation of how the breathalyzer works, an initial breath sample is taken.
- c. 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 30 minutes after the screening test.
- d. 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.

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## VII. ON CALL DUTY

The On Call Pool is designed to provide an immediate employee response to the general public and to lift station and collection system events that occur after normal working hours, during weekends, and holidays. Employees may be required to be On Call if the needs of the District necessitate.

The On Call Pool employee must abide by the Pool rules when placed on On Call status. The On Call Pool rules are as follows:

### A. General Rules and Qualifications

1. On a rotating weekly basis, certain qualified District employees will be On Call after normal working hours to respond to the needs of the District and the general public.
2. Designated On Call employees must be reachable by telephone, radio or radio controlled pager. Employees who are On Call must respond as soon as possible [with arrival at the event site or at the District maintenance Building, as appropriate, required within 40 minutes from the original call/page (weather and traffic conditions permitting)]. When not responding to a call, designated On Call employees are free to engage in any leisure activities of their choice so long as they refrain from activities that might impair their ability to perform their assigned duties (for example, consuming alcohol).
3. Upon arriving at that event site, the employee shall survey the area of the problem. If the employee can perform the necessary repair or remedial action without any assistance, the employee shall do so. If the employee needs additional assistance to perform the necessary remedial action, the employee shall contact the Administrative On Call person who will arrange for any additional assistance needed or the employee shall contact additional District staff directly when necessary.
4. An employee serving on On Call status is subject to all the rules and regulations of this Employee Handbook. This includes, but is not limited to, the prohibited use of drugs, alcoholic beverages, or other intoxicating substances in such a manner that the employee is “under the influence” while actively serving On Call (this includes the entire week, 24 hours a day). “Under the influence” is defined in Chapter IV. EMPLOYEE STANDARDS OF CONDUCT, Section J. Drug and Alcohol Policy, page 37. Failure to abide by the rules of this Handbook while actively serving On Call may result in disciplinary action up to and including termination of employment with the District.

B. On Call personnel

1. Lift Station

a. Qualifications/Personal Requirements

- (1) Driver's License: Class C is required. Class B is recommended.
- (2) Maintain permanent telephone number at place of residence during the period that person is On Call
- (3) Maintain ability to respond immediately to phone and pager and attend to any event at any time 24 hours a day during the period that person is On Call.
  - (a) Refrain from any activity that might impede or prevent immediate response to any and all calls or emergencies including the ability to receive and answer phone or pager communications.
  - (b) Maintain 24 hour adherence to all District Drug and Alcohol policies as the employee is considered actively participating in a safety sensitive position throughout the period that the employee is On Call.
- (4) General knowledge and experience with centrifugal pumps and related equipment
  - (a) Priming methods and requirements
  - (b) Cavitation problems
  - (c) Pump equipment terms
- (5) General knowledge and experience with Program Logic Controller equipment used by the District
  - (a) Ladder Logic
  - (b) Phone communications
  - (c) Radio communications
  - (d) Various forms of I/O equipment



- (e) Wiring methods
- (6) General knowledge and experience with portable and fixed generator equipment
  - (a) Transfer switches
  - (b) Fuses and breakers
  - (c) Diesel engines
  - (d) Gas engines
- (7) General knowledge and experience with electrical equipment
  - (a) Relays
    - i) Mechanical
    - ii) Pneumatic
  - (b) Timers
  - (c) Lights
  - (d) Various types of contacts and positions
  - (e) Testing equipment
    - i) Voltmeter
    - ii) Ammeter
    - iii) Ohmmeter
    - iv) Wiggy voltage testers
  - (f) Fuses and breakers
  - (g) Wiring methods

- (8) General knowledge and experience with electrical diagrams
  - (a) Schematics
  - (b) Ladder diagrams
  - (c) Symbols
  - (d) Ratings
- (9) General knowledge and experience with safety equipment and procedures
  - (a) Electrical lockout/blockout/tagout equipment and procedures
  - (b) Manhole entry
  - (c) Personal safety equipment
  - (d) Electrical safety training
- (10) General knowledge and experience with hand tools and power tools
- (11) General knowledge and experience with all emergency equipment and procedures
  - (a) Bypass hose
  - (b) Portable pumps
  - (c) Portable generators
  - (d) Bypass ports
- (12) General knowledge and experience with the layout of the District's gravity and pump systems. Knowledge of locations and familiarity with each pump station site and meter site.
- (13) General knowledge and experience with the daily reports and the ability to make a general interpretation of the reports in order to determine the status of the system.

- (14) General ability to work with members of the public
  - (a) Residential problems and concerns
  - (b) Answering service personnel
  - (c) Emergencies, District or otherwise

Determination as to whether an employee possesses sufficient knowledge, ability, and experience with District equipment and facilities shall be made by both the Lift Station Supervisor and the Department Manager.

b. Responsibilities

- (1) Receive all initial calls from telemetry, answering service and the public. Evaluate the trouble call and take the appropriate corrective action.
- (2) On Call employees must respond as soon as possible with arrival at the event site or at the District Maintenance Building, as appropriate, required within 40 minutes from the original call/page (weather and traffic conditions permitting).
  - (a) Response time should be as quickly as possible to the event site or to the District Maintenance Building. The On Call employee shall make an accounting of response times greater than forty (40) minutes to the Lift Station Assistant District Engineer.

c. Compensation

- (1) Employees who are On Call receive an additional payment of \$350.00 for each week of such duty. The Board shall reevaluate the amount of this payment periodically.
- (2) Non-exempt employees will be paid for all hours worked in quarter-hour increments while on event call out duty at a rate of 1.5 times the employee's regular rate of pay. Employees must keep track of any hours worked during the period they are On Call. If an employee is called to respond to an event, the hours worked are computed from the time the employee begins responding to the call to the time the employee returns home.

- (3) On call employees will receive a minimum of two hours call out pay for each call out.
  - (a) Non-exempt employees may request to accumulate compensatory time off in lieu of receiving pay for overtime work (as discussed further in Chapter III. EMPLOYEE BENEFITS, Section D. Compensatory Time Off, page 16).

2. Administration

a. Qualifications/Personal Requirements

- (1) Must be an exempt employee, such as the General Manager, Assistant General Manager, Superintendent or Executive Secretary/Administrative Manager.
- (2) Initially respond to call by telephone. May travel anywhere in pager/cell phone range.
- (3) Driver's license: Class C
- (4) Must maintain permanent telephone number at place of residence. Maintain ability to respond to phone and pager communications.

b. Responsibilities

- (1) Assist with decisions that lift station personnel or collection system personnel may not be authorized to make, such as calling in another agency (mutual aid) or hiring a general contractor to perform necessary emergency repairs.

c. Compensation

- (1) There is no additional compensation for exempt employees.
- (2) Scheduling
  - (a) Administration On Call status is assigned in weekly blocks beginning Thursday at 7:00 a.m. and extending through the week until the following Thursday at 7:00 a.m.

### C. Assignments/Scheduling

1. On Call status is assigned in weekly blocks beginning Thursday at 7:00 a.m. and extending through the week until the following Thursday at 7:00 a.m. Assignments for On Call status will be made three (3) to six (6) months in advance on a flexible rotation basis involving all employees who are eligible. Weekly block assignments are made and entered into a master calendar. Scheduling based on seniority will not be considered. Once an employee is assigned a weekly block, it is that employee's responsibility to fulfill the assignment. If the employee wishes to modify the assignment, the employee must find a qualified replacement (eligible pool member).
  - a. Major modifications, those involving weekly block assignment changes, must be approved in writing by the Lift Station Assistant District Engineer as appropriate.
  - b. Minor modifications, those involving changes to a day or a few hours, must be discussed with, and approved by the Lift Station Assistant District Engineer as appropriate.
2. All approved Collection System On Call *minor modifications* must be reported to the Answering Service *and* the Lift Station On Call person before the minor modification is to take effect.
3. Payment for minor modifications, if any, is the responsibility of the employees involved. District will not compensate, nor will it track reimbursement issues resulting from minor modifications.

