



PALMDALE WATER DISTRICT

A CENTURY OF SERVICE

BOARD OF DIRECTORS

W. SCOTT KELLERMAN
Division 1

DON WILSON
Division 2

GLORIA DIZMANG
Division 3

KATHY MAC LAREN-GOMEZ
Division 4

VINCENT DINO
Division 5

August 3, 2022

AGENDA FOR REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT TO BE HELD AT 2029 EAST AVENUE Q, PALMDALE OR VIA TELECONFERENCE

FOR THE PUBLIC: VIA TELECONFERENCE ONLY

DIAL-IN NUMBER: 571-748-4021 ATTENDEE PIN: 133-633-302#

Submit Public Comments at: <https://www.gomeet.com/133-633-302>

MONDAY, AUGUST 8, 2022

6:00 p.m.

DENNIS D. LaMOREAUX
General Manager

ALESHIRE & WYNDER LLP
Attorneys

NOTES: To comply with the Americans with Disabilities Act, to participate in any Board meeting please contact Dawn Deans at 661-947-4111 x1003 at least 48 hours prior to a Board meeting to inform us of your needs and to determine if accommodation is feasible.

Additionally, an interpreter will be made available to assist the public in making **comments** under Agenda Item No. 4 and any action items where public input is offered during the meeting if requested at least 48 hours before the meeting. Please call Dawn Deans at 661-947-4111 x1003 with your request. (PWD Rules and Regulations Section 4.03.1 (c))

Adicionalmente, un intérprete estará disponible para ayudar al público a hacer **comentarios** bajo la sección No. 4 en la agenda y cualquier elemento de acción donde se ofrece comentarios al público durante la reunión, siempre y cuando se solicite con 48 horas de anticipación de la junta directiva. Por favor de llamar Dawn Deans al 661-947-4111 x1003 con su solicitud. (PWD reglas y reglamentos sección 4.03.1 (c))

Agenda item materials, as well as materials related to agenda items submitted after distribution of the agenda packets, are available for public review at the District's office located at 2029 East Avenue Q, Palmdale (Government Code Section 54957.5). Please call Dawn Deans at 661-947-4111 x1003 for public review of materials.

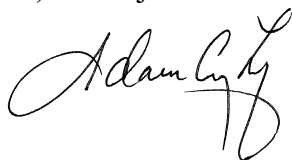
PUBLIC COMMENT GUIDELINES: The prescribed time limit per speaker is three-minutes. Please refrain from public displays or outbursts such as unsolicited applause, comments, or cheering. Any disruptive activities that substantially interfere with the ability of the District to carry out its meeting will not be permitted, and offenders will be requested to leave the meeting. (PWD Rules and Regulations, Appendix DD, Sec. IV.A.)

Each item on the agenda shall be deemed to include any appropriate motion, resolution, or ordinance to take action on any item.

- 1) Pledge of Allegiance/Moment of Silence.
- 2) Roll Call.
- 3) Adoption of Agenda.



- 4) Public comments for non-agenda items.
- 5) Presentations:
 - 5.1) Tesla Battery Systems. (Assistant General Manager Ly)
- 6) Action Items - Consent Calendar (The public shall have an opportunity to comment on any action item on the Consent Calendar as the Consent Calendar is considered collectively by the Board of Directors prior to action being taken.)
 - 6.1) Approval of minutes of Regular Board Meeting held July 25, 2022.
 - 6.2) Payment of bills for August 8, 2022.
- 7) Action Items - Action Calendar (The public shall have an opportunity to comment on any action item as each item is considered by the Board of Directors prior to action being taken.)
 - 7.1) Consideration and possible action to approve updated Employee Handbook. (Human Resources Director Barragan-Garcia/Ad Hoc Committee)
 - 7.2) Consideration and possible action to reject all bids received for the Littlerock Dam Reservoir Sediment Removal Project, Phase 2, Years 1 – 5, FY2022 – 2026. (No Budget Impact - Engineering Manager Rogers)
 - 7.3) Consideration and possible action on Resolution No. 22-22 being a Resolution of the Board of Directors of the Palmdale Water District Approving a Waiver of the District's Procurement and Purchasing Policy. (No Budget Impact – Assistant General Manager Ly)
 - 7.4) Consideration and possible action on authorization of the following conferences, seminars, and training sessions for Board and staff attendance within budget amounts previously approved in the 2022 Budget:
 - a) None at this time.
- 8) Information Items:
 - 8.1) Reports of Directors:
 - a) Standing Committees; Organization Appointments; Agency Liaisons:
 - 1) Antelope Valley East Kern Water Agency (AVEK) – July 26. (Director Dino/Director Mac Laren-Gomez, Alt.)
 - 2) Outreach Committee Meeting – July 28. (Director MacLaren, Chair/Director Wilson)
 - b) General Meetings Reports of Directors.
 - 8.2) Report of General Manager.
 - 8.3) Report of General Counsel.
- 9) Board members' requests for future agenda items.
- 10) Adjournment.



ADAM C. LY, Assistant General Manager
DDL/ACL/dd



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Tesla Battery System

August 2022

CONTENT

Timeline

May 2020 – Contacted by Tesla to look into Battery Back Up System

June 2020 – Selected 4 sites out of 13

3rd Quarter 2020 – Data Extraction, Agreement Development and Review

4th Quarter 2020 – Sign SGIP-ER application; Tesla starts to prepare plans

January 2021 – Signed Consent of Assignment & Grid Service Program



CONTENT

Timeline

April 2021 – Started construction of Well 5 & Underground Booster

July 2021 – Completion of Well 5 and Underground Booster

August 2021 – Switch Project Manager at Tesla

September 2021 – Re-evaluate 45th St. Booster for SCE approval

October 2021 – Received approval for SCE and started construction

2nd Quarter 2022 – SCE 3rd Party Inspection



Stakeholder

Project Manager: Tesla Team

Construction: BEI Construction

Tesla Inspectors: Mark III Construction, Inc.

Edison Inspector: AESC, Inc.

Staffs: Engineering & Facilities





Energy Rating: 928 kWh
Output Power: 210 kW



Well 5 Booster
Station (17
hours backup
power)



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Well 5 Booster



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Underground Booster



Energy Rating: 696 kWh
Output Power 140 kW
24.5 hours backup power



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Underground Booster



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Energy Rating: 1408 kWh
Output Power: 350 kW
14.8 hours backup power



3M Reservoir Site



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3M Reservoir Site



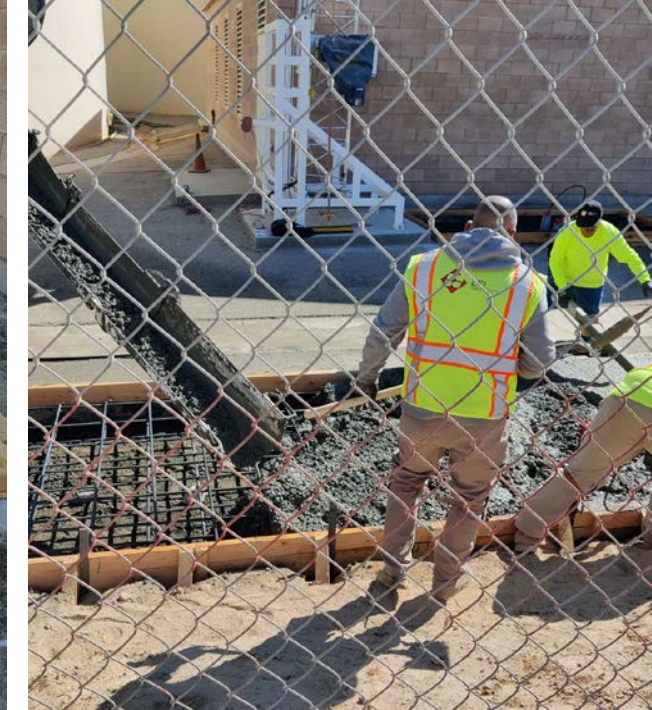
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Energy Rating: 2965 kWh
Output Rating: 572 kW



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45th Street Site
(10.5 hours backup power)



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45th Street Site



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Value

Site Name	Value	Estimate Saving – 10 Years	20 Years
45 th Street Boosters	\$2,036,617	\$232,978	\$503,092
3M Boosters	\$1,053,216	\$38,395	\$82,909
Underground Boosters	\$619,524	\$52,195	\$112,709
Well 5 Boosters	\$763,072	\$92,826	\$200,449

Constructions: \$400,000

Total Value: \$4,872,429



QUESTIONS?



PALMDALE WATER DISTRICT
A CENTURY OF SERVICE

**PALMDALE WATER DISTRICT
BOARD MEMORANDUM**

DATE: August 2, 2022 **August 8, 2022**
TO: BOARD OF DIRECTORS **Regular Board Meeting**
FROM: Angelica Barragan-Garcia, Human Resources Director
VIA: Dennis D. LaMoreaux, General Manager
RE: ***AGENDA ITEM NO. 7.1 – CONSIDERATION AND POSSIBLE ACTION TO APPROVE UPDATED EMPLOYEE HANDBOOK. (HUMAN RESOURCES DIRECTOR BARRAGAN-GARCIA/AD HOC COMMITTEE)***

Recommendation:

Staff and the Ad Hoc Committee of President Dizmang and Director Wilson recommend approval of the updated Employee Handbook.

Alternative Options:

The alternative option is to not approve the updated Employee Handbook.

Impact of Taking No Action:

The Employee Handbook will be outdated.

Background:

The attached Employee Handbook includes the following changes:

- Change to Employee Grievance Procedures and Discipline page 20-21 Section 2.15 & 2.16: Separated the employee grievance procedures and the discipline procedure to become two independent processes. Clarify steps for each process.
- Change to Standby Time and Call-Back Compensation page 28 Section 3.10.2: Clarified standby and call back pay eligibility.
- Addition to Retiree Health Benefits page 31 Section 4.2.2: Added language to clarify and communicate District's retiree Health Benefit coverage.
- Change to FMLA/CFRA, page 54 section 4.19.1: Vacation time is required to be used during FMLA/CFRA before going unpaid. This is to align the policy with the current requirement to use sick time while on FMLA/CFRA.

- Changes to Overview of Employment Section 5:
 - o page 65 Section 5.3 - Change introductory period through the section to training period
 - o Page 67 Section 5.6 - Having satisfactory performance in their current role to be considered for promotional opportunities.
 - o Page 72 Section 5.11 - Clarification regarding Thursday being casual day.
- Addition to workplace violence page 82 Section 6.4
- Added Social Media Policy page 96 Section 8 as part of Employee Handbook

Legal Updates

- Addition to Introduction of Handbook, Page 2 Section 1: This Handbook is applicable to all employees, including full-time, part-time, and temporary employees. Except as specified herein, this Handbook is not applicable to the District Board members, General Counsel and General Manager, or other employees with whom there is a specific employment contract.

If any section, subsection, sentence, clause, phrase, or portion of this Handbook is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Handbook. The District hereby declares that it would have adopted these policies and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

- Addition to Prohibition of Discrimination and Harassment and Anti-Bullying Policy, page 6-8 Section 2.4.3 through Section 2.4.6: Added sections outlining complaint process, investigation process, and mandatory training.

- New Section Acceptance of Gratuities, page 12 Section 2.8: No employee shall accept any fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of resulting in, the use of public office for private gain; preferential treatment of any person, impeding governmental efficiency or economy; any loss of complete independence or impartiality; the making of a District decision outside official channels; or any adverse effect on the confidence of the public in the integrity of District government.

- Addition to Moonlighting/Outside Employment, page 13, Section 13:

Application: Consistent with California Government Code Section 1126, any District employee wishing to engage in an occupation or outside activity for compensation shall inform the General Manager in writing of such desire, provide information as to time required, the nature of the activity, and such other information as may be required. The

BOARD OF DIRECTORS
PALMDALE WATER DISTRICT

VIA: Mr. Dennis D. LaMoreaux, General Manager

August 2, 2022

General Manager shall then determine whether or not such activity is compatible with the employee's District employment. If outside employment is approved, the employee will have an ongoing responsibility for preventing the existence and appearance of prohibited conflicts of interest.

Evaluation of Request: In evaluating whether the outside activity is consistent with District employment, the General Manager shall consider, among other pertinent factors, whether the activity:

- Involves the use for private gain or advantage of District time, facilities, equipment and supplies, or the prestige or influence of the District's office or employment;

- Involves accepting money from anyone other than the District for performing an act which the employee would be required or expected to perform in the regular course of his/her District employment;

- Involves the performance of an act in other than his/her capacity as a District employee which may later be subject, directly or indirectly, to the control, inspection, review, audit or enforcement by such employee or the department by which he/she is employed;

- Involves conditions or factors which may directly or indirectly lessen the efficiency of the employee in his/her regular District employment or conditions in which there is a substantial risk of injury or illness to the employee;

- Any other outside activities that may bring discredit to the District.

- Addition to Political Activity, page 15 Section 2.11: Impermissible Activities: Use of the public's money, the public's time (paid work hours) or other public resources (facilities, computers, equipment, or materials), to support or oppose a political campaign (of a candidate or ballot measure) is prohibited. Specifically, prohibited activities include:

- Political campaign activities during working hours.

- Political campaign activities on District premises.

- Solicitation of campaign contributions from other employees, unless part of a general public fund-raising campaign, and never on District time or premises or using District resources.

- Wearing a District employee identification uniform, or badge of office while campaigning even outside of working hours.

- Using District equipment or supplies to produce political promotional materials.

BOARD OF DIRECTORS
PALMDALE WATER DISTRICT
VIA: Mr. Dennis D. LaMoreaux, General Manager

August 2, 2022

Permissible Activities: During non-working hours, each employee has the unfettered right to engage in political expression and activity on behalf of a political candidate or ballot measure, so long as public funds are not used. However, District badges of office should not be displayed.

- Update to Final Paycheck Page 74 Section 5.21: Process of providing final paycheck on last day or within 72 hours is optional.

-

Strategic Plan Initiative/Mission Statement:

This item is under Strategic Initiative No. 2 – Organizational Excellence.

This item directly relates to the District’s Mission Statement.

Budget:

This item will not affect the Budget.