### D. Use of District Vehicles and Equipment

1. While an employee is actively serving On Call, said employee will be provided with a District pager, cellular telephone and vehicle after hours. The District vehicle will be equipped with a two way radio. The employee actively serving On Call duty must have the District pager "on" and with them at all times. The cellular telephone shall remain with the employee when said employee is not near a land line telephone. Lift Station On Call personnel shall either have the telephone on at all times, or the telephone shall be diverted to a constantly monitored land line telephone.
2. District vehicles and telephones are to be used for official District business.
3. District vehicles are not to be used to haul or tow large personal items. Personal pets are not allowed on board a District vehicle.

4. Family members are not authorized to drive/ride in a District vehicle nor shall family members be taken to a District job site. All manufacturer's recommended safety procedures and instructions shall be strictly adhered to, including seat belt and air bag rules for proper use.

## **Acknowledgment of Employee Handbook and At-Will Statement**

I acknowledge that I have received a copy of Truckee Sanitary District's Employee Handbook. I understand that I am responsible for familiarizing myself with the information contained in this handbook and that it contains important information on the District's general personnel policies and on my obligations as an employee. I further understand that I should contact the General Manager if I have any questions or need further information on the District's personnel policies.

I understand that I am governed by the contents of this handbook, and that those contents may be subject to change. I understand that changes to this document are implemented at the sole and absolute discretion of the District, and may occur with or without prior notification. I agree to abide by the rules and regulations contained in this employee handbook and with revisions made hereafter. I also acknowledge that any delay or failure by the District to enforce any of its policies or rules will not constitute a waiver of the District's right to enforce its policies and rules in the future.

All employment at the District is employment for no fixed term and is "at-will." This means that both the District and I have the right to terminate my employment at any time, with or without advance notice, for any reason or for no reason at all. No one other than the General Manager or Board of Directors has the authority to alter this arrangement, to enter into an agreement for employment for a specified period of time, or to make any agreement contrary to this policy, and any such agreement must be in writing and must be signed by the General Manager or Board of Directors.

I understand that this handbook is not a contract of employment, either express or implied, and is subject to change. It may be revoked, altered, amended or modified at any time by the District.

**This copy remains part of your handbook for your records.**

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**Acknowledgment of Employee Handbook and At-Will Statement**

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I understand that this handbook is not a contract of employment, either express or implied, and is subject to change. It may be revoked, altered, amended or modified at any time by the District.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name

**Please sign this document and return it to the Administration Office.**

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# ADDENDA TO EMPLOYEE HANDBOOK

# Memo



**TO:** All TSD Personnel  
**FROM:** Thomas S. Selfridge *TSS*  
**SUBJECT:** Head Protection  
**DATE:** August 25, 2004

This memo is intended to reestablish TSD's commitment to safety with regard to head protection and clearly define when head protection is required while employed by TSD.

**1. Head protection must be worn in accordance with the below stated CALOSHA regulations.**

CALOSHA regulations (Title 8, Section 3381, Subchapter 7. General Industry Safety Orders) states;  
'(a) *Employees exposed to flying or falling objects and/or electric shock and burns shall be safeguarded by means of approved head protection in accordance with (b)(1), (2) and (c)*

(b)(1) *For exposure to flying or falling objects, or electric shock/burns (600 volts or less) helmets purchased after January 12, 1995 shall comply with ANSI Z89.1-1969, Class A or Class*

(c) *For exposure to high voltage electric shock (above 600 volts) and burns, helmets shall comply with ANSI Z89.2-1971, Safety Requirements for Industrial Protective Helmets for Electrical Workers, Class B.*

(d) *Where there is a risk of injury from hair entanglements in moving parts of machinery, combustibles or toxic contaminants, employees shall confine their hair to eliminate the hazard.*

Some examples of typical duties that require head protection would include:

- A. MH entry
- B. Working around cranes
- C. Any underground work or construction zone
- D. Working with the Vactor when vacuum or boom is in use
- E. Snow blowing when a roof might unload
- H. Traffic Control (flagging)
- I. Working in any electrical panels
- J. Any work on or near a high traffic roadway or thoroughfare.
- K. Other examples will be addressed on each Job Hazard assessment sheet.

Some examples of typical duties that may not require head protection would include:

- A. Manhole inspections at ground level (non-traffic zone)
- B. Manhole repairs (non-traffic zone)
- C. Brush clearing
- D. Lateral cleaning (off site area)
- E. GPS data collection
- F. Mapping district facilities
- G. Television work (off site area)
- H. Other examples will be addressed on each Job Hazard assessment sheet.

**2. Head protection must be kept with each employee at all times during work hours, in the event that working conditions change and may require head protection.**

# Memo

**TO:** All TSD Personnel  
**FROM:** Thomas S. Selfridge *TSS*  
**SUBJECT:** On Call Duty  
**DATE:** August 30, 2004



The TSD Employee Handbook Chapter VII. On Call Duty, Section B. On Call Personnel, Subsection c. Compensation, Paragraph (3), page 76, states "*On Call employees will receive a minimum of two hours call out pay for each call-out.*"

In order to provide equal compensation, TSD will now make this same compensation available to any employee called out to assist another employee serving On Call.

# Memo



**TO:** All TSD Personnel

**FROM:** Thomas S. Selfridge TSS

**SUBJECT:** Compensatory Time and On Call Duty

**DATE:** March 28, 2006

Effective today, March 28, 2006, the compensatory time accrual limit is increased from 24 hours to 40 hours in any calendar year. Also effective today, March 28, 2006, the weekly On Call additional payment of \$350.00 for each week of such duty is increased to \$450.00.

These changes will be updated in the TSD Employee Handbook when the revision process is complete.

# Memo

To: All employees  
From: Tom Selfridge, General Manager  
Date: August 30, 2006  
Re: Shift Differential Policy

Shift differential is used as a financial incentive and compensation program for employees who are required to work evening/night shifts.

**TSD employee handbook, section 11. (3) Shift Differential:** *All employees who are scheduled to work a nighttime shift (as designated by the General Manager) or for an emergency nighttime shift will receive a pay differential of \$7.00 per hour for each hour worked and a corresponding increase in any overtime premium for that period.*

To better define this policy the following conditions shall apply:

1. Regular working hours are defined as: 7:00 a.m. to 4:30 p.m. Monday thru Friday.
2. A shift is defined as a 9 hour work day <sup>M-Th</sup> (9/80) schedule. <sub>8 HR WORK DAY FRI</sub>
3. Employees who work between the hours of 4:30 p.m. and 7:00 a.m. (evening/night shift) may be eligible for shift differential pay.
4. If at least 50 percent of an employees shift is between the hours of 4:30 p.m. and 7:00 a.m. they will receive shift differential pay for each hour worked.
5. If less than 50 percent of the shift is worked between the hours of 4:30 p.m. and 7:00 a.m. (i.e. reporting at 5:30 a.m. for snow removal) no shift differential pay will be paid.
6. It is the District's general policy to avoid the need for overtime work whenever possible, however, if required there will be a corresponding increase in any overtime premium for that period.
7. On-Call is exempt from this policy.

# Memo



**TO:** Accounting/Payroll  
**FROM:** Tom Selfridge, General Manager *TSS*  
**SUBJECT:** Payment of Overtime  
**DATE:** July 7, 2009

In a “non call back” scenario, the Truckee Sanitary District Employee Handbook prohibits the payment of overtime after midnight should an employee work through midnight into the next workday morning. The hours after midnight revert back to regular hours until the employee works 9 hours at regular pay, those hours after 9 hours are then considered overtime.

In order to address unusual shift scenarios, the General Manager may make exceptions, on a case by case basis, to allow overtime to be paid after midnight into the next workday.



# Memo



**TO:** All Employees  
**FROM:** Tom Selfridge *TSS*  
**SUBJECT:** Travel Compensation  
**DATE:** April 8, 2010

As you know the District has been working on updating the Employee Handbook. Unfortunately, some sections are taking longer to evaluate than others. So, rather than waiting for completion of the entire Handbook, to address Travel Compensation, the five sections below will be implemented effective today. If you have any questions, please contact Rebecca.

## **1. Travel from home to work**

In general, the time an employee spends going from home to work and from work to home is not compensable work time, whether the employee reports to a fixed location or to different job sites.

## **2. Travel in a Single Day**

Travel time is considered compensable work time if an employee has a management-approved special assignment that calls for the employee to travel to and from another location in a single day. In this case, travel time outside the employee's regular work hours is compensable. The employee's usual meal time is not compensable, provided the employee is able to take a duty-free meal.

## **3. Travel away from home Overnight**

An employee who is required by the District to be away from home overnight on business is compensated for travel that occurs only during those periods that coincide with the employee's regular working hours (e.g., 7 a.m. - 4:30 p.m.). Such travel time is compensable even if it occurs on a non-working day (e.g., Saturday or Sunday between 7 a.m. and 4:30 p.m.). Travel occurring outside of regular working hours (e.g., for an airline flight leaving at 9:00 p.m. and arriving at 11:00 p.m.) is not compensable time unless the employee performs work during such travel time.

#### **4. Travel Using Private Automobile**

If the employee chooses to use his or her own car rather than public transportation made available by the District (and at the District's expense) for travel away from home, the District will determine hours worked as either the time spent driving or the time that would have been spent on public transportation during regular working hours.

#### **5. Time spent at meetings and training sessions**

Time spent at management-approved meetings and training sessions is considered compensable work time unless the **all** the following conditions are met:

- the meeting, lecture, etc., is held outside the employee's regular working hours; and
- attendance is voluntary (not a condition of employment); and
- the meeting, lecture, etc., is not directly related to the employee's job; and
- the employee does not perform any productive work for the employer while attending.

# MEMORANDUM

To: All TSD Employees  
From: Blake Tresan, General Manager *BT*  
Date: December 2, 2014  
Subject: Security Cameras



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The purpose of this memorandum is to notify all employees that the District is implementing additional measures to improve security and enhance employee safety at the District Administration/Corporation Yard. Specifically, please be aware that, effective this month, the District has started installation of a security camera system that will monitor the entrance gate, parking lots, fueling station, solar panel array, administration building lobby, west bay of the vehicle maintenance facility, and the vehicle storage facility.

Please contact Rebecca Ruby, Administrative Services Manager, with any questions about this.

# MEMORANDUM

To: All District Employees  
From: Blake Tresan, General Manager *BT*  
Date: March 5, 2015  
Subject: New Anti-Bullying Law, Policy, and Training



The purpose of this memorandum is to inform TSD employees of a recent amendment (AB-2053) to existing California law (Gov't Code § 12950.1) that now requires employers to provide training on the prevention of abusive conduct (i.e. bullying) in the workplace. In response to this legislation, and in keeping with the District's goal to provide a professional, respectful, and healthful work environment, the District has developed a new policy entitled "Prohibition of Abusive Workplace Conduct." The policy is provided below for your review and files. This policy is effective as of March 5, 2015, and all employees are expected to comply with the policy. The policy will be formally incorporated into the next iteration of the District's Employee Handbook.

## Prohibition of Abusive Workplace Conduct Policy Effective March 5, 2015

*To ensure the District provides a respectful, safe, and comfortable workplace for employees, customers, contractors, and the general public, the District prohibits abusive or bullying conduct in the workplace or work-related situations.*

*Prohibited under this policy is malicious workplace conduct that a reasonable person would find hostile, offensive, intimidating, and unrelated to the job. Examples of such prohibited bullying include, but are not limited to: hitting or any other unwelcome touching; yelling, berating, belittling, or insulting communications; shunning or refusing to communicate/interact; horseplay or pranks; undermining or sabotaging work performance, etc.*

*Employees who believe they have been subjected to abusive workplace conduct, or who have observed such conduct, should immediately report it to the Administrative Services Manager or any other District Manager. Employees are encouraged to promptly advise the offending individual(s) that his/her behavior is inappropriate and must stop immediately.*

In conformance with the new legislation and policy and to provide further clarification of what constitutes bullying, the District has scheduled a one-hour all-hands' training and an additional half-hour manager/supervisor training on the prevention of abusive conduct in the workplace for **Monday, April 13, 2015, beginning at 8 a.m.** This training is mandatory. Please put the date on your calendar, and plan on attending.

### Acknowledgment

I acknowledge that I have received a copy of the Truckee Sanitary District's Prohibition of Abusive Workplace Conduct Policy. I understand that this policy may be amended or rescinded at any time at the District's sole discretion.

Employee Signature

Print Employee Name

Date

back to page one

# Memo

**To:** All TSD Employees  
**From:** Blake Tresan, General Manager *BT*  
**Date:** September 22, 2015  
**Subject:** Bicycle Use & Safety



As you know, the District has purchased three bicycles for work-related purposes at the District's admin/corporation yard. One bike is a cargo bike for carrying bulkier items, and is generally for use by Lonnie for his duties, but may be used by others if not being used at the time. The other two bikes have smaller baskets and racks capable of carrying smaller items between the buildings.

The bikes will reside at the bike racks located at the rear entrance of the Admin building, and at the front of the FOB. Locks are provided on each bike, and to assure that they are locked at the end of each day, we ask that you lock the bike to the rack after you are finished using it unless you know that they will be used again that day. During winter conditions, the bikes will be stored in the VMF or VSF so as not to interfere with snow removal activity.

Bike riders must adhere to all the rules of the road as required by the California Vehicle Code. The District will provide an adjustable helmet with each bike, and it should be left with the bike after each use. Use of a helmet is strongly encouraged. Staff members are free to wear their own personal helmets if desired.

Before using a District bicycle, it is recommended that you always check that the tires are inflated properly and that the brakes and steering work properly. If any District bicycle is not in proper operating condition please report it immediately to Arnold Studer for correction.

Other safety considerations are:

- Don't ride when the pavement is frosty or slippery.
- Keep speeds below 25 mph in the TSD complex.
- Be aware of and anticipate vehicles and equipment movement in the area.

Recreational use of District bicycles is permissible during employees' lunch or breaks. The Legacy Trail located by the Truckee River is a perfect place for a ride. District bikes are not to be used at the Truckee Bike Park.

TSD management is committed to supporting a healthy and safe work environment. If you have any questions or concerns regarding bicycle use or safety, please contact your supervisor or manager.

**MEMORANDUM**

To: All TSD Employees  
Cc: TSD Board of Directors  
From: Blake Tresan, General Manager *BT*  
Date: November 24, 2015  
Subject: Professional Achievement Awards



To encourage, recognize, and reward individual employee accomplishments in the area of work-related professional development, the TSD Employee Handbook is hereby amended to include a new section entitled, Professional Achievement Awards, as indicated below. The effective date of this amendment is October 26, 2015. If you have any questions, don't hesitate to contact your supervisor or manager.