Supporting Documents:

- Updated Employee Handbook



PALMDALE WATER DISTRICT

A CENTURY OF SERVICE

Employee Handbook

Adopted

TABLE OF CONTENTS

SECTION 1	HANDBOOK INTERPRETATION AND INTRODUCTION.....	1
	VISION STATEMENT OF PALMDALE WATER DISTRICT.....	1
	MISSION STATEMENT OF PALMDALE WATER DISTRICT.....	1
	CORE VALUES PALMDALE WATER DISTRICT.....	2
SECTION 2	EMPLOYMENT PRACTICES.....	3
2.1	EMPLOYMENT AT WILL.....	3
2.2	ACCESS TO PERSONNEL RECORDS.....	3
2.3	EQUAL EMPLOYMENT OPPORTUNITY.....	4
2.4	PROHIBITION OF DISCRIMINATION AND HARASSMENT.....	4
2.4.1	<i>Definitions</i>	5
2.4.2	<i>Prohibited Conduct</i>	5
2.4.3	<i>Complaint Process</i>	6
2.4.4	<i>Investigation and Response</i>	7
2.4.5	<i>Dissemination of Policy</i>	7
2.4.6	<i>Mandatory Training</i>	7
2.4.7	<i>Malicious Complaint</i>	8
2.5	ABUSIVE CONDUCT / ANTI-BULLYING POLICY.....	8
2.6	NEPOTISM.....	9
2.7	FRATERNIZATION POLICY.....	11
2.8	ACCEPTANCE OF GRATUITIES.....	12
2.9	MOONLIGHTING/OUTSIDE EMPLOYMENT.....	13
2.10	CONFLICT OF INTEREST.....	14
2.11	POLITICAL ACTIVITY.....	15
2.12	COMPENSATION PLAN.....	15
2.12.1	<i>Salaries</i>	15
2.12.2	<i>Compensation Review and Merit Increase</i>	16
2.13	ALTERNATIVE WORK SCHEDULE.....	16
2.14	STANDARDS OF CONDUCT.....	19
2.15	EMPLOYEE GRIEVANCE PROCEDURES.....	20
2.16	DISCIPLINE.....	21
2.17	OUTSIDE RELATIONS/MEDIA CONTACT.....	23
2.18	EMPLOYMENT REFERENCE CHECKS.....	23
2.19	USE OF DISTRICT EQUIPMENT PROHIBITED.....	23
SECTION 3	PAYROLL.....	24
3.1	ELECTRONIC TIMECARDS.....	24
3.2	PAYDAYS.....	24
3.3	GARNISHMENTS.....	24
3.4	PAYROLL DEDUCTIONS.....	24
3.5	DIRECT DEPOSIT.....	25
3.6	CHANGING PERSONAL INFORMATION.....	25
3.7	DEFERRED COMPENSATION.....	25
3.8	OVERTIME/COMPENSATORY TIME.....	26
3.9	REST AND BREAK TIME.....	27

3.10	STANDBY/CALL BACK/MAKE-UP	27
3.10.1	<i>Standby Time</i>	27
3.10.2	<i>Call-Back Compensation</i>	28
3.10.3	<i>Make-up Time</i>	29
3.11	OUT OF CLASS	29
SECTION 4	BENEFITS.....	30
4.1	INTRODUCTION	30
4.2	GROUP INSURANCE PLANS	30
4.2.1	<i>Medical Plan</i>	31
4.2.2	<i>Retiree Health Benefits</i>	31
4.2.3	<i>Dental Plan</i>	32
4.2.4	<i>Vision Plan</i>	32
4.2.5	<i>Life and AD&D Insurances</i>	32
4.2.6	<i>Supplemental Insurances</i>	33
4.3	COBRA	33
4.4	CALIFORNIA PUBLIC EMPLOYEE RETIREMENT SYSTEM (CALPERS).....	34
4.5	457 DEFERRED COMPENSATION PROGRAM	36
4.5.1	<i>Tax Benefit</i>	36
4.5.2	<i>Contribution Limits</i>	37
4.5.3	<i>Withdrawals</i>	37
4.5.4	<i>Reports/Statements</i>	37
4.5.5	<i>Investment Options</i>	37
4.5.6	<i>Deferred Compensation Source:</i>	37
4.6	LOGIX BANKING	38
4.7	EMPLOYEE ASSISTANCE PROGRAM (“EAP”).....	38
4.8	EDUCATIONAL ASSISTANCE/CERTIFICATION REIMBURSEMENT.....	38
4.9	PAID TIME OFF	39
4.10	VACATION.....	39
4.10.1	<i>Vacation Purchase Program</i>	40
4.10.2	<i>Vacation Sell Back Program</i>	41
4.11	SICK LEAVE.....	41
4.11.1	<i>Catastrophic Leave Donation Policy</i>	44
4.11.2	<i>Sick Leave Sell Back</i>	44
4.12	ADMINISTRATIVE LEAVE	44
4.13	HOLIDAYS	45
4.13.1	<i>Holiday Conditions</i>	46
4.14	BEREAVEMENT.....	46
4.15	JURY AND WITNESS DUTY	46
4.16	MILITARY LEAVE.....	46
4.17	TIME OFF TO VOTE	48
4.18	INCLEMENT WEATHER	48
4.19	UNPAID TIME OFF	48
4.19.1	<i>Family And Medical Leave Act/California Family Rights Act Leave</i>	48
4.19.2	<i>Military Caregiver Leave (“MCL”)</i>	55
4.19.3	<i>Pregnancy Disability Leave (“PDL”)</i>	58
4.20	LACTATION BREAK POLICY	60
4.21	PERSONAL LEAVE OF ABSENCE WITHOUT PAY	60
4.22	SCHOOL ACTIVITY LEAVE	61

4.23	CALIFORNIA DOMESTIC VIOLENCE, SEXUAL ASSAULT, STALKING LEAVE POLICY	61
4.24	REQUEST FOR REASONABLE ACCOMMODATION – INTERACTIVE PROCESS.....	62
SECTION 5	OVERVIEW OF EMPLOYMENT	65
5.1	OPEN DOOR POLICY	65
5.2	NEW EMPLOYEE ORIENTATION	65
5.3	TRAINING PERIOD.....	65
5.4	EMPLOYEE CLASSIFICATIONS.....	66
5.5	REHIRED EMPLOYEES	67
5.6	PROMOTIONS/TRANSFERS	67
5.7	TEMPORARY UPGRADES	67
5.8	WORKING AT HOME/TELECOMMUTING.....	68
5.9	ATTENDANCE.....	68
5.10	PERFORMANCE APPRAISALS.....	70
5.11	DRESS CODE.....	71
5.12	SMOKING.....	72
5.13	SOLICITATION AND DISTRIBUTION	72
5.14	BREAK ROOM	72
5.15	REFRIGERATOR.....	73
5.16	SUPPLIES.....	73
5.17	RESIGNATION.....	73
5.18	TERMINATION.....	73
5.19	EXIT INTERVIEW	73
5.20	TERMINATION OF BENEFITS	74
5.21	FINAL PAYCHECK	74
SECTION 6	SAFETY	74
6.1	WORKERS COMPENSATION PROGRAM	74
6.2	RETURN TO WORK PROGRAM.....	75
6.3	ALCOHOL – DRUG FREE WORKPLACE	75
6.3.1	<i>Substance Abuse Policy</i>	75
6.3.2	<i>Testing Procedures</i>	78
6.3.3	<i>Procedures Applicable to a Positive Test for a Prohibited Substance</i>	79
6.4	WORKPLACE VIOLENCE.....	81
6.5	INJURY AND ILLNESS PREVENTION PLAN	82
6.5.1	<i>Communication of Safety and Health Information</i>	83
6.5.2	<i>Safety and Healthful Work Practices</i>	83
6.5.3	<i>Hazard Assessment</i>	84
6.5.4	<i>Hazard Correction</i>	84
6.6	TRAINING	85
6.7	SAFETY COMMITTEE.....	85
6.8	EMERGENCY EVACUATION PROCEDURES.....	86
6.9	EMERGENCY RESPONSE PLAN	86
6.10	BOMB THREATS AND/OR THREATENING CALLS	86
6.11	DRIVING ON THE JOB.....	86
6.12	SAFETY FOOTWEAR.....	89
6.12.1	<i>Definitions and General Requirements</i>	89
6.12.2	<i>General Information</i>	90
6.12.3	<i>Procedure</i>	90

6.12.4	<i>Enforcement</i>	91
6.13	SECURITY	92
6.14	CHILDREN AT WORK.....	92
SECTION 7	EXPENSE REIMBURSEMENT.....	92
7.1	CREDIT CARD USE	92
7.2	EMPLOYEE INCURRED EXPENSES.....	93
7.3	MILEAGE	93
7.4	AIR TRAVEL.....	93
7.5	CAR RENTALS	94
7.6	MEALS	94
7.7	LODGING	94
7.8	PHONE	94
7.9	PARKING.....	95
7.10	EXPENSE REPORTS	95
7.11	TRAVEL TIME	95
SECTION 8	SOCIAL MEDIA AND INFORMATION TECHNOLOGY POLICY.....	96
8.1	NON-DISTRICT USE OF SOCIAL MEDIA POLICY	96
8.2	INFORMATION AND COMMUNICATION TECHNOLOGIES	97
8.3	USE OF THE DISTRICT’S INTERNET AND SOCIAL MEDIA.....	100
SECTION 9	APPENDICES.....	106
	APPENDIX ONE: INFORMATION TECHNOLOGY DEPARTMENT DIRECTIVES EMAIL SYSTEMS AND RESOURCES	106
	APPENDIX TWO: INFORMATION TECHNOLOGY DEPARTMENT INTERNET DIRECTIVES.....	108
	APPENDIX THREE: INFORMATION TECHNOLOGY DEPARTMENT DIRECTIVES CONTROLS FOR ESTABLISHING STRONG PASSWORDS.....	111
	APPENDIX FOUR: INFORMATION TECHNOLOGY DEPARTMENT DIRECTIVES NETWORK ACCESS CONTROL.....	115
	APPENDIX FIVE: INFORMATION TECHNOLOGY DEPARTMENT DIRECTIVES USER IDENTIFICATION AND PASSWORD CONTROL.....	119
	APPENDIX SIX: PALMDALE WATER DISTRICT UNMANNED AERIAL SYSTEM USE POLICY.....	122
	ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK AND AT-WILL AGREEMENT	128

Disclaimer

This Employee Manual is provided for guidance only and does not constitute a contract between the Palmdale Water District and its employees. Nothing contained in it guarantees continued employment or changes the at-will status of all employees. The employment relationship can be terminated at any time by either the employee or the Palmdale Water District for any reason or no reason.

The Palmdale Water District remains free to unilaterally change, suspend or modify any or all of the working conditions described in the manual without giving cause or justification to employees. Specifically, this Handbook may be amended at any time by action of the Board.

Discipline imposed as a result of infractions of District policy may be modified by the District when extenuating circumstances are found.

Section 1 HANDBOOK INTERPRETATION AND INTRODUCTION

This Handbook is intended to provide you with a general understanding of the Palmdale Water District's ("District") human resource policies, benefits and rules. It is intended to familiarize you with important information about the District as well as information regarding your own privileges and responsibilities. Although it is not an employment contract or legal document, it is important that all employees read, understand, and follow the provisions of the Handbook which may be changed from time to time by the District. You will be notified in writing of any amendments and additions to these policies and procedures. Keep this Handbook, additions, and revisions on file for your reference.

This Handbook, however, cannot anticipate every situation or answer every question about employment, nor can it provide information that answers every possible question. Additionally, circumstances will undoubtedly require that guidelines, practices, and benefits described in this Handbook change. Accordingly, the District must reserve the right to modify, supplement, or rescind any provision of this Handbook from time to time, as it deems necessary. As mentioned above, you will, of course, be advised of changes that occur.

District is constantly striving to improve its operations, the services that it provides its ratepayers and its relations with its employees. You are encouraged to bring suggestions for improvements to the attention of your department head or the General Manager. Additionally, if you have any questions or seek clarification, you should see your department head or the Human Resources Director.

By working together, the District believes that it will share with its employees a sincere pride in the workplace and the services that they are here to provide.

VISION STATEMENT OF PALMDALE WATER DISTRICT

The District will strive for excellence in providing great customer care; advocating for local water issues that help our residents; educating the community on water-use efficiency; and leading our region in researching and implementing emerging technologies that increase operational efficiency.

MISSION STATEMENT OF PALMDALE WATER DISTRICT

The mission of the District is to provide high-quality water to our current and future customers at a reasonable cost.

CORE VALUES PALMDALE WATER DISTRICT

Core values are essential to the success of District and its employees. The values set the tone for the organization and help employees make informed decisions that benefit everyone – the District, the staff and the ratepayers. These values will guide us as we work with each other to serve the public.

INTEGRITY

Performing our duties in an ethical, fair, reliable, honest and courageous manner regardless of the situation.

TEAMWORK

Working with colleagues to accomplish the organization's goals and respecting each other's contributions that best benefit the organization.

DIVERSITY

Embracing and respecting differing ideas, cultures, ethnicities, class and gender.

PASSION

Showing evidence of energy, enthusiasm, devotion and motivation while pursuing excellence in one's work, ideas and goals.

This Handbook is applicable to all employees, including full-time, part-time, and temporary employees. Except as specified herein, this Handbook is not applicable to the District Board members, General Counsel and General Manager, or other employees with whom there is a specific employment contract.

If any section, subsection, sentence, clause, phrase, or portion of this Handbook is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Handbook. The District hereby declares that it would have adopted these policies and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

Section 2 EMPLOYMENT PRACTICES

2.1 EMPLOYMENT AT WILL

All employees are hired on an "at will" basis, unless an employee is employed under a written contract stating otherwise. This means that an employee may resign at any time, for any reason, and that the District may terminate an employee at any time, for any reason, with or without cause. At the end of this handbook, you will find a copy of an "at will" employment agreement. Please read this agreement carefully, sign and return it to the Human Resources Director.

2.2 ACCESS TO PERSONNEL RECORDS

Information about the employee (such as salary changes, promotions, and transfers) is part of the personnel file. Medical information is not kept in an employee's regular personnel file, but in a separate medical file, as required by law. Personnel records are **confidential** and are to be treated as such. Access to personnel records is limited to the following:

PERSONS OTHER THAN THE EMPLOYEE

Other employees of the District may have access to personnel records only if they have a "need to know." This means access is limited to:

- Management considering an employee for promotion or transfer into their departments,
- Manager and direct supervisor,
- Human resource personnel, and
- Others only as specifically authorized by the General Manager.

Non-employees may not, except with specific authorization, have access to the personnel records themselves, except where the non-employee is the current or former employee's representative. Generally, access by non-employees other than the employee's personal representative will be granted only upon advice of legal counsel. Access of outsiders to information in a personnel record is governed by the District's policy on references, which is limited to only the Human Resources Department.

THE EMPLOYEE

- Current and former employees may inspect their own personnel records in the presence of the Human Resources Director or the General Manager by appointment.
- Current employees may inspect their personnel records at the place where the employee reports to work or at another location on which the parties agree.
- The District shall provide a copy of all such records on written request within 30 days at a charge not to exceed the actual cost of reproduction.

- Former employees may inspect their records at the place where the District stores its records or at another location on which the parties agree in writing. A former employee may receive his/her records by mail if he/she/they pays the actual postal expenses.
- If the former employee was terminated for violating a law or policy involving workplace harassment or violence, the District will provide any requested copy of the records by mail.
- The District shall make your personnel records available at reasonable times but not later than 30 calendar days from the receipt of a written request. You and the District may agree to extend this to 35 days, but no longer.