**Professional Achievement Award**

The Professional Achievement Award recognizes individual accomplishments in the area of work related professional development such as education, licensing, and administrative/technical certification. The award provides a one-time reward per achievement to employees who complete academic degrees or obtain professional certification credentials or licensing beyond that required of their current job description. Achievement must be of demonstrated rigor and provide a professional benefit to the District. Recipients will be recognized by the Board of Directors and receive a one-time award in accordance with the following schedule:

<u>Achievement</u>	<u>Amount of Award</u>
Commercial Driver's License	\$200
Professional Certification	\$300
Associate's Degree (AA)	\$500
Bachelor's Degree (BA/BS)	\$750
Graduate Degree (MA/MS/MBA/PhD)	\$1,000

Monetary awards are subject to taxes in accordance with IRS tax regulations. Awards will be processed and disbursed with regular payroll cycles.

**Employees must:**

- Complete the Professional Achievement Award Request Form, which includes obtaining all required signatures and submit to Human Resources,
- Submit written proof of completion (e.g., degree, certification) from awarding organization to Human Resources. (A copy of the form, degree, and/or certificates will be kept in the employee's personnel file.)

**Truckee Sanitary District**  
**Professional Achievement Award Request Form**

*Employee responsible for acquiring all signatures and documents and submitting to HR  
Please submit one Award Form per Achievement*



Employee Name:	
Current Position:	
Date:	

**Award Sought for:**

Check Box	Achievement	Amount	Describe
<input type="radio"/>	Commercial Driver's License	\$200	
<input type="radio"/>	Certification	\$300	
<input type="radio"/>	Associates Degree	\$500	
<input type="radio"/>	Bachelor's Degree	\$750	
<input type="radio"/>	Graduate Degree	\$1,000	

**Comments** (attach separate page if desired):

**Required Signatures:**

Staff	Signature	Date
Employee		
Supervisor		
Department Manager		
General Manager		

HR Department Only

- Transcripts and/or Certificate of Completion Received Initial \_\_\_\_\_ Date \_\_\_\_\_
- Process to Payroll for Award disbursement Initial \_\_\_\_\_ Date \_\_\_\_\_
- Payroll Processed Initial \_\_\_\_\_ Date \_\_\_\_\_
- Notice to BOD for recognition Initial \_\_\_\_\_ Date \_\_\_\_\_

# MEMORANDUM

To: All TSD Employees  
Cc: TSD Board of Directors  
From: Blake Tresan, General Manager  
Date: December 1, 2015  
Subject: Maximum Accrual of Sick Leave



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For some time the District has been attempting to update the Employee Handbook; unfortunately, this task has not yet been accomplished. One of the items to address in the update process was to increase the maximum accrual of Sick Leave. The current maximum is 1,500 hours. In an effort to move forward with certain items, the District Employee Handbook is hereby amended to read:

### III. EMPLOYEE BENEFITS

#### F. Sick Leave

##### 3. Maximum accrual of leave

Full-time employees may accrue up to a total of 2,000 hours of sick leave. Benefited part-time employees may accrue up to a pro rata share of 2,000 hours of sick leave. Once an employee has accrued his or her maximum number of sick leave hours, that employee will not accrue any additional sick leave until his or her accrued leave drops below the maximum.

The effective date of this amendment is July 1, 2015. If you have any questions, don't hesitate to contact your supervisor or manager.



# MEMORANDUM

Date: February 8, 2016  
To: All TSD Employees  
Cc: TSD Board of Directors  
From: Blake Tresan, General Manager *Blake Tresan*  
Subject: Installation/Operation of "Panic" Buttons

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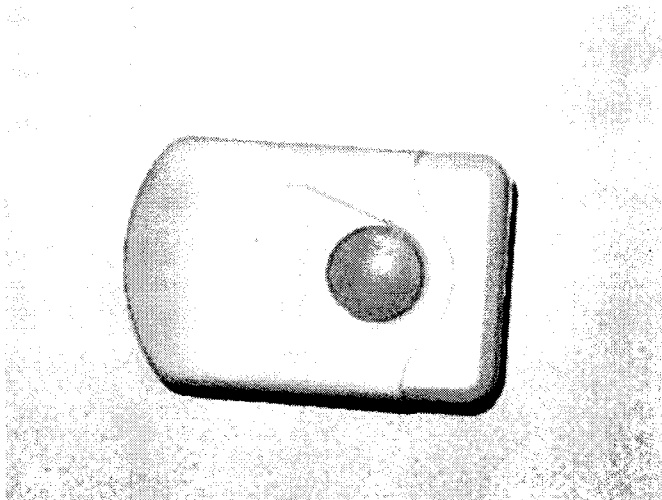
In the event that a serious threat of violence occurs at TSD, the District has installed two "panic" buttons to notify the Truckee Police Department of the threat. Once pressed and held for a full second, the "panic" button will send a silent alarm through California Security to the Truckee Police Department where officers will be dispatched immediately to address the threat to TSD.

The "panic" buttons are currently located under the right side of the two desks in the reception area of the Administration Building. A button will be moved into the Board Room during Board Meetings. A third "panic" button will be placed in the FOB, at a location to be determined, in the near future. A subsequent memo will be sent out once it is installed.

To ensure their functionality, the buttons will be periodically tested with the Truckee Police Department. Additionally, a preventative maintenance program to ensure the units always have fresh batteries will be implemented.

Management is committed to making TSD a safe workplace for its employees and the public and believes the addition of these buttons is a prudent action. If you have any questions about the "panic" buttons or other concerns about safety at TSD, please contact your supervisor or manager.

A picture of the device is shown below. Please activate the device when the need occurs.



# MEMORANDUM

To: All TSD Employees

From: Blake Tresan, General Manager

Date: September 29, 2016

**SUBJECT: USE OF PORTABLE ELECTRONIC DEVICES DURING WORKING HOURS**

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The purpose of this memorandum is to remind all TSD employees of the District's expectations regarding the use of portable electronic devices (cell phones, tablets, etc.) during working hours. While tremendous tools, the District expects employees to use these devices in a manner that does not impair safety, productivity, or public perception.

The biggest concern the District has with the use of portable electronic devices at work is safety. Everyone knows that texting or talking on a cell phone while driving is illegal and strictly prohibited. However, the District is also concerned about the use of these devices by passengers. TSD employees riding as passengers in District vehicles are expected to support the driver and be on the lookout for potential hazards. This is not possible if the passenger is focused on their electronic device. The risk of an accident further increases if the driver is distracted by the passenger's device. Additionally, use of electronic devices at job sites or at the office can also take an employee's focus away from their work and increase the likelihood of an accident. There is no reason for injuries or property damage resulting from distracted behavior by an electronic device.

A second District concern is the loss of productivity from the use of personal electronic devices. During working hours, the District expects employees to be focused on performing their job duties. While the District has no objection to the use of electronic devices to respond to personal emergency situations (e.g, sick family), non-emergency personal use of these devices is to be strictly limited to break and lunch times and should not result in a distraction to other employees. This applies to employees working at the office, in the field, or at other work-related activities such as conferences and training classes.

Lastly, the misuse of these devices at work has the potential to damage the District's public image. The District is supported by its constituents through user fees and tax dollars. These constituents expect District employees to be good stewards of their money and not spend District time using these devices for non-work related tasks. Maintaining the public trust is essential to the success of our organization, and if lost, is extremely difficult to regain.

To summarize, the District has no objection to employees carrying cell phones or other electronic devices while at work. However, the use of these devices during working hours for non-work related task should be extremely limited. Respecting and adhering to these expectations will result in a more productive, safe, and community-supportive work environment.

I sincerely appreciate your attention to and cooperation on these matters.

Thank you!