2.3 EQUAL EMPLOYMENT OPPORTUNITY

It is the continuing policy of The District to provide equal employment opportunities for all individuals who have the necessary qualifications with respect to recruitment, hiring, performance evaluation, promotion, transfers, training, layoffs, suspensions, termination, compensation or other personnel-related activities regardless of race, color, religion, sex, gender, gender identity or expression, national origin, political affiliations or activities, status as a victim of domestic violence, assault, or stalking, military or veteran status, ancestry, disability (physical or mental), medical condition, marital status, age (over 40) or sexual orientation preference, citizenship status, AIDS/HIV, genetic information, or perception that an individual has any of these characteristics, or associates with individuals who have or are perceived to have these characteristics, or any other consideration made unlawful by federal, state, or local laws (“protected category”). Any technique or procedure used in the recruitment and selection of employees shall be designed to measure only the job-related qualifications of applicants. All employee decisions will be based upon policies and practices that further the principles of equal employment opportunity. Please see section *Prohibition of Discrimination* in this handbook for District’s policy in discrimination.

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

The District’s employment policy is to conduct an objective process to recruit the most qualified candidate for each position based on assessing the skills, work experience, education, certificates and licenses, and interview performance. The focus of the hiring process will be assessing the hard and soft skills necessary to be successful at the essential functions of the job as defined in the job description.

2.4 PROHIBITION OF DISCRIMINATION AND HARASSMENT

The District is committed to providing a work environment that is free of unlawful discrimination and harassment. In keeping with the commitment, the District strictly prohibits unlawful discrimination or harassment on the basis of one or more protected categories, as

defined below. Discrimination of anyone in or from the District, on any of these bases, is strictly prohibited.

2.4.1 Definitions

Unlawful discrimination and/or harassment in any form, include any of the following:

- Verbal harassment such as epithets, jokes, derogatory comments or slurs based on a protected category;
- 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 a protected category;
- Visual harassment such as derogatory posters, cartoons or drawings, based on a protected category; or
- Sexual harassment in the form of unwanted sexual advances or visual, verbal or physical conduct of a sexual nature, including gender-based harassment of a person of the same sex or opposite sex of the harasser. Such conduct includes, but is not limited to: unwanted sexual advances; offering employment benefits in exchange for sexual favors; making or threatening reprisals after a negative response to sexual advances; visual conduct such as leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons, or posters; verbal conduct such as making or using derogatory comments, epithets, slurs and jokes; verbal sexual advances or propositions; verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations; or physical conduct such as touching, assault or impeding or blocking movements.

This list is not a complete list of what may be deemed to be harassment under the law.

Protected Category/Class includes: race, color, religion (including religious dress and grooming practices), sex, including pregnancy, childbirth, breastfeeding or related medical conditions, gender, gender identity or expression, sexual orientation, marital status, medical conditions, military or veteran status, national origin, ancestry, disability, genetic information, age (over 40), or other category protected by law.

2.4.2 Prohibited Conduct

Discrimination and harassment violate Title VII of the Federal Civil Rights Act of 1964 and the regulatory guidelines of the Federal Equal Employment Opportunity Commission (EEOC), as well as the California Government Code and the regulations of the California Department of Fair Employment and Housing (DFEH). Accordingly, the District strictly prohibits unlawful discrimination and harassment, including sexual harassment, on the basis of a Protected Category/Class.

This policy applies to all employees, vendors, and visitors. The District does not tolerate sexual or other unlawful harassment of employees at the work place or in any work-related situation by anyone. The District also prohibits unlawful discrimination and harassment of non-employees by employees in connection with any administration, enforcement, business, service or professional relationship with the District. If, after a prompt and thorough investigation, it is determined that an employee has engaged in discrimination and/or sexual or other harassment, that employee will be disciplined, up to and including discharge. The District will also seek to protect employees from harassment by non-employees in the work place or in work-related situations.

2.4.3 Complaint Process

If you believe you have been or are being subjected to this kind of discrimination you are encouraged to promptly report it to your manager, any other manager, the Human Resources Director or the General Manager. You should include the details of the incident or incidents, the names of those involved and the names of any witnesses. If you do not report harassment, it cannot be investigated. Supervisors are required to report any harassment or discrimination.

Your cooperation is crucial. There will be no retaliation against you by management for making what is reasonably believed to be a valid complaint of harassment or discrimination. Nor will any individual be retaliated against for participating in an investigation. Confidentiality will be maintained to the extent possible. However, information related to a harassment or discrimination allegation, investigation and discipline is sometimes placed at issue and disclosed in court, in an administrative appeal hearing, or before the California Department of Fair Employment and Housing (“DFEH”) or federal Equal Employment Opportunity Commission (“EEOC”).

The District encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. The federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The EEOC can be reached at (800) 669-4000 or on the Internet at www.eeoc.gov. The DFEH can be reached at (800) 884-1684 or (916) 478-7200 or on the Internet at www.dfeh.ca.gov.

Any employee who wishes to make a complaint of discrimination or sexual harassment or other harassment but is uncomfortable disclosing their identity may do so by following the above complaint procedure and filing the complaint anonymously with Human Resources or District Manager. Employees should know, however, that anonymity in the complaint procedure may compromise the District’s ability to complete a thorough investigation.

2.4.4 Investigation and Response

All complaints of discrimination and/or harassment that are reported to management will be investigated immediately, thoroughly, objectively, completely and as confidentially as possible. The District, as part of its investigation, will make every attempt to interview all individuals with information relative to the complaint. Human Resources is responsible for assuring the completion of a timely investigation consistent with this policy, but may delegate some or all of the activity to others. If Human Resources is alleged to be involved in the discrimination or harassment, the General Manager will be responsible.

Any investigation related to a complaint under this policy will be conducted with as much confidentiality as possible and with respect for the rights of all individuals involved and consistent with a full, fair and proper investigation. Information related to the investigation will be provided on a "need to know" basis only.

The purpose of this provision is to protect the confidentiality of the employee who files a complaint, to encourage the reporting of any incidents of discrimination and/or harassment, and to protect the reputation of any employee wrongfully charged with discrimination and/or harassment.

The District will make its determination and communicate that determination to the complaining employee and to the alleged violator. The complaining employee is not entitled to copies of any notes or other written materials regarding the investigation, as the District considers these confidential documents. If it is determined that the alleged harasser has violated District policies, appropriate corrective action will be taken in accordance with established District disciplinary procedures, up to and including discharge. Furthermore, as part of the District's attempt to remedy the complaining employee's concerns, the complaining employee will be informed of remedial measures, consistent with privacy rights of the parties.

2.4.5 Dissemination of Policy

All employees, supervisors and managers shall be delivered copies of this Anti-Harassment & Discrimination Policy, dealing with harassment in employment. Specific materials dealing with sexual harassment shall be posted and circulated as required by the DFEH.

2.4.6 Mandatory Training

All supervisors and District officials will receive a minimum of two (2) hours of anti-discrimination/anti-harassment training every two (2) years in compliance with the law. Non-supervisory employees will receive a minimum of one (1) hour of anti-discrimination/anti-harassment training every two (2) years in compliance with the law.

2.4.7 Malicious Complaint

While the District vigorously defends its employee's right to work in an environment free of harassment and unlawful discrimination, it also recognizes that false accusations of harassment and discrimination can have serious consequences. Accordingly, any employee who is found, through the District's investigation, to have knowingly falsely accused another person of unlawful harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination.

2.5 ABUSIVE CONDUCT / ANTI-BULLYING POLICY

The District is committed to providing a safe work environment. All District employees, consultants, independent contractors and visitors, have the right to be treated with respect. This policy applies to all District employees, consultants and independent contractors.

It is the policy of the District to maintain a workplace free from any form of abusive conduct or bullying. "Abusive conduct" is defined under Government Code section 12950.1(h)(2) as conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious.

Another form of abusive conduct may also be referred to as bullying. In addition to the above definition, examples of workplace bullying may include, but not limited to:

- Staring, glaring or other nonverbal demonstrations of hostility;
- Exclusion or social isolation;
- Excessive monitoring or micro-managing;
- Work-related harassment, including work overload, unrealistic deadlines, and meaningless tasks;
- Being held to a different standard than the rest of the employee's work group;
- Consistent ignoring or interrupting of an employee in front of co-workers;
- Personal attacks, including angry outbursts, excessive profanity or name-calling;
- Encouragement of others to turn against the targeted employee;
- Sabotage of a co-worker's work product or undermining of an employee's work performance;
- Stalking;
- Unwelcome touching;
- Invasion of another's personal space;

- Unreasonable interference with an employee's ability to do his/her work (i.e. overloading with emails);
- Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets;
- Conduct a reasonable person would find hostile, offensive and unrelated to the employer's legitimate business interests.

Such conduct may be perpetrated directly or via the use of telephonic or electronic communications, the internet, email, chat room misuse, mobile threats by text messaging, or cameras and video equipment.

The District encourages all employees to immediately report any instance of workplace bullying to their supervisor, the Human Resources Director, and/or the General Manager. In addition, any employee who believes he/she/they has witnessed bullying, and any person who has received a report of such conduct, whether the perpetrator is an employee or a non-employee, should immediately report the conduct to his/her supervisor, the Human Resources Director, and/or the General Manager. District policy requires any supervisor who witnesses any bullying, irrespective of the reporting relationship, to immediately report it to the Human Resources Director. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of bullying.

Any report of this type will be treated seriously and will be investigated promptly and impartially. The District further encourages all employees to formally report any concerns of assault, battery or other bullying behavior of a criminal nature to the local law enforcement authority or Palmdale Sheriff Department.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to bullying conduct from promptly advising the offender that his/her behavior is unwelcome and requesting that such behavior immediately stop.

The District will make every effort to stop alleged workplace bullying before it becomes severe and pervasive but can only do so with the cooperation of its employees. All employees have a duty to cooperate in connection with any District investigation into allegations of bullying.

Employees who are determined to have violated this policy will be subject to disciplinary action, up to and including termination.

No employee will be subject to any form of retaliation for reporting a bullying incident, or for participating in an investigation into allegations of bullying by the District or its representatives.

2.6 NEPOTISM

The District values all of its employees and, by extension, their families, and does not discriminate in its employment and personnel actions with respect to its employees and applicants for employment on the basis of marital status or blood or other type of

relationship. The District shall not improperly deny employment or employment benefits to any employee or applicant for employment on the basis of marital status, blood or other type of relationship. Therefore, the District shall consider the hire of employee spouses, relatives, or those with another type of relationship with an employee but will not hire such individual to work in an area where the employee would directly supervise that individual.

The term "relationship" shall include, for purposes of this section, any marital or blood relationship or any other relationship similar to blood or marital relationship, as when an employee is the father, step-father, mother, step-mother, grandmother, grandfather, grandchild, brother, step-brother, sister, step-sister, father-in-law, mother-in-law, spouse, aunt, uncle, cousin, child or step-child of another employee of the District.

Marital status is defined as an individual's state of marriage, non-marriage, divorce, dissolution, separation, widowhood, annulment, or other marital state as defined by California law.

No person shall be appointed or promoted to a position in any department in which such person's relationship, as defined above, would result in any of the following: (1) a supervisor-subordinate relationship; (2) the employee having job duties which require performance of shared duties on the same or related work assignment; (3) both employees having the same immediate supervisor; (4) the two employees handling financial transactions together; or (5) an actual or perceived conflict of interest or having an adverse impact on supervision, safety, security, morale, or efficiency of the workplace that cannot be adequately mitigated, as determined by the General Manager.

If two employees become related while working for the District, the District shall make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale. Such efforts may include, without limitation, affording either or both affected employees the opportunity to be transferred to another department, or to permit continued employment by both parties to the relationship without change if the General Manager finds that any adverse impact on public service would be insignificant. During the period of employment, no supervisory relationship shall exist between married or related employees. The General Manager, following consultation with the applicable supervisor, may place reasonable conditions on such continued employment to the extent necessary to ensure that problems of supervision, safety, security or moral are kept to a minimum.

Where the above circumstances exist and mandate that two spouses or related individuals shall not work in a prohibited relationship, the General Manager or designee will make reasonable efforts to transfer one individual to a similar comparable position in another department. Although the wishes of the parties as to which individual shall be transferred will be given consideration by the District, the controlling factor in determining

which individual to transfer shall be the productive operation and efficiency of the District. If any such transfer results in a reduction of salary or compensation, the same shall not be considered disciplinary in nature.

If continuing employment of two related individuals cannot be accommodated consistent with the District's interest in promotion of safety, security, morale and efficiency, the District retains the sole discretion to separate one individual from District employment. In this case, the General Manager or designee shall notify the affected employees, who shall determine which individual will be subject to separation. This separation shall not constitute discipline.

Determinations made pursuant to this Section shall be made on a case-by- case basis. In making any determinations pursuant to this Section, the General Manager or designee may take into account all relevant factors concerning each of the affected employees, including but not limited to job duties, employment history, etc., within District service, and the business reasons of supervision, safety, security and morale.

The District reserves the right to:

- Refuse to employ one party to a relationship if the other party to the relationship is employed in a confidential position.
- To refuse to permit one party to a relationship to be under the direct supervision of the other party to the relationship. For purposes of this section, a supervisory relationship shall be defined as one in which one person exercises the right to control, direct, reward or punish another person by virtue of the duties and responsibilities assigned to his/her/their position.
- To refuse to permit both parties to a relationship to work in the same department, division or facility where such employment has the potential for creating an adverse impact on supervision, safety, security or morale, or where such employment involves potential conflicts of interest or hazards greater for persons in such relationships than for other persons.
- Reasonably investigate the situation to determine whether a violation of this policy exists.

The decision as to whether a conflict exists lies with the General Manager.

2.7 FRATERNIZATION POLICY

In a workforce as diverse as we have at the District, it is not uncommon for employees to date, or develop significant relationships and live with, other employees. However, conflicts of interest may arise in connection with consensual romantic and/or sexual relationships between District managers/supervisors and their subordinates. Such relationships may:

- compromise, or appear to compromise, the integrity of supervisory authority;

- cause actual or perceived partiality, bias, or unfairness;
- involve, or appear to involve, the improper use of such relationships for personal gain;
- be, or are perceived to be, exploitative or coercive in nature; and/or (v) create an actual or perceived adverse impact on workplace discipline, authority, morale, and productivity.

The District desires to avoid these problems as well as complaints of favoritism, potential sexual harassment claims, and any other employee morale and dissension problems that may result from consensual romantic and/or sexual relationships between District managers/supervisors and their subordinates.

Accordingly, District managers/supervisors are prohibited from fraternizing or becoming romantically involved with any non-manager/supervisor employee of the District if the managers/supervisors either (1) supervise that employee; or (2) make employment-related decisions or recommendations for raises, promotions, discipline, assignments or transfers for the employee directly or indirectly.

If a manager or supervisor violates this policy, the District may, at its sole discretion, reassign such manager or supervisor to a different department and discipline such manager or supervisor as provided in *section 2.16* of this Handbook, including, but not limited to, termination of employment.

If two employees become related while working for the District, they will both be allowed to remain with the District. However, if one of them supervises the other, only one of the employees will be allowed to keep his/ her/their current position. The other employee will need to transfer to another position if there is an opening or leave the District.

While the District does not intend to tell employees who their friends should be, who they should date, or with whom they should socialize, it will intervene when these relationships affect job performance. While it is not the District's intent to discipline employees, who are friends or dating, discipline will be issued in appropriate circumstances when job performance is negatively affected, as detailed in *section 2.16* of this Handbook.

All employees should be mindful that the District maintains a strict policy against unlawful harassment of any kind including, but not limited to, sexual harassment, as detailed in *section 2.4* of this Handbook,. Employees who believe they have been subject to sexual harassment should immediately report it to their supervisor, the Human Resources Director, and/or the General Manager for investigation.

2.8 ACCEPTANCE OF GRATUITIES

No employee shall accept any fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the

appearance of resulting in, the use of public office for private gain; preferential treatment of any person, impeding governmental efficiency or economy; any loss of complete independence or impartiality; the making of a District decision outside official channels; or any adverse effect on the confidence of the public in the integrity of District government.

2.9 MOONLIGHTING/OUTSIDE EMPLOYMENT

No District employee may accept or engage in any employment, activity, or enterprise for any other company, corporation, private individual or individuals, or himself/herself which is inconsistent, incompatible, or in conflict with the employee's duties at the District.

Activities that fall in this category include:

- Receiving or accepting money or any other consideration from anyone other than the District for the performance of your duties as a District employee;
- Performance of an act in other than your capacity as a District employee knowing that the act may later be subject, directly or indirectly, to your control, inspection, review, audit, or enforcement as a District employee in your capacity as such;
- Not devoting full time, attention, and efforts to your employment during normal hours as a District employee.

Violation of these rules relating to outside employment constitutes grounds for disciplinary action.

Application: Consistent with California Government Code Section 1126, any District employee wishing to engage in an occupation or outside activity for compensation shall inform the General Manager in writing of such desire, provide information as to time required, the nature of the activity, and such other information as may be required. The General Manager shall then determine whether or not such activity is compatible with the employee's District employment. If outside employment is approved, the employee will have an ongoing responsibility for preventing the existence and appearance of prohibited conflicts of interest.

Evaluation of Request: In evaluating whether the outside activity is consistent with District employment, the General Manager shall consider, among other pertinent factors, whether the activity;

- Involves the use for private gain or advantage of District time, facilities, equipment and supplies, or the prestige or influence of the District's office or employment;
- Involves accepting money from anyone other than the District for performing an act which the employee would be required or expected to perform in the regular course of his/her District employment;
- Involves the performance of an act in other than his/her capacity as a District employee which may later be subject, directly or indirectly, to the control, inspection, review,

audit or enforcement by such employee or the department by which he/she is employed;

- Involves conditions or factors which may directly or indirectly lessen the efficiency of the employee in his/her regular District employment or conditions in which there is a substantial risk of injury or illness to the employee;
- Any other outside activities that may bring discredit to the District.

Revocation of Permission: Outside work permits may be issued for such length of time as noted in the permit and expire at such time. All permits are subject to revocation by the General Manager if he/she determines that such activity is not compatible with the employee's District employment.

No employee shall allow any unauthorized person to rent, borrow or use any of the items described above except upon prior written permission of the General Manager.

Violations and Penalties: Any violation of this provision shall constitute sufficient grounds for disciplinary action.

2.10 CONFLICT OF INTEREST

No employee shall engage in any business transaction or shall have a financial interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his independence of judgment or action in the performance of his/her official duties. The General Manager shall determine and prescribe those activities which, for employees under his jurisdiction, will be considered inconsistent, incompatible or in conflict with their duties as District employees. In making this determination, the General Manager shall give consideration to employment, activity or enterprise which:

- Involves the use for private gain or advantage of District time, facilities, equipment and supplies, or the badge, uniform, prestige or influence of the District's office or employment;
- Involves the soliciting or acceptance by the employee of any money, gift, gratuity or other consideration from anyone other than the District for performing an act which the employee would be required or expected to perform in the regular course of his/her District employment;
- Involves the performance of an act in other than his/her capacity as a District employee which may later subject, directly or indirectly, to the control, inspection, review, audit or enforcement by such employee or the department by which he/she is employed

Each District employee shall, during his/her hours of duty as a District employee, and subject to such rules and regulations as pertain thereto, devote his/her full time, attention and efforts to this District employment. Each District employee shall cooperate with the General Manager to successfully fulfil the objectives and purposes of this Handbook. Failure to abide by the conflict-of-interest prohibition may result in disciplinary action.

2.11 POLITICAL ACTIVITY

The political activities of all District employees shall be governed by the provisions of applicable State and Federal law.

Impermissible Activities: Use of the public's money, the public's time (paid work hours) or other public resources (facilities, computers, equipment, or materials), to support or oppose a political campaign (of a candidate or ballot measure) is prohibited. Specifically, prohibited activities include:

- Political campaign activities during working hours.
- Political campaign activities on District premises.
- Solicitation of campaign contributions from other employees, unless part of a general public fund-raising campaign, and never on District time or premises or using District resources.
- Wearing a District employee identification uniform, or badge of office while campaigning even outside of working hours.
- Using District equipment or supplies to produce political promotional materials.

Permissible Activities: During non-working hours, each employee has the unfettered right to engage in political expression and activity on behalf of a political candidate or ballot measure, so long as public funds are not used. However, District badges of office should not be displayed.

2.12 COMPENSATION PLAN

The foundation for the District's compensation is based on the following key principles:

- **Pay for Performance**— You earn your compensation. Superior performance equals superior compensation. If you create results, you will be rewarded.
- **Providing Opportunity**—Career opportunities are available, further education is encouraged, and compensation levels are competitive.
- **Employees Have a Significant Stake in the District**— You have the biggest stake in the District. It is through collective performance that results are created. (i.e., management is looking for image, leadership, behavior, morale, overall performance).

The District provides equitable compensation for each employee based on the individual's position and performance.

2.12.1 Salaries

For new hires, factors considered in establishing the base salary are education, previous work experience, position, grade level and other relevant factors.

For existing employees, adjustments to your base salary generally occur as a result of a performance appraisal, a promotion, or a significant increase or decrease in job responsibilities as well as business circumstances and other relevant factors.

2.12.2 Compensation Review and Merit Increase

Merit increases, if any, are given based on performance and in accord with current business circumstances of the District. All these factors determine salary changes within the pay range which consists of nine incremental steps. **There are no automatic pay increases.** It is the District's objective to adjust a salary level that best represents performance level and responsibilities in accord with current business circumstances.

Note: Any employee on written warning may be ineligible for merit pay increases, merit awards, promotion, and flex time.

PROMOTIONAL INCREASE/DEMOTION

A promotion occurs when an employee accepts a position that is in a higher-level grade. A salary increase is generally given to recognize increased job responsibilities.

A demotion occurs when an employee accepts or is transferred to a job at a lower level.

PAY INCREASES

Minimum and maximum salary steps have been established for each position. These salary ranges are reviewed using the data from similar agencies in California and may be upgraded annually for inflation. A cost-of-living increase is considered by the Board of Directors on an annual basis.

NON-CUMULATIVE MERIT AWARD

A Non-Cumulative Merit Award pay structure provides an incentive for employees on their top step, or for those that have frozen wage levels, to continue to perform above or beyond expectations. The new structure would apply to employees that have been at the uppermost step of the range at least one year, and to those employees with frozen wage levels. A Non-Cumulative Merit Award recommendation requires approval of the Supervisor, Department Head, Assistant General Manager, and General Manager. The Non-Cumulative Merit Award recommendation could range up to 2.5%. The Non-Cumulative Merit Award will be paid in a lump sum in the second week of July.

2.13 ALTERNATIVE WORK SCHEDULE

PURPOSE

This policy is established in order to gain the maximum efficiency for the District and allow employees additional opportunities to enjoy their non-work hours.

Due to the District's Alternative Work Schedules, the standard FLSA work week is defined individually for each employee. The District's normal work hours are 6:00 a.m. to 6:00 p.m., depending upon operational requirements. Some departments, such as Operations, have 24 hour staffing. Since the District is a service organization, the normal work schedule may

fluctuate with ratepayers' demands or departmental operational requisites relating to alternative work weeks.

If either the District or employee require or desire to make changes to employee's work schedule, employee's manager will notify employee or respond to employee's request at the earliest opportunity. Employee may be required to work overtime or hours other than those normally scheduled. It is the District's intent to allow you maximum flexibility in scheduling employee time while still meeting the needs of the organization.

WORKWEEK SCHEDULE

The District has three primary work week schedules. The first consists of four/ten-hour days, (40 hours per week), Monday through Thursday or Tuesday through Friday. This work week begins at 12:00 am on Sunday morning and ends the following Saturday at 11:59 pm.

For on-duty Treatment Plant Operators the shift typically will be 12 hour shift with an additional .25 hour transition period between shifts. These shift runs for seven consecutive days split over two work weeks. The start of the work week for these schedules depends on whether the employee has chosen the daytime shift operator schedule or the nighttime shift operator schedule. Schedule is subject to change based on business needs as determined by the department manager.

These schedules are outlined for non-exempt staff. Alternative work schedules allow exempt staff to devise work schedules that coincide with their workload and needs of the District. Any exempt employee days off must be approved in advance and reflected on the bi-weekly timecard.

PARTICIPATION CRITERIA

- Eligibility to participate in the alternative work schedule program is subject at all times to the needs of the District and may be modified as those needs dictate. Certain positions may be ineligible for participation due to necessary work schedules and service needs of the District's customer base.
- Service to the ratepayers must be maintained, including adequate phone coverage.
- Timeliness, quality, and quantity of work must be maintained.
- Priority work must be accomplished in a timely manner.
- A satisfactory attendance record and continued satisfactory work performance must be maintained.
- All participants must agree to abide by the guidelines.

In order for this program to be successful, it is important that employees communicate with their co-workers and managers regarding any critical issues that may arise on their day off.

PROCEDURES

- Pay periods will cover two weeks. There are 26 pay periods per year. Any hours worked over 80 hours in a single pay period will not be carried forward to upcoming pay periods. All hours worked over 40 hours in a week will be compensated at applicable overtime rates of pay. The “slate” starts clean at the beginning of each new two- week pay period.
- Timecards cover a two-week/80-hour period and need to be submitted to Payroll by 9 a.m. on the Monday following the end of the pay period.
- Each department head will manage his/her/their department schedule.
- Once participants are committed to an alternative work schedule, it is expected to be followed for that pay period. Keep in mind that a scheduled day off will be treated just like any other Saturday or Sunday.
- If an employee is needed to assure adequate coverage during a period when a counterpart is on vacation or out of the office for one week or more, or any time the District requires, the employee may be required to change to a different work schedule.
- This alternative work program may be discontinued by the District at any time, for any reason, at the District’s sole discretion.

NON-EXEMPT EMPLOYEES WORKING ALTERNATIVE WORK SCHEDULES.

- Non-exempt employees will be paid overtime (time and a half) for hours worked in excess of 40 hours in any work week, or they can request flex time according to the needs of the department. Flex time will be credited at the applicable overtime rate of pay.
- It is required that employees have 40 hours in each workweek to equal 80 for the two weeks’ pay period.
- Plant Operators may be on a 7/12.25 schedule which have individually defined work weeks and require 85.75 hours over a two-week period.
- Absences occurring on scheduled workdays are charged at a rate not to exceed the number of hours generally assigned.
- Staff could be on the 4/10,7/12.25 flex schedule, or any schedule designated by the department. Employees will need to abide by the specifications outlined for each functional area.

EXEMPT EMPLOYEES WORKING ALTERNATIVE WORK SCHEDULES.

Exempt staff members on a 4/10-work schedule are expected to maintain a work schedule of 80 hours per pay period. Staff working basic work schedules (not out of town) are expected to follow the “guidelines” for non-exempt staff by working eight ten-hour workdays, during a two week pay period. Non-working time out of the office does not count towards the 80 hours. If traveling in the field, it is understood that schedules will vary, and it is expected you will adjust your schedule accordingly.

2.14 STANDARDS OF CONDUCT

The following examples are given in order to provide employees some guidance concerning unacceptable behavior. If the District chooses to correct an employee who engages in unacceptable behavior, the employee may be subject to corrective action up to and including termination. Please note that it is impossible to provide an exhaustive list of behaviors that are not acceptable. The following is therefore intended to simply provide some examples:

- Poor performance, which includes failure to perform job responsibilities, tardiness, and not completing assigned tasks.
- Using abusive or vulgar language or causing disruption to the workplace or to fellow employees or visitors.
- Unavailability for work, i.e. absenteeism or tardiness.
- Misuse of the District's monies.
- Conducting non-District business activities during working hours.
- Any action indicating a disrespect or disregard for the District, its employees, vendors, suppliers or clients.
- Unauthorized release of confidential information about the District or its employees.
- Falsification of forms, records, or reports including, but not limited to, timecards, employment applications and member records.
- Possessing or bringing firearms, weapons, open containers of alcohol, illegal drugs or chemicals on or to the District's property.
- Not complying with the District's safety policies.
- Insubordination, refusing to follow a manager's directions, or other disrespectful conduct toward a manager.
- Unauthorized possession or removal of property, records, or other materials that do not belong to you. District equipment may only be used for District business based on California laws.
- Smoking in restricted areas.
- Destroying or willfully damaging the District's or another employee's property, records, or other materials.
- Non-compliance with safety or health rules or practices or engaging in conduct that creates a safety or health hazard.
- Leaving the District's property without approval prior to the end of a scheduled workday.
- Sexual harassment or other unlawful discrimination/harassment of another employee.
- Giving false or misleading information during the application and/or selection process.
- Failure to report involvement in an accident occurring on the District's premises, or involving the District's equipment, or giving false information in accident or insurance reports.

- Willful failure to report to supervisor any significant omissions, errors or mistakes or accidental damage affecting work assignment, property or equipment.
- Unauthorized opening of, or tampering with, locks in desks, doors, cabinets, etc., or unauthorized use of or duplication of keys.
- Reporting to work under the influence of drugs and/or alcohol.
- Threatening or intimidating other employees or supervisors.
- Behavior un-becoming a District employee; that behavior or action which would adversely prejudice public opinion of the District. Conviction of a felony involving acts of a nature which would adversely affect the employee's qualifications to perform his/her duties. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, to a charge of such a felony is deemed to be a conviction.
- Failure to immediately report the loss of a California driver's license due to suspension, withdrawal, forfeiture or confiscation by any court of law or by the California Division of Motor Vehicles. This rule applies only to those employees who must maintain such a license as a condition of their employment.
- Installing unauthorized software on the District's computer system.
- Misuse of electronic systems (email, internet, fax) per applicable District policies.
- Repeated interpersonal conflicts that demonstrate an ongoing inability to professionally relate to and work with co-workers, vendors, and/or Board Members.
- Doing non-work-related tasks, research, or other activities during company time including, personal phone calls, social media, web browsing, etc.