# MEMORANDUM

To: All TSD Field Personnel

From: Liz Carstens *LC*

Date: December 7, 2016

Amended: January 28, 2015

Amended: November 19, 2015

Amended: April 28, 2016

Subject: Uniform Allowance



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December 7, 2016

Effective October 2016, summer and winter safety boots will be replaced on an as-needed basis and will be purchased by the employee. Employees can purchase safety boots at Barebones Workwear in Truckee or Red Wing Shoes in Reno or Carson City by charging the purchase to the TSD account. Purchases will require a Work Boot Authorization Form to be provided and signed by a manager. After the purchase, employees will be responsible for providing a receipt of the purchase to their manager. Please note that it is the employee's responsibility to have boots that are in good condition to ensure his/her own safety and physical wellbeing.

The allowance for both summer and winter safety boots has been increased to \$250.00 per pair. Upon supervisor approval of date and time, employees will be allowed to leave a half hour early for purchasing new boots; however, mileage reimbursement will not be provided.

If the employee cannot purchase his/her preferred boots through Bare Bones or Red Wing in store or via special order, the employee can purchase boots through another vendor with a District credit card and manager approval. The same policies apply regarding leaving early to make the purchase and providing a receipt after the purchase.

Safety boots are required to have a steel or composite toe meeting ASTM F2413 standards and minimum height of 6 inches. Any fit or return issues are the sole responsibility of the employee.

The policy for the purchase of blue jeans will remain the same; employees will continue to receive a uniform allowance of \$270.00 per year.

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April 28, 2016

For clarification, the PERSability of the blue jean allowance only applies to Classic employees (those hired prior to January 1, 2013). CalPERS regulations do not allow the uniform allowance for PEPRA/ New Hires (those hired after January 1, 2013) to be PERSable.

We have also been advised that the Red Wing Shoe store in Reno has decreased the employee discount to 5%. This is due to decreased purchase volume from TSD personnel.

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November 19, 2015

At the regularly scheduled Board of Directors meeting held on November 19, 2015, the Board voted to approve the below Uniform Allowance policy retroactively to January 1, 2015 and amended the September 1, 2002 Truckee Sanitary District Employee Handbook to include the policy and the following language into the policy:

The District will report to CalPERS the monetary value for providing and maintaining the employee's required uniforms. The uniform allowance amount reported to CalPERS will derive from the District's total fiscal year budgeted amount for providing and maintaining the employee's uniforms, not to exceed \$500 per calendar year, per employee.

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January 28, 2015

Effective January 2015, TSD has implemented a Uniform Allowance policy. This policy applies to the blue jean, steel toe safety boot, and winter boot uniform components. All other uniform components will remain under the current policy.

Rather than purchasing blue jeans/boots for employees or processing reimbursements, TSD will automatically include the blue jean and safety boots allowance in the last paycheck of each January. This will be according to the allowance amount and time line schedule shown in the table below. Winter boots will be on an as needed bases and will be included in the payroll process as necessary. These allowances and time lines are based on previous purchase history for employees.

	<b>Allowance</b>	<b>Time Line</b>	<b>Taxable</b>	<b>PERSable</b>
<b>Blue Jeans (approx. 6 pair)</b>	\$270	Per year	Yes	Yes
<b>Steel Toe Safety Boots (1 pair)</b>	\$220	Every two years	Yes	No
<b>Winter Boots (1 pair)</b>	\$220	As needed	Yes	No

(The allowance amount includes an extra \$20 to help offset taxes)

Receipts are not required to be returned to TSD and these items are to be purchased on the employees own time.

**As with the current policy:**

- Dirty uniform items are not to be taken home under any circumstance
- Uniforms are not to be washed in any other facilities due to the possible contamination from sewage bacteria
- It is each employee's responsibility for keeping his or her uniform clean and presentable at all times
- All components of the TSD uniform are to be worn only during working hours and are not to be worn when an employee is not on duty
- Upon termination of employment, an employee must clean and return all uniform components to TSD. Exceptions will be made for the blue jeans and boots components.

**Red Wing Discount:**

TSD has made arrangements with Red Wing Shoe store in Reno for employees to receive a 15% discount on one pair of steel toe safety boots from Red Wing or 10% off the regular purchase price for Worx Boots. Red Wing has a list of eligible employees and may ask for your TSD photo ID card. We encourage you to shop with Red Wing in order to continue receiving this discount.

This policy may be amended or rescinded at any time at TSD's sole discretion.

## MEMORANDUM

TO: All TSD Employees  
CC: Board of Directors  
FROM: Liz Carstens  
DATE: December 20, 2016  
SUBJECT: **Use of Personal Vehicle for TSD Business**

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The District has a fleet of approximately 30 vehicles. Many of these vehicles are designed for specialized activities such as excavation, sewer cleaning, and televising. The District also has a number of non-specialized vehicles, including pick-up trucks and SUV's. While the District encourages all employees to utilize a District vehicle when performing work-related activities, it is not uncommon or prohibited for employees to use personal vehicles for work-related transportation. The purpose of this memorandum is to provide employees with insurance information regarding the use of personal vehicles while on TSD business. This information is meant to supplement, but not supersede, information on the District's vehicle and travel policy in the Employee Handbook.

### Liability Insurance

**TSD's auto insurance does not cover damages to an employee's personal car if they were to get in an accident while on District business.** TSD's insurance policy protects the District if it was brought into a lawsuit, but the employee's personal liability insurance would be primary and TSD's liability insurance would be secondary. Thus, when conducting District business, employees are encouraged to use a District vehicle. Please contact your supervisor or manager to arrange for the use of a District vehicle. To avoid delays, please provide adequate lead time.

### Rental Car Insurance

No additional insurance is required by Employees renting vehicles while on District business. TSD's insurance policy covers rental cars, provided the car is rented in TSD's name.

Please don't hesitate to contact me if you have any questions.

# MEMORANDUM

To: All TSD Employees  
Cc: TSD Board of Directors  
From: Blake Tresan, General Manager  
Date: June 5, 2017  
Subject: Compensatory Time Off



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Section III.D. of the TSD Employee Handbook defines the District's policy with regards to compensatory time off (CTO). This policy was modified in 2006 to increase the time accrual limit from 24 hours to 40 hours in any calendar year. In an effort to improve the way CTO is tracked, administered, and utilized, this policy is being further modified. The revised CTO policy is shown below and will become effective the pay period beginning June 9, 2017. Key changes include:

- One time cap on CTO is removed (i.e., the 40 hour cap is refillable)
- Requirement to cash-out accumulated CTO at the end of the calendar year is removed

Because these changes may result in additional staff time off, management will be monitoring the changes closely to make sure they do not hamper the District's ability to function efficiently. Time off requests that negatively impact operations will be declined. Therefore, as always, employees should wait to receive approval for time off (compensatory or vacation) before making firm plans.

Lastly, should employees desire to cash-out accrued comp time, a Time Off Authorization form should be submitted to their manager for approval indicating the number of hours of comp time to be cashed out in the "Other" field (see example below) and included with their time card.

### Section III. D. Compensatory Time Off

*Supersedes policy in 9/1/02 Employee Handbook and memo amending handbook on 3/28/06*

*"Non-exempt employees may request to accumulate compensatory time off in lieu of receiving pay for overtime work. Compensatory time off is defined as time taken off during an employee's regular scheduled shift which is paid for at the employee's regular rate of pay. Overtime work must be authorized in advance by the employee's supervisor/department manager.*

*Compensatory time off is accumulated at a rate of one and one-half (1.5 ) hours for each hour of overtime worked. Employees shall be allowed to accumulate no more than 40 hours of compensatory time at any time. Once at the 40 hour maximum, all overtime will be paid out at the overtime rate. Compensatory time off may not be used before it is accumulated.*

Use of compensatory time off shall be requested at least **24 hours in advance** by the employee in writing and taken at a mutually agreeable time, so long as it does not create an undue hardship on the District. Pay for accumulated compensatory time off shall be at the employee's regular hourly rate of pay in effect at the time of payment."