Other offenses not listed may also result in termination. Since all employees are "at will" employees, the employment relationship may be terminated at any time by either the District or the employee with or without cause.

2.15 EMPLOYEE GRIEVANCE PROCEDURES

The District encourages employees who may be experiencing a grievance (such as overtime dispute, concern regarding timecards, other work concerns, etc.) to bring them to the attention of your supervisor, manager and/or to the Human Resources Director. "Grievance" is defined as any dispute involving the interpretation, application, or alleged violation of the District's Employee Handbook or other rules and regulations applicable to an employee. The grievance procedure may not be used for the resolution of any complaint concerning disciplinary action, or performance evaluation.

An employee who has a grievance shall bring it to the attention of the Human Resources Director within five (5) business days of the occurrence of the act. For purposes of this policy, the term "business day" shall mean any day on which the District's office is open to the public for business. The employee may submit a formal grievance which shall contain the following information:

1. The name of the grievant.
2. The name of the grievant's immediate supervisor.
3. A statement of the nature of the grievance including date and place of occurrence.
4. The specific provision, policy or procedure alleged to have been violated.
5. The remedies sought by the grievant.
6. Date of submission of the grievance.

The employee and Human Resources Director will have eight (8) business days to resolve the grievance. Human Resources Director will schedule a meeting with the employee to discuss the grievance. If the employee and Human Resources are unable to resolve the grievance the employee may choose to proceed to the General Manager within three (3) business days from the date of the final action/attempt to resolve the grievance.

The General Manager, or his/her designated representative, shall respond to the grievance in writing within eight (8) of his/her working days of its receipt. This period of response may be reasonably extended. The General Manager, or his/her designee reserves the right to conduct an informal or formal investigation to resolve the grievance.

2.16 DISCIPLINE

All organizations have rules and policies in order to operate effectively. To ensure that these rules and policies are followed, penalties for not adhering to them are established. These penalties, called disciplinary actions, may take the form of oral or written reprimands, suspension, demotion, or termination. What determines the type and severity of the discipline depends on the circumstances and/or behavior leading to the discipline and past instances of similar conduct.

The rules and policies set forth in this Handbook are intended to provide employees with notice of what is expected of them. Necessarily, however, such rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed in this Handbook, but which adversely affects or is otherwise detrimental to the interests of the District, other employees, or the public, may also result in disciplinary action.

The District's first priority is to ensure the performance of the duties entrusted to us by our ratepayers. Discipline is directed at improvement in performance and is at the discretion of the Supervisor. As an at-will employer, violations of the District's Standards of Conduct or performance issues could lead to discipline up to and including termination.

As an at-will employer, the District may take disciplinary action against any employee without prior notice for any oral or written reprimand or suspension without pay, or for any demotion or termination if the conduct is egregious enough to warrant an immediate demotion or termination. "Egregious conduct" means conduct that is flagrantly bad, obviously wrong, or a willful violation beyond any normal or reasonable standard of conduct.

For suspension without pay, demotions or terminations that are non-egregious, as determined by management, the following steps shall be followed:

STEP 1:

Prior to taking disciplinary action, the Supervisor, or his/her/their designee, shall deliver to the employee a written notice of its intention to dismiss or demote the employee. Such notice shall be personally served on the employee, or if the employee is not available, it shall be sent by registered or certified mail to the employee's place of residence, as shown on the records of the District. The notice shall be served or mailed no less than five (5) business days prior to the proposed disciplinary action. For purposes of this policy, the term "business day" shall mean any day on which the District's office is open to the public for business. The notice shall contain the following:

1. The proposed disciplinary action and the date said action becomes effective.
2. The specific charges upon which such action has been proposed and the reasons why such action is being taken. Such charges shall contain any information essential to give the employee an opportunity to answer the charges made. Such information may include, but is not limited to, names, times, dates, places or numbers that may be pertinent to the charges made.
3. If such charges are based upon documents or materials, the notice shall inform the employee of this fact, and shall inform the employee as to the location of such documents and materials. If available and subject to duplication, copies of such documents and materials shall be furnished to the employee with the notice.
4. A time and date by which the employee may file a written response, which date shall not be less than five business (5) days after the notice is served on or mailed to the employee, whichever occurs first.

STEP 2:

The employee may respond in writing, no later than the time and date provided in the notice to the employee. Written responses shall be delivered to the General Manager. If the employee does not submit a written response by the time and date by which the employee may file a written response, the discipline shall become effective and considered final.

STEP 3:

Upon receiving a timely response from the employee as defined in Step 2 and set forth in the District's notice to the employee, the General Manager will then have 12 business days in which to review the matter, including any response of the employee, and any evidence submitted, and shall make a determination whether to discharge or demote the employee. The General Manager shall notify the employee in writing of the determination. Such notice shall be personally served on the employee or shall be sent by registered or certified mail to the

employee's place of residence as shown in the records of the District. The decision rendered by the General Manager shall be considered final.

Nothing in this Section shall change the at-will status of any employee or constitute a right to continued employment with the District.

2.17 OUTSIDE RELATIONS/MEDIA CONTACT

As an employee, you are not permitted to give or report any information about the members of the District, another employee, outside vendor, client or consultant to anyone outside of the District. You should forward any such request, whether verbal or written to the Public Affairs Director or Human Resource Director for handling.

2.18 EMPLOYMENT REFERENCE CHECKS

All inquiries regarding a current or former District employee must be referred to the Human Resources Director and if unavailable, to the General Manager.

Should you receive a written request for a reference, you must refer the request to Human Resources for handling. You may not issue a reference letter to any current or former employee without the permission of the General Manager.

Under no circumstances should you release any information about any current or former District employee over the telephone. All telephone inquiries regarding any current or former employee of the District must be referred to Human Resources.

In response to an outside request for information regarding a current or former District employee, the Human Resources Director will verify only an employee's name, dates of employment, salary, and job title. No other data regarding any current or former PWD employee will be released unless the employee authorizes the District to release such information in writing or the District is required by law to furnish any information.

If, however, you are contacted to give a personal reference regarding a current or former District employee that is not related to that current or former employee's employment at the District, you are permitted to do so and should emphasize to the inquirer that the reference is personal only and not on behalf of the District.

Failure to follow these directions may be cause for corrective action up to and including termination.

2.19 USE OF DISTRICT EQUIPMENT PROHIBITED

District-owned equipment, including vehicles, trucks, instruments, supplies, machines or any other item which is the property of the District may not be used by an employee while said employee is engaged in any outside activity for compensation, or otherwise, except upon prior written permission by the General Manager.

Section 3 PAYROLL

3.1 ELECTRONIC TIMECARDS

Employees are required to keep an accurate record of their time on timecards. The use of timecards assures proper cost accounting. Exempt and non-exempt employees fill out separate forms. Employees must submit signed timecards on a bi-weekly basis. The timecard should be completed in a neat and orderly manner (so that all entries are easily read) and submitted by 9:00 a.m. on the Monday prior to payday of the pay period.

Vacation, sick, and holiday time must be entered on the timecard.

3.2 PAYDAYS

Employees are paid every other Wednesday for a two-week period ending the Saturday prior. Pay checks are distributed by noon, however, employees may elect direct deposit and funds will be available on that payday.

3.3 GARNISHMENTS

A garnishment is a court order requiring the District to remit part of an employee's wages to a third party in payment of a just debt. Because garnishments involve the District in its employees' private financial affairs, it is requested that employees handle your finances appropriately.

3.4 PAYROLL DEDUCTIONS

State and Federal laws require the District to make proper deductions on its employees' behalf. Amounts withheld vary according to earnings, marital status, and number of exemptions claimed. Changes in deductions must be received by Human Resources the Wednesday prior to payday.

Required deductions include Federal Income Tax, FICA "Medicare Only" Contribution, Social Security, State Income Tax, Federal Income Tax, and State Disability Insurance.

Every pay period the District sets aside and pays for each eligible employee:

- Health Insurance Allocation
- Vacations
- Holidays
- Social Security (District's portion)
- Unemployment Compensation
- Workers' Compensation Insurance
- Public Employee's Retirement System Benefits (PERS) (District's portion)

- Life Insurance

The District makes these payments on the employees' behalf and they appear on employee check stub.

3.5 DIRECT DEPOSIT

When employees receive their paycheck or stub, employees should review it carefully to check for inaccuracies. If any part is not clear employees should discuss with their supervisor or payroll

Any request for changes relative to payroll deductions, must be submitted to the the Payroll Department by the Wednesday prior to payday. Requests received after the Wednesday prior to payday will not be effective until the following payroll.

Stipends for cell phones or mileage will be paid to qualifying employees (based on job descriptions) with the first payroll of the month. Expense reports related to travel, seminars, educational reimbursement (including test taking) should be submitted to supervisor the Wednesday prior to payroll.

Direct deposit of paycheck is available. To take advantage of this service, employees need to complete the "Direct Deposit" form, attach a voided check, and return the Direct Deposit form and voided check to the Human Resources Department by the Wednesday prior to payday.

3.6 CHANGING PERSONAL INFORMATION.

Employees' current address and phone number are essential for many purposes. These changes should be noted in the HRIS employee portal within 30 days of the event. Employees are solely responsible to notify the Human Resources Director of changes in their personal status including, but not limited to: Name, Address and/or telephone number, Number of eligible family members, Tax payroll deductions, Emergency contact information, and Changes to deferred compensation

Please notify the Human Resources Director of any qualifying events or changes in benefits within 30 days of the event.

3.7 DEFERRED COMPENSATION

Employees may make changes that affect the amount of money deducted from their paycheck through their Lincoln Financial portal. When employees make any changes that affect the amount of money deducted from their paycheck for deferred compensation, the Lincoln portal will notify payroll of these changes. Changes must be made the Wednesday prior to payday, or they will not be reflected until the next pay period.

3.8 OVERTIME/COMPENSATORY TIME

Due to varying workloads and cycles throughout the District, an employee may be asked to work beyond their normal shift. The District will pay all hourly (non-exempt) employees overtime pay at the rate of one-and-one-half (1 ½) times the employee's regular rate of pay for all hours worked over forty (40) hours in a work week. Although the District will endeavor to provide advance notice of an overtime request, this is not always possible. Overtime work by non-exempt employees must be approved by their managers and/or the General Manager in advance of being worked when feasible.

In the event of any dispute regarding overtime pay, the District shall pay any undisputed amounts to the employee. Holidays, paid time off, or any other non-working hours do not count toward the 40-hour work week for overtime purposes. Managers and supervisors should not conduct business by phone/email/text with non-exempt employees "after hours" without employee being compensated for their time (overtime may apply).

Paid compensatory time-off may be given to non-exempt employees at a rate of one-and-one-half (1 ½) hours for each hour of overtime if the employee and the District agree to the time off from work in lieu of earned overtime pay.

By law, A request in writing of the desire for compensatory time off in lieu of overtime monies prior to working the overtime must be received. If an employee wishes to take compensatory time, a written request for the time off must be submitted and approved by their manager at least three (3) days in advance of the time requested. Compensatory time for non-exempt employees must be taken within thirty (30 days) following the date on which the overtime was worked. If compensatory time is not used within 30 days of accrual, the compensatory time will be converted to wages, and the employee will be compensated based on their regular rate of pay.

For exempt personnel, no compensatory time will be accrued. Administrative leave requests from exempt personnel for time off of a day or more at a time, with pay, must be made in writing and approved by the departmental manager and the General Manager in advance of the time being taken.

Non-approved overtime will be paid but may subject the employee to disciplinary procedures.

TIME WORKED

All time worked must be recorded a weekly timecard, including time worked over an employee's normal schedule. (A) Each workday an employee is required to report for work and does report, but is not put to work or is furnished less than half said employee's usual or scheduled day's work, the employee shall be paid for half the usual or scheduled day's work, but in no event for less than two (2) hours nor more than four (4) hours, at the employee's regular rate of pay, which shall not be less than the minimum wage (B) If an employee is required to report for work a second time in any one workday and is furnished less than two (2)

hours of work for second reporting, said employee shall be paid for two (2) hours at the employee's regular rate of pay, which shall not be less than the minimum wage.

HOLIDAYS WORKED

Non-exempt employees who work on an organization-recognized holiday shall be paid at a rate one-and-one-half (1 ½) times the employee's regular rate of pay for all hours actually worked on the holiday.

SHIFT PREMIUMS/DIFFERENTIALS

Employees who work at the District's Water Treatment Plant on the night shift will be paid a premium for that shift. This premium will be paid at 7.5% above the employee's hourly rate.

3.9 REST AND BREAK TIME

Full-time (40-hour/week) employees are encouraged to take a 15-minute break in the morning and a similar break in the afternoon in order to "break" up the day and as a relief from office routine and tension. Employees are free to retire to the break rooms, exit the building for a quick walk, or just sit outside on the benches provided. Less than 40-hour/week employees should clarify with their manager appropriate rest and break times.

Full-time non-exempt employees are required to take at least a 30-minute lunch break. An exception could be made if an employee works less than 8 hours/day (i.e., six hours) and the employee request not to take a lunch break. Under these circumstances, employees should meet with their manager for the manager's decision of whether or not to require a lunch break.

These breaks are not cumulative and cannot be combined with lunch, nor can they be taken at the end of the day to shorten the workday but are to be taken only at times prescribed by the employee's supervisor.

3.10 STANDBY/CALL BACK/MAKE-UP

Employees may be required to be "on standby" at certain times. Supervisors will inform an employee if he position requires any "standby" duties and will devise a schedule showing the dates and times for "on standby". Employees will be paid while on standby.

3.10.1 Standby Time

Standby time is time for which an employee is paid for being available to be called back to work, not for work performed once called back. Work performed once called back will be compensated for as "call back compensation". Employees on standby are expected to respond within a reasonably prompt time when called out. Failure to respond will result in standby time pay for the period being covered to be withheld by the District and may result in disqualification for further standby service.

Unless special arrangements are made, standby shifts start at the end of work on Monday and continue through the beginning of work the following Monday. Compensation for standby time is \$55 per day on weekdays and \$80 per day on weekends and holidays.

- In the event the employee on standby is to be absent during his/her standby service, he/she/they must arrange for another employee to cover that absence. Such arrangements will result in the other employee being compensated for the affected period of standby service.
- Standby time is not considered to be "hours worked" for purposes of the calculation of overtime compensation.
- While on standby duty, employees may be provided a District vehicle and cell phone.
- The District expects that its employees, who are required for "standby" duty, stay within a thirty-minute response time to the District offices, or anywhere within the District's water service area in order to be responsive to our community's needs. Employees must notify the District of any change in residence. Any inquiries as to the application of this policy may be made to the General Manager.

For those employees who reside more than 30 minutes away from the District their compensation will include no more than "one half hour travel time each way," per call.

3.10.2 Call-Back Compensation

This policy will apply to any call-back hours outside of an employee's regular scheduled shift. Call-back compensation is paid for work performed by an employee having been "called back" after leaving work for the day, on weekends, or holidays. Employees shall be compensated in accordance with the guidelines for "call back compensation".

For the purpose of these guidelines, "called back" means being called back to attend to urgent (requiring action before the next work shift) needs of the District, and to special activities (such as setting up for an event) which have been pre-arranged by the employee's supervisor. Call-Back Compensation will also apply for time spent on the phone with customers while an employee is on standby. The standby employee shall record all hours worked in checking District wells on any weekend day or District recognized holiday.

Call-back time shall be paid with the regular salary check.

If any employee is called back, he/she/they will be paid at one-and-one half times his/her regular rate of pay, provided he/she/they has, during the regular scheduled week in which that call out occurred, worked forty (40) hours of regular time or is off on paid holiday. With the approval of the supervisor If an employee is called back two hours or less prior to their scheduled and/or regular shift the employee can continue working as part of their regular shift and leave 2 hours earlier or leave earlier to offset the time length of the early start.

Any hours beyond 12 hour per day will be paid at double time. However, if the length of time he/she/they is called out is less than one (1) hour twenty (20) minutes, then he/she/they will instead be paid the minimum of two (2) hours of straight time. Time will begin when the employee leaves home and will continue until he/she/they returns home regardless of how many calls may be received and acted upon while out.

When an employee is called back or held over within eight (8) hours after the conclusion of a shift, the employee shall be paid one-and-one-half (1 ½) times the employee's regular rate of pay for all hours worked in excess of their regular work shift. After twelve (12) hours worked, an employee who is called back or held over, shall be paid double time (two times) their regular rate of pay until the employee is released from work for an uninterrupted rest period of eight (8) hours. If the rest period extends into the employee's next regular work shift, the employee shall receive straight time pay for that succeeding work shift provided that the employee reports for work at the end of the eight-hour rest period. If the employee's remaining work shift is four (4) hours or less, the employee, with approval from his/her supervisor, may use accrued vacation for the time between the end of the rest period and the end of the regular work shift. District emergencies will be an exception to the rest period policy.

When called within the first 30 minutes and told that the crew cannot be ready until a specified time later in the day, time will begin as soon as the employee leaves to respond. In the event that the employee is called and told that a crew will be assembling at a later time, compensation will begin when he/she/they leave to meet with the crew at the appointed time for assembly.

3.10.3 Make-up Time

Make-up time is approved and monitored by an employee's immediate supervisor or departmental manager and is based on one hour of time made-up for one hour of time used. The time used must be made up within the same workweek. Any request for make-up time must be requested by the employee in writing prior to taking the time off.

3.11 OUT OF CLASS

Defined as an employee who is temporarily performing a job description at a higher pay range. If the "Out of Class" assignment is more than 40 hours but less than 30 days, the employee will be paid a shift differential of 10%. If the assignment is for a period longer than 30 days, the employee will be changed to the new job title/salary range in an "acting" capacity until the assignment is complete. The employee's manager should notify payroll and Human Resources of when "out of Class" pay should be removed. The calculations should be done monthly and must be submitted on the employee's timecard.

Section 4 BENEFITS

4.1 INTRODUCTION

The District has developed a broad, comprehensive set of employee benefit programs to supplement employees' regular wages. The District is continually investigating opportunities to improve its benefits as budget limitations permit.

These employee benefit programs consist of two categories: insured and uninsured. Insured benefits are those that the District pays for through an outside source. Examples of these benefits are Medical, Dental, Vision, Life, PERS and Disability insurance.

Examples of uninsured benefits are vacation, sick and holiday pay. These are benefits that are paid for directly by the District and are available to employees with conditions and specifications. Benefits are "hidden costs" of approximately 40+% of salaries that go to supplement employees' incomes.

4.2 GROUP INSURANCE PLANS

The District contributes the cost of premiums for the lowest tier of health, dental, and vision care coverage of the plan all employees qualify under for employee and the employee's eligible dependents.. Employee will receive brochures and enrollment forms during the new employee onboarding.

"Eligible employees" are defined as full-time employees.

"Eligible dependent" is defined as the following:

- Spouse or domestic partner of the employee;
- Natural child, stepchild, or a legally adopted child of the employee and/or employee's spouse/domestic partner, including:
 - A child under 18 years of age.
 - A child over 18 years of age who meets certain requirements. Pursuant to the Affordable Care Act, eligible dependents are defined by the plan (carrier) rules. A dependent qualifies for coverage if he/she is under age 26. A qualified dependent can be married or unmarried, but his/her spouse, domestic partner or children (grandchildren) will not be qualified for dependent coverage. The qualified dependent is not required to be living at home, a dependent on the employee's tax return, or a student, and is eligible even if he/she has access to another employer-provided health plan.
 - A disabled unmarried child who was enrolled before age 26, subject to carrier approval.
 - A child eligible for coverage as a result of a valid qualified medical child support order.

- A grandchild who is declared as a dependent on the employee's tax returns.
- Those designated according to the law.

For an eligible dependent to be eligible for coverage, a copy of a marriage license, birth certificate, or other identifying paperwork is required.

The following is a brief description of the plans available and is not meant to replace the actual wording of the policy, which makes the final determination of the benefits to be provided.

4.2.1 Medical Plan

Persons Eligible: Full-time employees, their eligible dependents, and domestic partners.

Waiting Period: First day of the month following one month of continuous employment.

Employee Contribution: Any difference between the employer contribution and the total cost of plans chosen by the employee.

Employer Contribution: The lowest premium medical insurance plan for families that all employees qualify for and will fluctuate with the premiums.

Providers: ACWA/JPIA with plans from Anthem and Kaiser.

Benefits Provided: See information booklet provided by provider for details.

Where to File Claims: As provided by carrier on respective websites.

A monthly amount of \$650/month (aka opt-out payment) is available for employees who document medical insurance coverage through another source. Employees must still enroll in the District's dental and vision coverage.

4.2.2 Retiree Health Benefits

All regular full-time employees are eligible for participation in the ACWA/JPIA Plan. The District will continue to pay medical, dental, and vision care insurance premiums for retired employees, their spouses and legal dependents, provided the retired employee has served the District full-time for 20 years and is 55 years of age at the time of retirement from the District. The coverage the employee has at the time of retirement is the coverage the employee would retire out with. The dollar amount of the retiree and dependent premium covered by the District will be equal to the dollar amount of approved premium payment by the District for current employees. When an active employee who will be age 65 or older retires, enrollment in Medicare Parts A and B will be required at the time of retirement. The district does not cover premiums for Medicare Parts A and/or Medicare Parts B. When an employee retires before age 65, enrollment in Medicare Parts A and B is required for each the retiree or spouse upon reaching age eligible for Medicare. If this enrollment does not take place, the Medicare-eligible but not Medicare enrolled retiree and dependents will no longer be eligible for participation in the District medical plans. District's contributions to health benefits will end upon the death of

the retiree. COBRA benefits will be available for surviving dependents. For further details and most current information contact ACWA/JPIA.

4.2.3 Dental Plan

Persons Eligible: Full-time employees, their eligible dependents and domestic partners must enroll.

Waiting Period: First day of the month following one month of continuous employment.

Employee Contribution: Any difference between the employer contribution and the total cost of plans chosen by the employee.

Employer Contribution: Employee total contribution for medical, dental and vision coverage dollar amount is based on the policy that has the lowest premium medical insurance plan for families which all employees qualify for and will fluctuate with the premiums.

Provider: As provided by ACWA/JPIA with plans from Delta Dental.

Benefits Provided: See information provided in booklet for details.

Where to File Claims: As provided by the carrier.

4.2.4 Vision Plan

The District's Vision Care Plan is designed to aid you in the purchase of a broad range of necessary vision care services and treatments. When arranging vision care, discuss the charges with the eye care provider.

Persons Eligible: Full-time employees and their eligible dependents must enroll.

Waiting Period: First day of the month following one month of continuous employment.

Employee Contribution: Any difference between the employer contribution and the total cost of plans chosen by employee.

Employer Contribution: Employee total contribution for medical, dental and vision coverage dollar amount is based on the policy that has the lowest premium medical insurance plan for families which all employees qualify for and will fluctuate with the premiums.

4.2.5 Life and AD&D Insurances

Persons Eligible: Full-time employees (must be actively employed).

Waiting Period: First day of the month following one month of continuous employment.

Employee Contribution: None.

Employer Contribution: Total cost for employee. Company provides \$10,000 for basic life insurance and \$10,000 for AD&D Insurance.

Provider: As provided by the District.

Where to File Forms: Report claim information to Human Resources.

4.2.6 Supplemental Insurances

Supplemental Insurances, to be paid for by an employee, are available through other service providers.

4.3 COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”) was enacted to protect employees and their eligible family members by allowing them to continue their group health insurance under the employer's plan at affordable group rates, upon becoming ineligible from group plans due to a qualifying event. The District notifies employees upon hiring and upon the occurrence of a qualifying event of their rights under this law. Specifics of COBRA include:

QUALIFICATIONS

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

QUALIFYING EVENT

Qualifying event is defined by COBRA regulations and includes loss of coverage due to termination of employment; reduction of hours; death of employee; employee’s Medicare entitlement; divorce or legal separation; dependent child ceasing to be a dependent; bankruptcy of employer. It is the employee’s or eligible family member’s responsibility to inform the District (Human Resources Director) within 30 days when a qualifying event (with respect to Medicare entitlement, divorce or legal separation, and dependent child ceasing to be a dependent) takes place.

SELECTION PERIOD

COBRA Compliance requires sending written notification to the District, to the employee and eligible family members of their right to elect continued coverage, the election period, and the amount of premium payments.

COST

The employee/eligible family member must pay a full monthly premium for each coverage selected by the 1st day of each month that the premium(s) are due.

COVERAGE AVAILABLE

At the time of the qualifying event, the health insurance plan(s) in which the employee/dependent is enrolled will be considered as available coverage.

OPEN ENROLLMENT

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

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

“Employees under COBRA” include possible electees, electees, and continuees. Possible electees are individuals in their 60-day election period; electees are individuals who have elected but have not yet paid; continuees are individuals who have elected and paid.

SPECIAL NOTE

There can be no interruption of coverage under COBRA.

4.4 CALIFORNIA PUBLIC EMPLOYEE RETIREMENT SYSTEM (CALPERS)

The District offers its eligible full-time employees a retirement plan under the California Public Employees’ Retirement System (“CalPERS”).

The employer will pay the employer share of the CalPERS contribution, and the employee pays the employee share which is established by CalPERS.

Persons Eligible: Full-time employees and part-time employees reaching minimum hours requirement (1,000 hours per fiscal year) are eligible for membership.

Waiting Period: Eligible from the first day of employment for full-time employees.

Employee Contribution: The employee is responsible for the employees’ contribution. This is a tax-deferred contribution.

Employer Contribution: Varies according to experience rating.

Vesting Provisions: An employee becomes vested in CalPERS after completion of five years of public service [note, there are some exceptions, be it with the District or another public employer who participated in CalPERS]. Vesting means funds may be left on deposit for future retirement. Should the employee leave the District and wish to withdraw their contributions, a refund of the employees’ contributions may be requested. The employer contributions are only paid upon retirement.

BENEFITS PROVIDED

Depending on which of the below plans applies, eligibility to retire is reached when five years of service credit and age 55 or 62 have been attained. Retirement date can be any date an employee chooses; however, the amount of the monthly allowance can be affected. Age determines the benefit factor used in the retirement formula. So, an employee may decide to

retire on their birthday or at a completed quarter year of age to increase the benefit factor. CalPERS will calculate the retirement benefits based on three factors, (1) years of service, (2) a percentage factor determined by your age at retirement, and (3) the final average monthly pay rate for the highest 12 or 36 consecutive months of work.

- **2% @ 55 (Applies to employees hired before 1/1/2013 or after 1/1/2013 who already have years of service with CalPERS (or another retirement system with reciprocity) from another agency following a break in service of less than six months (aka "classic members"))**

This formula provides to local miscellaneous members 2% of pay at age 55 for each year of service credited with that employer.

- **2% @ 62 (Applies to employees hired on or after 1/1/2013 who have no prior years of service with CalPERS or following a break in service of more than six months (aka "new members"))**

This formula provides to local miscellaneous members 2% of pay at age 62 for each year of service credited with that employer.

ONE-YEAR FINAL COMPENSATION

The period for determining the average monthly pay rate when calculating retirement benefits would be for the 12 highest paid consecutive months. This applies to the 2% at 55 plan.

THREE-YEAR FINAL COMPENSATION

The period for determining the average monthly pay rate when calculating retirement benefits would be for the 36 highest paid consecutive months. This applies to the 2% @ 62 plan.

POST RETIREMENT SURVIVOR ALLOWANCE

Upon the death of a member after retirement, an allowance shall be continued to the surviving spouse. A surviving spouse means a husband or wife who was married to the member at least one year prior to the member's retirement and continuously to the date of the retired member's death.

MILITARY SERVICE CREDIT

Military Service Credit as Public Service: A member may elect to purchase up to four years of service credit for any continuous active military or merchant marine service prior to employment.

The member must contribute an amount equal to the contribution for current and prior service that the employee and the employer would have made with respect to that period of service.

Military Service Credit for Retired Persons: The retired person must contribute an amount to the contributions for current and prior service that the employee and the employer would have made with respect to that period of service. The retiree must not receive credit for the same

military service with another publicly funded retirement system. The retired person's allowance would be increased only with respect to the allowance on or after the effective date of the election to purchase the service credit.

Employees nearing retirement are urged to avail themselves of the retirement pre-counseling and planning seminars available to them by CalPERS. CalPERS requires at least 90 days' notice in advance of planned retirement (as does Social Security for any previous services). However, the District strongly urges employees anticipating retirement to make their inquiries at least six months to one year in advance of the date of retirement to avoid any unnecessary delays.

RETIREMENT

Cal PERS
655 North Central Avenue
Glendale, CA 91203
(888) 225-7377

SICK LEAVE CREDIT

To have sick leave applied towards service credits, the employee must retire within 120 days of separation from the District. To find out how much service credit sick leave will provide, eight hours of sick leave equals one day (.004 of a year of service). In other words, it takes 250 days of sick leave to receive one year of service credit (.004 x 250 = 1 year). Upon retirement, any unused sick leave days will be converted to service credit at the rate of 0.004 years of service for each day of sick leave using the following formula:

Hours of Sick Leave / 8 = Days of Sick Leave

Days of Sick Leave x .004 = Years of Service Credit

4.5 457 DEFERRED COMPENSATION PROGRAM

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

4.5.1 Tax Benefit

Compensation deferred under the plan, together with all earnings (interest) on such contributions, are subject to Federal and State income taxes only in the year in which such amounts are paid or made available to employee or an employee's beneficiary.