**EXAMPLE OF HOW TO CASH OUT  
ACCRUED COMP TIME**

TRUCKEE SANITARY DISTRICT TIME OFF AUTHORIZATION		
Name <u>Joe Sewer</u>	Date of Request <u>7-4-76</u>	
	DATES	#HOURS PER DAY
<input type="checkbox"/> Vacation*		
<input type="checkbox"/> Sick Leave* <input type="checkbox"/> Self <input type="checkbox"/> Family		
<input type="checkbox"/> Comp Time*		
<input type="checkbox"/> Medical Appointment*		
<input type="checkbox"/> Floating Holiday		
<input type="checkbox"/> Jury Duty*		
<input type="checkbox"/> Bereavement*		
<input checked="" type="checkbox"/> Make-up Time*		
<input checked="" type="checkbox"/> Other* <u>Comp Time Cash Out</u>		
*If partial day, list day and time requested off _____		
Total number of hours requested <u>10.0</u>		
Copies (after approvals): Original: Employee Yellow: Payroll Pink: Dept. Manager	Signature <u>Signature Required</u> Employee Approvals <u>Signature Required</u> Supervisor/Manager	<input type="checkbox"/> Entered into Outlook



# MEMORANDUM

TO: All TSD Employees

FROM: Liz Carstens, HR/RM Administrator  
Blake Tresan, General Manager

DATE: December 6, 2017

**SUBJECT: New Law – Parental Leave Act**

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California recently passed a new law called the “Parental Leave Act,” which requires certain employers, including TSD, to permit eligible employees to take up to 12 weeks of unpaid parental leave to bond with their child within one year of the child’s birth, adoption, or foster care placement. To be eligible for the leave, the employee must: 1) have been employed for at least 12 months; 2) have at least 1,250 hours of service during the past 12 months; and 3) be employed at a worksite with at least 20 individuals in a 75-mile radius.

Eligible employees authorized to take parental leave may request to use accrued paid time off during this otherwise unpaid leave. In accordance with District policy, employees on paid leave continue to accrue vacation and sick leave, while employees taking unpaid leave do not accrue paid time off.

District employees on approved parental leave will continue to be covered by the District’s group health insurance under the same terms and conditions as if the employee were not on leave.

This new law takes effect on January 1, 2018.

If you are interested in requesting this leave, or if you have any questions concerning this matter, please contact Liz Carstens.

# Memo

To: All Employees & Directors  
From: Blake Tresan, General Manager *BT*  
Date: February 11, 2020  
Subject: Lactation Accommodation Policy

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In response to Senate Bill 142, which was passed in 2019, Truckee Sanitary District (the District) recognizes employees' rights to request lactation accommodation and shall provide a reasonable amount of break time and a suitable lactation location to any employee who desires to express breast milk for their infant child, in accordance with applicable law.

If possible, the lactation break time should run concurrently with the employee's normally scheduled break time. Any break time to express breast milk that does not run concurrently with the normally scheduled break time is unpaid.

Employees should contact the HR Administrator to request lactation accommodations. An employee's request may be oral or in writing, and need not be submitted on a specific form. The District will engage in an interactive process with the requesting employee to determine when and where lactation breaks will occur. If the District cannot provide break time or a location that complies with this policy, we will provide a written response to the accommodation request.

The lactation location provided will comply with all legal requirements. That is, the location will be private (shielded from view and free from intrusion by co-workers and the public) and located close to the requesting employee's work area. The location will: be safe, clean and free of toxic or hazardous materials; have a surface on which to place a breast pump and other personal items; have a place to sit; and have access to electricity or alternative devices (such as extension cords or charging stations) allowing for the operation of an electric or battery-powered breast pump.

The District will also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace. If a refrigerator cannot be provided, the District will provide another cooling device suitable for storing milk, such as a cooler.

The District does not tolerate discrimination or retaliation against employees who exercise their rights to lactation accommodation, including those who request time to express milk at work and/or who lodge a complaint related to the right to lactation accommodation. Any employee who believes they have been denied reasonable break time or adequate space to express milk, or who believes they have otherwise been denied any right related to lactation accommodation has the right to file a complaint with the Labor Commissioner.

# MEMORANDUM

To: All TSD Employees

From: Blake Tresan, General Manager *BT*

CC: Board of Directors

Date: February 24, 2020

Subject: Updated Policy Prohibiting Harassment and Discrimination

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In accordance with legislative changes, the District has updated its policy prohibiting harassment and discrimination. The following policy supersedes Section IV.I of the current TSD Employee Handbook.

## **POLICY PROHIBITING HARASSMENT AND DISCRIMINATION**

The purpose of this policy is to maintain and foster a work environment that is free of unlawful discrimination and harassment.

Harassment and discrimination in employment on the basis of sex (including pregnancy, childbirth, breastfeeding, or related medical condition), gender, race, color, national origin, ancestry, citizenship, religion, creed, age, physical or mental disability, medical condition, sexual orientation, gender identity or gender expression, military or veteran status, marital status, registered domestic partner status, genetic information, or any other protected basis (collectively the “Protected Characteristics”) is unlawful under federal and state law. Every individual is entitled to work free of discrimination or harassment based on any Protected Characteristic. The law prohibits all employees (including coworkers, supervisors, and managers), as well as third parties with whom the employee comes into contact, from engaging in this prohibited conduct. Accordingly, the District does not tolerate discrimination or harassment in the workplace or in a work-related situation. Unlawful discrimination and harassment is a violation of the District’s rules of conduct.

**Unlawful harassment** in employment may take many different forms. Some examples are:

- Verbal conduct such as epithets, derogatory comments, slurs, or unwanted comments and jokes;

- Visual conduct such as derogatory posters, cartoons, drawings, or gestures;
- Physical conduct such as blocking normal movement, restraining, touching, or otherwise physically interfering with work of another individual;
- Threatening or demanding that an individual submit to certain conduct or to perform certain actions in order to keep or get a job, to avoid some other loss, or as a condition of job benefits, security, or promotion; and
- Retaliation by any of the above means for having reported harassment or discrimination, or having assisted another employee to report harassment or discrimination.

**Sexual harassment** under these laws includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

### **Internal Complaint Procedure**

Discrimination and harassment in employment are not tolerated. In addition, the District prohibits retaliation for having made a report, and/or otherwise participating in the reporting or investigative process, under this policy. Violation of this policy will result in disciplinary action up to, and including, immediate discharge.

Any individual who believes they are the object of harassment or discrimination on any prohibited basis, or who has observed such harassment or discrimination, or who believes they have been subjected to retaliation, should notify their supervisor, the Human Resources Administrator, or any supervisor or manager. Supervisors who receive a complaint under this policy will report it to Human Resources. The District will conduct a fair, timely, and thorough investigation, and will do so in a confidential manner, to the extent possible. The investigation will be performed by impartial and qualified personnel, and will be appropriately documented. Following the investigation,

the District will take such action as is warranted under the circumstances, and will timely close the matter.

### **Agency Complaint Procedure**

Both the state and federal governments have agencies whose purpose is to address unlawful discrimination in the workplace. If an individual who provides services to the District believes they have been harmed by an unlawful practice, and is not satisfied with the District's response to the problem, they may file a written complaint with these agencies. For the State of California, the agency is called the Department of Fair Employment and Housing ("DFEH"). The local address for the DFEH is 2218 Kausen Drive, #100, Elk Grove, California 95758. For the federal government, the agency is called the Equal Employment Opportunity Commission ("EEOC"). The local address for the EEOC is 1301 Clay Street, #1170, Oakland, California 94612.

If, after an investigation and hearing, either of these agencies finds that unlawful discrimination and/or unlawful conduct has occurred, it will accord the injured employee an appropriate remedy, which may include, depending on the circumstances, reinstatement or promotion, with or without back pay.

### **Retaliation**

Retaliation against any individual for making a report, or for participating in an investigation, under this policy is strictly prohibited. Individuals are protected by law and by District policy from retaliation for opposing unlawful discriminatory practices, for filing an internal complaint under this policy or for filing a complaint with the DFEH or EEOC, or for otherwise participating in any proceedings conducted by the District under this policy and/or by either of these agencies.

## MEMORANDUM

TO: ALL TSD EMPLOYEES

CC: TSD BOARD OF DIRECTORS

FROM: BLAKE TRESAN, GENERAL MANAGER

DATE: MARCH 18, 2020

**SUBJECT: TSD COVID-19 TEMPORARY OPERATING PROGRAM**

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In order to ensure TSD's ability to continue to provide essential sewer services to our community and to protect the health of TSD employees, their families, and the public by reducing the transmission of the COVID-19 virus, the operations at TSD are being modified as indicated below in the TSD COVID-19 Temporary Operating Program. These changes shall take effect Thursday, March 19, 2020 and are anticipated to last through Friday, April 3, 2020. Because of the fluid nature of the situation, changes to the dates and program elements as new information becomes available are to be expected. Your cooperation, flexibility, and solutions-based input are greatly appreciated.

### **TSD COVID-19 Temporary Operating Program**

#### **Objectives**

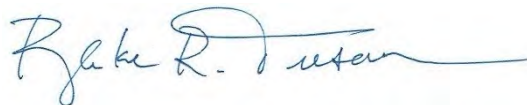
- Ensure the continued provision of essential sewer services to our community
- Maintain and protect the health and safety of our valued team members
- Do our part to help our community slow the spread of the virus
- Ensure the continuation of essential/critical business processes
- Minimize number of team members on-site during normal office hours to protect those who must be here
- Maintain a healthy "bench" of team members to continue provision of essential services

#### **Elements**

1. TSD facilities will be closed to the public. The front gate shall remain closed and building doors locked;
2. All staff shall work from home during their regular working hours, except to perform work in the office or the field as requested by a supervisor or manager;
3. Work at home shall be assigned by supervisors and managers;
4. Staff working from home during regular working hours:
  - Are expected to be at their home or in the immediate vicinity of their home;

- Shall respond to phone calls within 15 minutes of receiving a call to the number on the attached phone list (phone list is also available on the TSD Website Employee Portal). Calls may come from management, supervisors, or co-workers;
  - Are expected to be able to leave their home to come to work if so requested within 30 minutes of receiving a request;
5. If staff working at home are unable to respond in conformance with item 4 above, they may be subject to disciplinary action and/or required to use accrued paid leave for time staff not available;
  6. Staff with District supplied cell phones or mobile devices are expected to bring said devices home and have them available during regular working hours.
  7. Staff with office phones shall:
    - check their voice messages regularly, including once before 9:00 am and once between 2:00 and 4:00 pm, or
    - have phone calls redirected to the cellular or home phone
  8. Lift Station On-Call duties will remain the same for weekends, holidays, and non-regular work hours
  9. During regular work hours, a rotating staff consisting of Sarah Bergeron, Mike Donchez, Kyle Vickers, and Morgan Walters shall be responsible for checking the telemetry/scada charts and graphs, performing the site and building inspections, and responding to any alarms;
  10. Managers will determine schedules for other essential duties (e.g., payroll, accounts payable, USAs, etc.);
  11. Field staff called in from their home to report to TSD during regular working hours of the Temporary Operating Program shall report first to the TSD Corp Yard to change clothes and vehicles before performing any field work. Commute miles between home and TSD are not subject to reimbursement;
  12. Leave for vacation, sick, comp time, or other absences during the Temporary Operating Program must be approved by a supervisor or manager as usual;
  13. During the Temporary Operating Program, payroll will be processed on an 80 hours worked basis for all employees. Use of any leave, comp time accrual, or overtime pay will not be reflected on the pay stub, but will be reconciled after the cessation of the Temporary Operating Program. Complete and accurate time sheets will be required upon return;
  14. During the Temporary Operating Program, vacation accruals will be allowed to exceed the 240 hour cap;
  15. The public will be notified of the TSD's Temporary Operating Program and provided contact information via the TSD website, our outgoing general phone message, a notice at the entrance gate, and through a press release with the Sierra Sun. Additionally, a notice will be sent directly to other agencies and relevant organizations.

As you know, it is essential that TSD continue to operate and maintain a safe and reliable sewer system for the Truckee community. I am confident, given the dedication and professionalism of our team that we can get through this for the community we serve.



**ADDENDUM TO THE  
TSD COVID-19 TEMPORARY OPERATING PROGRAM**

1. The front gate will remain open during regular work hours to allow the delivery of mail and other goods. The buildings will remain locked and signage will be placed on the entrances to all buildings providing information on how to contact the District if needed. Containers will be placed in the covered entrance of the Admin Building for mail and other regular deliveries.  
Dated 3/18/20



# Memo

To: All Employees & Directors  
From: Blake Tresan, General Manager *BT*  
Date: June 11, 2020  
Subject: Modified Operational Hours during TSD Covid-19 Temporary Operating Program



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As part of the TSD Covid-19 Temporary Operating Program that went into effect on March 18, 2020, the District will be temporarily modifying its operational hours. Effective June 15, 2020, employees will be scheduled to work regular 8- to 9-hour shifts any time between the hours of 6:00 a.m. to 6:00 pm. This modification will apply mainly to field crews working staggered shifts in order to maintain social distancing protocols set forth in the District's Covid-19 Exposure Control Plan. For employees working a 9/80 schedule, a shift will still be defined as a nine (9) hour workday Monday – Thursday and an eight (8) hour workday on Friday, but the shift may start as early as 6:00 a.m. or end as late 6:00 p.m. Management will be giving staff as much advance notice as possible of shift changes. Scheduling will be based on the needs of the District to maintain safety, productivity, and customer service.

The Shift Differential Policy defined in the TSD Employee Handbook will remain in effect, subject to the below modifications. That is: employees are not eligible to receive, will not receive, any shift differential pay during their assigned regular schedule. For example, if an employee's regular schedule changes to 6:00 a.m. through 3:30 p.m., the employee will not be provided any shift differential pay during their normal 6:00 a.m. to 3:30 p.m. shift. If this same employee is required to work after 6:00 p.m., and/or before 6:00 a.m., the employee may be eligible for shift differential depending upon the circumstances.

This temporary modification of operational hours will remain in effect until the resolution of the Covid-19 pandemic and supersedes the TSD Employee Handbook Shift Differential Policy Memo dated August 6, 2006 and TSD Employee Handbook policy at Section II.B.1., entitled "Working Hours."



# Memo

**TO:** ALL EMPLOYEES

**FROM:** BLAKE TRESAN, GENERAL MANAGER *BT*

**DATE:** DECEMBER 21, 2020

**SUBJECT:** CALIFORNIA FAMILY RIGHTS ACT POLICY

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Effective January 1, 2021, the California Family Rights Act (CFRA) has been expanded to require employers with at least 5 employees to grant eligible workers a protected leave of absence for specified reasons related to the need for family and medical care. Accordingly, as of the new year, eligible District employees may now request leave in accordance with the following, and with applicable law. This memorandum is incorporated into the District's Employee Handbook.