4.5.2 Contribution Limits

An employee may contribute into the plan the maximum allowed by law. These amounts may be lower if participating in more than one deferred compensation program (employees who do should consult their tax advisor). During the last three years before reaching normal retirement age under the plan (60), an employee may be eligible to contribute more. The Plan's Financial Advisor and tax advisor should be contacted if an employee thinks they may be eligible for this catch-up contribution provision.

4.5.3 Withdrawals

An employee may withdraw all or part of their contributions, together with the interest earned thereupon, subject to appropriate tax withholdings, upon the occurrence of one of the following: termination of employment on account of death, retirement or other cause; permanent disability; the attainment of age seventy and one-half (71.5 years); or the facing of an unforeseeable emergency.

An unforeseeable emergency includes any severe financial hardship to the participant caused by sudden or unexpected illness or accident of the participant or his or her dependent, a casualty loss, or some other similar extraordinary circumstance caused by events beyond the participant's control. Home purchases and payments of college tuition do not qualify as unforeseeable emergencies under this definition. Eligible employees may withdraw all or part of their contributions, plus earnings. Several withdrawal options are available.

4.5.4 Reports/Statements

Statements are online at all times. Notifications of new quarterly statement are received through email when available to retrieve. It is the employee's responsibility to verify the information for accuracy.

4.5.5 Investment Options

An employee can choose among several different investment options, including high interest, money market, stock, bond, balanced, or a combination of these.

4.5.6 Deferred Compensation Source:

Please see Human Resources for further information or to contact the provider.

Note of Caution: The District is the administrator of this plan on behalf of the employee participants. No investment advice should be given to an employee by their manager or any other employee. Employees seeking investment or tax advice should consult with their independent investment and/or tax advisor.

Any questions with regard to enrollment into this plan should be referred to the Human Resources Director.

4.6 LOGIX BANKING

The District partners with Logix Banking as a credit union bank. Employees are eligible to open accounts at LogixBanking.

4.7 EMPLOYEE ASSISTANCE PROGRAM (“EAP”)

The District cares about the wellbeing of its employees. As part of that concern, it has established an EAP that provides confidential, professional assistance when personal or relationship problems affect life and work. The program offers information, consultation and counseling for an employee and their family members. For further information, see a manager or Human Resources Director. This service is available 24/7.

4.8 EDUCATIONAL ASSISTANCE/CERTIFICATION REIMBURSEMENT

Recognizing the mutual benefits derived from personal growth and increased work competence, it is the policy of the District to provide financial assistance, in the form of tuition and related cost reimbursement, to full-time employees interested in furthering their education, and who complete approved coursework with a passing grade. To be eligible, an employee must submit an Educational Reimbursement Request for approval. The waiting period for eligibility is 6 months after hiring; however, this waiting period is waived if an education/certification requirement is part of the offer letter upon hire. All requests must be approved in advance by the employee’s manager and the General Manager. The manager and the General Manager may deny the request by making a finding that the educational course or training program is not pertinent to the employee’s job or pertinent to the operation of the District.

This assistance is provided through the Educational Assistance Program at \$3,000 annually for training or \$5,250 for college tuition reimbursement in pursue of a bachelor’s degree or higher, plus the costs of textbooks and other required course materials. This program is also available for reimbursement of CEU or Certification expenses. A passing grade must be obtained for reimbursement. For a letter graded course a passing grade is considered a “C” or better, for a pass/no pass course, a “pass “is considered a passing grade. Approved seminars during regularly scheduled hours will be coded as seminars/conferences on the employee’s timecard and paid at straight time. If the District has assisted an employee to obtain a college degree at the employee’s election and which degree is not a requirement for the employee’s current position, then the employee agrees to stay with the District for two years following receipt of their degree. If the employee does not stay with the District for two years following receipt of their degree, the employee may be required to reimburse the District. In addition, if the employee does not obtain the degree, the employee may be required to reimburse the District. The maximum reimbursement is \$5,250.00 per year subject to all other conditions.

Employees who voluntarily accept tuition reimbursement for college degrees (and which degrees are not required for the employee’s current position) commit to regular full-time

service for two years following the completion of the last Degree course. In the event that an employee voluntarily terminates their employment with the District or is terminated at any time prior to obtaining the degree or within two years following the obtainment of the degree, the employee agrees to repay the District the entire amount of tuition, associated fees, and taxes, if any, that have been paid for all courses. Repayment will not be required if the termination of their employment is due to death, long-term disability, or involuntary termination for any reason other than cause.

If an employee does not repay any amounts due as indicated above on or before their last day of employment, the employee agrees that any such amounts will be deducted from the employee's final paycheck or from any other amounts payable to the employee upon or following termination of employment, including but not limited to PTO, incentive compensation payments, or non-cumulative merit awards.

ADDITIONAL REQUIREMENTS

- Employees are responsible for registration and ordering of any necessary textbooks.
- It is the employee's responsibility to provide their manager and Human Resources with transcripts after completion of the course. Reimbursement will occur for courses where the employee has received a passing grade (for pass/fail courses) or a C or better.

Certifications obtained beyond those required by the employee's job description are eligible for a one-time bonus based on the Bonus Request Schedule.

4.9 PAID TIME OFF

The District's policy allows eligible employees to earn time off in accordance with their employment status and length of service and to use such earned time to take time off with pay under the guidelines stated in this policy. To request paid time off, the employee must have paid time off accrued at the time of the paid time off request in order for the supervisor to approve the request. Any exceptions require the General Manager's approval.

4.10 VACATION

The District recognizes the value of rest and relaxation and encourages employees to use all accrued vacation benefits. Full-time employees are eligible for paid vacation according to months of service. Vacation must be approved in advance by the employee's supervisor, and any request for vacation in excess of ten (10) days (or vacation to be taken in advance of accrual) requires approval from the General Manager. The employee's supervisor may deny the employee's request to take vacation at the time requested by the employee, based on the needs of the Department to efficiently perform District services and/or because of the adverse effect the employee's absence would have on the performance of District operations.

Vacation is earned and accrued from the first day of employment with maximum accrual as follows:

Years of Service	Annual Accrual Hours per month	Maximum Accrual
1 – 4.99	6.67	80 hours per year
5	10	120 hours per year
6 – 15.99	Additional 4 hours each year	160 hours per year
16 – 19.99	13.33	160 hours per year
20+	16.67	200 hours per year

Vacation time is cumulative from year to year with a maximum accumulation of 320 hours. Separating employees will be paid all accumulated vacation according to District procedures, up to the maximum allowed accumulation of 320 hours.

4.10.1 Vacation Purchase Program

The District’s Vacation Purchase Program allows employees to purchase days of vacation beyond the amount of paid vacation they have earned through their service to the District, as provided in Section 4.10, above. Employees may purchase such additional vacation days using after-tax dollars, and the Vacation Purchase Program is not intended to constitute a plan under Internal Revenue Code Section 125. Participation in the Vacation Purchase Program is completely voluntary.

ELIGIBILITY

All District employees who accrue vacation are eligible to participate in the Vacation Purchase Program, provided, however, that if an employee is not accruing vacation as of January 1, the employee may participate in the Vacation Purchase Program only if that employee submits the Vacation Purchase Program Election form within ten (10) days of when the employee begins to accrue vacation, and elects a repayment option, as described, below on Section C , that ensures that all of the purchase price for the days purchased is paid by December 31st of that year.

PURCHASE OF ADDITIONAL VACATION DAYS

For employees desiring to participate in the Vacation Purchase Program, they must elect to participate by completing the Vacation Purchase Program Election form. Additional vacation

may be purchased only in full day increments, ranging from a minimum of one (1) day to a maximum of ten (10) days. An employee participating in the Vacation Purchase Program must select the number of days and applicable repayment period, as set forth on the Vacation Purchase Program Election Form, and, except as provided under Section titled "Eligibility" , above, for newly eligible employees, submit that form to the payroll department or to the employee's supervisor no later than the first business day after January 1 of each year. Eligible employees must submit new purchase forms each year. Notwithstanding any other provision of this Section, an employee may not purchase additional vacation days that will result in the employee exceeding the 40-day limitation set forth in Section 4.10, above.

PAYMENT FOR PURCHASE OF ADDITIONAL VACATION DAYS

The purchase price for additional vacation days shall be calculated by the Payroll Department utilizing the employee's current daily base rate of pay. By completing the Vacation Purchase Program Election form, the employee authorizes the District to deduct after tax dollars from the employee's pay checks to pay the purchase price for the additional vacation days purchased, over the selected period: annually (26 pay periods), semi-annually (13 pay periods) or quarterly (4 pay periods).

FAILURE TO USE ADDITIONAL VACATION DAYS

Vacation days that are purchased under the Vacation Purchase Program may be carried over to the following year or years if not used in the year purchased.

SCHEDULING OF ADDITIONAL VACATION DAYS

All additional vacation days purchased under the Vacation Purchase Program shall be scheduled as set forth in Section 4.10, above, for vacation that otherwise accrues.

4.10.2 Vacation Sell Back Program

The District has the right, but not an obligation, to buy back accrued vacation for an amount equal to the employee's rate of pay in effect at the time the vacation time is bought by the District. A minimum of 40 hours of vacation accruals must be maintained when selling back vacation time. Vacation sellback will be allowed during the months of January and July each year and paid on the paycheck of the next regular pay period. Exceptions for buy back at other times will be considered on a case-by-case basis and will require the approval from the General Manager.

4.11 SICK LEAVE

In order to minimize the economic hardships that may result from "out of the ordinary", "unexpected" or "emergency" need to take time off, such as an unexpected short-term illness or injury to employees or their family members (as defined below), the District provides full-time employees eight (8) hours of paid sick leave per month. These benefits are to be used for

the “out of the ordinary” or “unexpected emergency” need to take time off. It is NOT intended to be used in lieu of vacation. Improper use of sick leave can be grounds for discipline, up to and including discharge.

In accordance with the Healthy Workplaces, Healthy Families Act of 2014 (Labor Code section 245 et. seq.), an employee who works for thirty (30) or more days within a year from the beginning of employment, is entitled to paid sick leave. Part-time and temporary employees will earn at least one (1) hour of paid leave for every thirty (30) hours worked. Accrual begins on the first day of employment. Employees in this category may use twenty-four (24) hours or three (3) days of sick leave in one year. For these employees, accrued paid sick leave may be carried over to the next year, but it is capped at forty-eight (48) hours or six (6) days. Sick Leave is not an earned right to time off from work.

Sick leave shall be used for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee’s family member or for an employee who is a victim of domestic violence, sexual assault, or stalking, as provided below. An employee’s “family member” includes: (i) a spouse; (ii) a registered domestic partner; (iii) regardless of age or dependency status, a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis; (iv) a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child; (v) a grandparent; (vi) a grandchild; or (vii) a sibling.

In accordance with Labor Code Section 233, in cases of diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee’s family member, up to one-half of the employee’s sick leave accrual for the year can be used to attend to the employee’s family member, as defined above. Additional family sick leave usage for special circumstances may be granted on a case-by-case basis in the discretion of the General Manager.

In cases of an employee who is a victim of domestic violence, sexual assault, or stalking, the employee may use sick leave to obtain any relief or services related to being such a victim, including but not limited to: (i) a temporary restraining order; (ii) other injunctive relief to help ensure the health, safety or welfare of themselves or their children; (iii) seeking medical attention for injuries caused by domestic violence, sexual assault, or stalking; (iv) obtaining services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking; (v) obtaining psychological counseling related to an experience of domestic violence, sexual assault, or stalking; (vi) participation in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation. The District shall require certification for use of sick leave for unscheduled absences under this subparagraph C, see Section 4.29, California Domestic Violence, Sexual Assault, Stalking Leave Policy, for certification requirements.

An employee may use accrued paid sick days beginning on the 90th day of employment. Sick leave used for this purpose will be tracked on a calendar year basis and needs to be documented as Sick Leave Family on timecards.

Sick leave falls into two categories: Planned and Unplanned. It accrues at the rate of one eight-hour day every month for full-time employees. Sick leave generally cannot be attached before or after a holiday and/or vacation unless approved by the General Manager or his/her/their designee. Approval by the employee's supervisor will be necessary to use planned Sick leave. With respect to any unplanned Sick leave, employees should promptly notify their supervisor regarding an absence from work.

The guidelines for planned and unplanned Sick leave are defined as follows:

PLANNED:

- Approved in advance by submitting request in writing, generally at least two days in advance. This time can generally be made up (if less than one day), with manager approval. No occurrence will be charged if made up.
- Time used will be deducted from earned Sick Leave Accruals.

UNPLANNED:

- This time is used for out-of-the-ordinary/unexpected time away from the office (i.e. short-term illness, injury, person "emergencies").
- This time generally cannot be made up. An occurrence will be charged.
- Time used will be deducted from earned Sick Leave Accruals.

For full-time employees, sick leave may be accumulated up to a maximum of 250 days. Accumulated sick leave will be converted to service credit with regard to CalPERS benefits upon retirement, provided retirement occurs within 120 days of separation from employment (see section 4.4 for further information). Full-time employees may elect to "sell" to the District sick days at the employee's regular rate of compensation, provided the amount of accrued sick leave does not fall below 100 hours.

CRITERIA FOR PERFORMANCE EVALUATION REGARDING ATTENDANCE:

The following criteria relative to attendance will be used on performance evaluation:

The District will make reasonable accommodations in compliance with the Americans with Disabilities Act. If reasonable accommodations is required, please see the Human Resource Director. Please refer to 4.24, for guidelines on reasonable accommodations.

A notification from a doctor indicating an employee is able to return to work may be required for any absences due to illness or injury of longer than three (3) days. If all paid time off credits are exhausted and employee cannot report to work due to a medical condition, employee may be entitled to an unpaid leave of absence under applicable State or Federal law. If the employee does not qualify, or have exhausted all protections, under applicable State or Federal

law the employee may be terminated at the discretion of the District in accordance with applicable laws.

Sick Leave may be used for the three-day waiting period of a workers' compensation claim but may not be used to supplement workers' compensation benefits for time lost from work due to an industrial injury or illness.

4.11.1 Catastrophic Leave Donation Policy

Employees who have been employed by the District for one full year or more and have exhausted all annual leave accruals and are faced with a catastrophic illness or injury may be eligible to receive accrued vacation, sick or personal time from other employees. The guidelines for such a request are:

1. A donating employee must have a combined minimum of 160 hours of vacation and sick after making any donation. Donations of sick time will not count against a donor's ability to sell back time per District policy.
2. Donated hours are used on an hour-for-hour or day-to-day basis depending on the classification of the employee (exempt/non-exempt) regardless of the hourly rate of the donor or the recipient.
3. Donations will be converted to sick leave and credited to the affected employee and paid when used at the employee's normal hourly rate of pay.
4. All donations will remain confidential and anonymous, except as required for administration of the program.
5. No further donations will be accepted after the recipient has received the maximum allowable hours (480 hours). Any donated time not needed by the recipient will be returned to the donor.