## **California Family Rights Act (CFRA) Leave**

The California Family Rights Act (CFRA) provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. The maximum amount of leave employees may use under this policy is twelve (12) weeks within a twelve (12) month period, except as otherwise required by law.

To be eligible for CFRA leave under this policy, employees must:

1. Have worked at least twelve (12) months for TSD in the preceding year; and
2. Have worked at least one thousand two hundred fifty (1,250) hours for TSD over the twelve (12) months preceding the date the leave would commence.

CFRA leave may be taken for any of the following reasons:

1. To care for or bond with a newborn child.
2. Placement of a child with the employee for adoption or foster care to care or bond with the newly-placed child.
3. To care for an immediate family member (i.e., employee's spouse, registered domestic partner, child, parent, grandparent, grandchild, sibling, or registered domestic partner) with a serious health condition.
4. Because of the employee's serious health condition that makes the employee unable to perform their job functions.
5. A "qualifying exigency" arising out of the fact that the employee's immediate family member is on, or has been notified of an impending call to, "covered active duty."

Once TSD determines an absence is for a CFRA-qualifying reason, it will designate the absence as CFRA.

Generally, a "serious health condition" is an illness, injury, impairment or physical or mental condition that involves either inpatient care in a medical care facility or continuing treatment by a health care

provider, and either prevents the employee from performing the functions of their job or prevents the qualified family member from participating in school or other daily activities.

The District measures the period of twelve (12) months in which leave is taken by a rolling calendar period. This means that when an employee requests leave for a qualifying reason, the District will look back in the past twelve (12) months to determine whether the employee has any remaining CFRA time.

CFRA leave for the birth of a child, or placement of a child for adoption or foster care, must be concluded within twelve (12) months of the child's birth or placement.

Eligible employees may take CFRA leave in a single block of time, intermittently (in separate blocks of time) or by reducing the normal work schedule when medically necessary for the serious health condition of the employee or immediate family member. Intermittent leave for the birth of a child, to care for a newborn child or for the placement of a child for adoption or foster care generally must be taken in at least two-week increments, with shorter increments allowed on two occasions. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the District's operations.

Employees are required to use applicable accrued paid leave (such as sick leave, vacation, administrative or compensatory time, etc.) concurrently with the CFRA leave, to the extent permitted by law.

The only exception to the above is during any period in which the employee is receiving temporary disability benefits (e.g., for workers' compensation or short-term disability), the employer cannot require the employee to use their accrued paid leave to coordinate pay with those disability benefits. However, the employer and employee may agree to do so.

Once the employee's accrued paid leave time is exhausted, the remainder of the CFRA leave is unpaid time off.

The District maintains health care coverage during CFRA leave on the same terms as if the employee had continued to work. Employees must make arrangements to pay their share of health plan premiums, if any, while on unpaid leave. Use of CFRA leave does not result in the loss of any employment benefit that accrued prior to the start of leave under this policy.

When seeking leave under this policy, employees must provide HR the following:

1. Thirty (30) days' advance notice of the need to take CFRA leave if the need for leave is foreseeable, or notice as soon as practicable in the case of unforeseeable leave and in compliance with TSD's normal call-in procedures, absent unusual circumstances.
2. Medical certification supporting the need for leave due to a serious health condition affecting the requesting employee or an immediate family member.
3. Periodic reports as deemed appropriate during the leave regarding the employee's status and intent to return to work, to the extent permitted by law.
4. Medical certification of release to return to work, with or without medical restrictions, if the leave was due to the employee's serious health condition.

If the employee requesting leave is eligible for CFRA leave, the District will provide them with a notice that designates the leave as CFRA, and that specifies any additional information required, as well as their rights and responsibilities, including a guarantee of reinstatement to the same position or a comparable

position. If the employee is not eligible for CFRA leave, the District will provide a reason for the ineligibility.

Upon returning from CFRA leave, employees will be restored to their original position or to an equivalent position with equivalent pay, benefits and other employment terms and conditions, to the extent required by law.

For more information regarding leave under this policy, employees should contact HR.



## Memo

**TO:** ALL EMPLOYEES

**FROM:** BLAKE TRESAN, GENERAL MANAGER

**DATE:** DECEMBER 17, 2020

**SUBJECT:** ADMINISTRATIVE ON-CALL VEHICLE USE POLICY

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In order to efficiently and effectively respond to emergencies and other unanticipated events that may occur outside of regular work hours, the District maintains two on-call pools: 1) the Lift Station On-Call Pool, and 2) the Administrative On-Call Pool. The Lift Station On-Call pool consists of field personnel trained to respond to alarms at lift stations, the corporation yard, as well as responding to calls from the public. The Administrative On-Call pool consists of department managers who support the Lift Station On-Call pool in the event that the allocation of additional resources or communication with other agencies is necessary.

Historically, the Administrative On-Call pool consisted of the managers from the Operations & Maintenance, Engineering, and Administrative Services Departments. Due to organizational changes over the past several years, only the department managers from the O&M and Engineering Department have been serving on the Administrative On-Call pool. The General Manager is interested in adding the Finance & Administrative Services Manager back to the Administrative On-Call pool.

Historically, the District has provided District vehicles for the Administrative On-Call pool members. The General Manager is interested in amending the Employee Handbook to allow the Finance and Administrative Services Manager to receive a vehicle allowance in lieu of a District vehicle. Because of their need to respond to field issues and supervise field personnel, the other members of the Administrative On-Call pool (i.e., O&M Superintendent and AGM/District Engineer) will continue to receive District vehicles and not be eligible for a vehicle allowance.

Addition of the Finance and Administrative Services Manager to the Administrative On-Call pool provides the District with greater resilience in responding to emergencies and further strengthens an overall culture of teamwork at the organization.

Therefore, Section IV.H.2 of the Employee Handbook (Use of Vehicles and Travel Policy) is being amended as follows and becomes effective January 1, 2021. It should be noted that Section VII.D (On-Call Duty/Use of District Vehicles and Equipment) remains unchanged.

### Current Version of Section IV.H.2

The General Manager, Assistant General Manager, Executive Secretary/Administrative Manager, and General Superintendent are subject to being called at all times and, therefore, are entitled to keep a District vehicle at their residence during non-work hours. Similarly, an employee who is On-Call will be

entitled to keep a District vehicle at his or her residence during non-work hours for the period that the employee is on such duty.

New Version of Section IV.H.2

(a) Administrative On-Call

The Assistant General Manager/District Engineer, District Engineer, Operations and Maintenance Superintendent, and Finance and Administrative Services Manager are subject to serving, at the General Manager's discretion, on the Administrative On-Call pool (See Section VII.A.2) and, therefore, are entitled to keep a District vehicle at their residence during non-work hours.

In lieu of a District provided vehicle, the Finance and Administrative Services Manager, if serving on the Administrative On-Call pool, shall be provided a vehicle allowance in the amount of \$700.00 per month (effective January 1, 2021). This amount shall be increased annually by the same rate and at the same timing as any cost-of-living adjustment provided by the Board. In exchange for being provided a vehicle allowance, the Finance and Administrative Services Manager shall be required to have access to an all-wheel drive vehicle and shall be responsible for the cost of insurance, license, registration and taxes, gas, tires, and maintenance for the vehicle. In addition to receiving a vehicle allowance, the Finance and Administrative Services Manager shall be entitled to mileage reimbursement at the standard IRS mileage rate for any miles above 100 miles round-trip while on business travel outside the Tahoe Truckee region.

(b) Lift Station On-Call

Employees who are part of the Lift Station On-Call pool will be entitled to keep a District vehicle at their residence during non-work hours for the period that the employee is on such duty.