4.11.2 Sick Leave Sell Back

A full-time employee may, at the employee's option, elect to "sell" to the District, half of the sick days accrued during each six-month period (i.e., three days), at the employee's regular rate of compensation at the end of the six-month period, provided the accrued amount of sick leave does not fall below 100 hours. The sell back period is during the months of January and July.

4.12 ADMINISTRATIVE LEAVE

The Administrative Leave Benefit for exempt employees provides supervisor level staff with 40 hours of paid administrative leave per year and managers with 80 hours of paid administrative leave per year. There is a one-year accrual cap of 40 or 80 hours, based on the employee's classification as supervisor or manager, which will accrue in equal installments per month.

The General Manager expects all exempt employees to work the hours necessary to satisfactorily perform their jobs.

- Exempt employees are compensated on a salary basis based on a 40-hour weekly work schedule and are expected on average to work at least 40 hours per week.
- Exempt employees who are absent for part of a workday will not be required to charge such absences against any accrued leave balances, nor will the employees' pay be reduced.
- Exempt employees must notify their supervisors when they will be absent from work for part of the day.
- An exempt employee who is absent for a full day will have their appropriate leave accrual balance charged for the number of hours that the employee was generally scheduled to work (vacation, sick leave, special leave, administrative leave, jury duty, bereavement leave).
- Exempt employees must submit, and have approval by their supervisor, of the time requested to use any applicable leave (sick, vacation, bereavement, administrative, etc.) when absent from work for one or more full days.

4.13 HOLIDAYS

All regularly scheduled full and part-time employees will receive a normal day's pay at their normal hourly rate for the following holidays, subject to the conditions below:

- New Year's Day — January 1st
- Martin Luther King Jr. Day – Third Monday in January
- Presidents' Day — Third Monday in February
- Memorial Day — Last Monday in May
- Independence Day — July 4th
- Labor Day — 1st Monday in September
- Veteran's Day — November 11th
- Thanksgiving — 4th Thursday in November
- Day after Thanksgiving — 4th Friday in November
- Christmas Eve — December 24th
- Christmas Day—December 25th
- New Year's Eve – December 31st or another day designated by the General Manager

Holidays falling on regularly scheduled days off will be given as an additional Floating Holiday. Any hours worked on a holiday will be paid at overtime rates.

In addition, the district provides two Floating Holidays (2 days): the first floating holiday available after January 1st and the second available after July 1st. The maximum accrual for floating holidays is two per calendar year.

4.13.1 Holiday Conditions

- If the holiday falls on a Saturday, it will be observed on the preceding Friday. If it falls on a Sunday, it will be observed on the next Monday, unless otherwise noted.
- Employees on leaves of absence for any reason at the time of the holiday observance will be ineligible for holiday pay.
- If a holiday falls during an approved vacation period, the employee will be paid for the holiday and will not be charged with a vacation day for the day the holiday is observed. Holiday falling on a regularly scheduled day off will be paid at regular pay for the employee's usually scheduled shift. When computing overtime pay, an employee does not receive credit for holiday hours that are not actually worked.

The District may eliminate holidays or change the holiday schedule from time to time. The holiday schedule will be prepared annually and posted on District bulletin boards prior to the beginning of year and provided to each employee in their paycheck envelope prior to the beginning of the New Year.

4.14 BEREAVEMENT

In the event of a death in the employee's immediate family, the District shall grant employee up to 4 days of employee's primary work schedule of paid leave. If travel is required of more than 250 miles or to make arrangements for the funeral, additional unpaid time off may be requested and approved at the discretion of the supervisor and General Manager, or employee may utilize accrued sick leave.

Immediate family for the purpose of bereavement leave is defined as the employee's mother, father, wife, husband, domestic partner, natural or adopted child, brother, sister, grandparent, grandchild, similar in-laws or step-relatives or any other person who resides with the employee.

4.15 JURY AND WITNESS DUTY

Employees should immediately notify their supervisor if they receive a notice for jury duty. If an employee is summoned for jury duty, the employee will be paid the difference between jury duty pay and their regular hourly rate, less travel pay, for up to a maximum of ten (10) working days per calendar year.

If required by law to appear in court as a witness, the District shall grant employee paid time off up to a maximum of 10 days per year for such purpose, provided that employee provide the District with reasonable advance notice and proof of such court order.

4.16 MILITARY LEAVE

Military leave is governed by Federal law (the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. §§ 4301-4333), and California law

(Military & Veterans Code §§ 387-398). Any employee who is a member of the reserve corps of the U.S. or National Guard, or the Naval Militia shall be entitled to temporary leave of absence as provided by federal law while engaged in active military duty (including training, encampment, naval cruises, special exercises, or like activity) providing that the period of ordered duty does not exceed 180 calendar days, or as extended for designated periods by specific direction of the Board of Directors. If, however, an employee is ordered to full-time active military status during a time of war or declared national emergency, the temporary leave of absence shall be extended up to twelve consecutive months.

If regular, full-time employees are called to active military duty or training as members of the Armed Forces, Reserves, or National Guard, they will be entitled to receive their regular rate of pay for the first 30 calendar days of any such absence provided that they are regular, full-time employees; ordered for purposes of military training, encampment, naval cruises, special exercises or like activity.

Military orders should be presented to the immediate manager and arrangements for leave made as early as possible before departure.

Should employee either voluntarily or involuntarily leave their employment to serve in the armed services, employee shall be entitled to reinstatement according to State and Federal law in effect at the time of their release from active service.

The employee shall receive the same rights and privileges to promotion, continuance in office, employment, reappointment to office, or re-employment that would have been enjoyed if the employee had not been absent due to military leave.

While on paid military leave, an employee shall retain all benefits, i.e., life, health, dental, etc., that were in effect at the time the paid military leave commenced; additionally, leave accumulation will continue during the same period.

While on unpaid military leave, an employee's leave accumulations shall continue; the employee may retain all benefits, i.e., life, health, dental, etc., that were in effect prior to going on "unpaid" status, however the employee shall be responsible for payment of the District's and employee's portion of the premium.

An employee shall be entitled to a temporary military leave of absence for weekend reserve drills if weekend drills cannot be scheduled outside of an employees scheduled workday. An employee may use accrued leave in order to receive their regular salary while on temporary military leave of absence for weekend reserve drills. Where an employee does not have accrued leave, then the temporary military leave of absence for weekend reserve drills shall be without pay. With prior supervisor approval, an employee may make up lost workdays due to weekend reserve drills at non-overtime pay in order to receive the regular salary. If supervisor approval is granted, lost workdays shall be made up within the same pay period in which days were not worked.

4.17 TIME OFF TO VOTE

In accordance with California State law, if work hours do not allow sufficient time off to vote in California general, direct, or presidential elections, the District will offer two (2) hours paid time off for voting. To receive time off for voting, employee must notify their supervisor two (2) days before the need of such leave. When an employee returns from voting, it will be necessary to present the voters' receipt to the manager. Time taken for the purposes of voting must be either at the beginning or end of the normal workday.

4.18 INCLEMENT WEATHER

In the event the General Manager deems it necessary to close the office due to inclement weather, managers will be phoned, and they will contact employees. Employees should make the effort to come into the office as long as it is safe, unless employees are notified otherwise. If employee determines that due to inclement weather, he/she/they are unable to travel to the District office, he/she/they should contact their manager as soon as possible to advise him or her of the situation.

If the office is officially closed through a management decision, employees will be paid for the day with no effect on their paid time off. If, however, the office is not closed, and the employee does not come to work, employee should take vacation, request time off without pay, or make other work arrangements with their manager.

4.19 UNPAID TIME OFF

Several types of unpaid leaves of absence are available to eligible employees under the District's policies. The types of leaves that are available include personal, family (includes medical), and military. All monies for voluntary benefits which were not properly paid during an unpaid leave, will be deducted on the first payroll after the employee's return. The following sections discuss unpaid time off in greater detail.

4.19.1 Family And Medical Leave Act/California Family Rights Act Leave

An employee may be entitled to family and medical leave under the Family and Medical Leave Act ("FMLA") and/or the California Family Rights Act ("CFRA"). This policy is intended to provide information concerning FMLA/CFRA entitlements and obligations an employee may have during such leaves. Please contact the Human Resources department for further information or questions concerning FMLA/CFRA Leave.

Eligibility/Length: Under the federal FMLA and the CFRA, an employee is eligible to take up to twelve (12) weeks of unpaid family/medical leave within any 12-month period and be restored to the same or an equivalent position upon their return from leave (subject to the terms of the FMLA and the CFRA) provided they: (1) have worked for the District for at least twelve (12) months as of the date the FMLA/CFRA leave is to start; and (2) have worked a total of at least one thousand, two hundred and fifty (1,250) hours during the twelve (12) month period

immediately before the date the FMLA/CFRA leave is to start. The 12-month period is a rolling 12-month period and will be measured backward from the date an employee uses any FMLA/CFRA leave.

Applicable Definitions: Under both the FMLA and the CFRA, the following definitions apply:

“Twelve-month period” means a rolling twelve-month period measured backward from the date leave is taken and continuous with each additional leave day taken.

“Child” means, under FMLA, a child under the age of 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability (under CFRA, there is no age limitation or requirement). An employee's child is one for whom the employee has actual day-to-day responsibility for care and includes, a biological, adopted, foster or step-child of the employee or the employee’s spouse/domestic partner. A child under FMLA is "incapable of self-care" if he/she requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living or instrumental activities of daily living—such as, caring for grooming and hygiene, bathing, dressing and eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, etc.

“Parent” means the biological or adoptive parent of an employee or an individual who stands or stood in loco parentis (in place of the parent) to an employee when the employee was a child. Under CFRA, this term also includes parents-in-law.

“Spouse” means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. “Spouse” also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state.

“Domestic partner” means two adults who have established a domestic partnership in accordance with the requirements of California law. A domestic partnership is established in California when both persons file a Declaration of Domestic Partnership with the Secretary of State, and, at the time of filing, all of the following requirements are met:

- Neither person is married to someone else nor is a member of another domestic partnership with someone else that has not been terminated, dissolved, or nullified;
- The two persons are not related by blood in a way that would prevent them from being married to each other in California;
- Both persons at least 18 years of age, unless a court order has been obtained for one under the age of 18;
- Both persons are capable of consenting to the domestic partnership.

“Serious health condition” means an illness, injury, impairment or physical or mental condition that involves either (1) inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility; including any period of incapacity (i.e., inability to work, or

perform other regular daily activities due to the serious health condition, treatment involved, or recovery there from); or (2) continuing treatment by a health care provider.

“Continuing treatment” by a health care provider includes any one or more of the following: A "period of incapacity" (i.e., inability to work, or perform other regular daily activities due to serious health condition of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves treatment two (2) or more times by a health care provider or treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

Reasons for Leave: An employee may take leave under the FMLA and/or CFRA for any of the following reasons:

- For the birth of your child, or to care for your newborn within one year of birth;
- For the placement of a child with you in connection with the adoption or foster care placement of the child and to bond with the newly placed child within one year of placement;
- For your own serious health condition that makes you unable to perform the essential functions of your position, including incapacity due to pregnancy and for prenatal medical care;
- To care for your child, parent, spouse or domestic partner who has a serious health condition, including incapacity due to pregnancy and for prenatal medical care (FMLA/CFRA) or to care for your grandparent, grandchild, sibling, or parent-in-law who has a serious health condition, including incapacity due to pregnancy and for prenatal medical care (CFRA only); and
- For any qualifying exigency arising out of the fact that your spouse, child, or parent is a military member on covered active duty or call to covered active duty status.

Eligible employees may take up to 26 workweeks of leave in a single 12-month period to care for a covered service member with a serious injury or illness if the employee is the spouse, child, parent, or next of kin of the service member (referred to as military caregiver leave). An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reasons during the single 12-month period.

Intermittent Leave or Leave on Reduced Work Schedule: If you request leave intermittently in periods of a few days or hours at a time, or on a reduced work schedule, you must provide medical certification that such leave is medically necessary. “Medically necessary” means there must be a medical need for the leave and the leave can best be accomplished through an intermittent leave or reduced work schedule.

Notice of Leave: Although the District recognizes that emergencies arise which may require an employee to request immediate leave, employee is required to give the District as much notice as possible of your need for leave.

Foreseeable Leave: If your need for leave is foreseeable, you must give the District at least thirty (30) days' written notice of your need for such leave when you know about the need for leave at least 30 days in advance and it is possible and practicable for you to do so. If this is not possible because the situation has changed, or you do not know exactly when leave will be required (e.g., for the birth of a child or to care for a newborn), you must provide the District with notice of your need for leave as soon as possible that such leave is needed. Such notice may be provided orally.

For planned medical treatment, employee must consult with the District and try to schedule the appointment at a time that minimizes the disruption to the District. Employee should consult with the District prior to scheduling the treatment in order to arrange a schedule that best suits the needs of both you and the District. Of course, any schedule of treatment is subject to the approval of the treating healthcare provider.

If the District determines that your notice is inadequate, or employee knew about the requested leave in advance of your request (and did not provide advance notice), it may delay the granting of your leave until it can, at its sole discretion, adequately cover your position with a substitute.

Unforeseeable Leave: When the need for leave is unexpected, you must provide notice to the District as soon as possible and practicable. It should generally be practicable for you to provide notice of leave that is unforeseeable within the time required by the District's usual and customary notice requirements. For example, if your child has a severe asthma attack and you take the child to the emergency room, you are not required to leave the child to report the absence while the child is receiving emergency treatment.

The District has Request for FMLA/CFRA leave forms available in the Human Resources department. If possible and practicable, you should use these forms when requesting leave under the FMLA/CFRA.

Medical Certification: When employees request FMLA/CFRA leave for their own serious health condition or that of their child, parent, spouse or domestic partner, grandparent, grandchild, sibling, or parent-in-law, they must provide a sufficient written medical certification from the health care provider of the individual requiring care to the District's Human Resources department within 15 calendar days of the District's request, unless it is not feasible under the particular circumstances to do so despite your good faith efforts, or if the District permits more than 15 calendar days to return the certification. When you make diligent good faith efforts but are unable to meet the 15-calendar day deadline, you are entitled to additional time to provide the certification. If you fail to return the certification in a timely manner, the District can delay FMLA/CFRA protections for the leave following the expiration of the 15-calendar daytime

period until a complete and sufficient certification is provided. However, the 15-day period and the period of absence beginning the day the certification is received is FMLA/CFRA-protected leave, if applicable.

Employee may obtain Medical Certification Forms from the Human Resources department. The District will also accept medical certifications prepared by a healthcare provider (or that of employee's family member's healthcare provider, if applicable), provided they are complete and sufficient.

- A complete and sufficient certification need only include the following information:
- Contact information for the health care provider, including name, address, telephone number, fax number, and type of medical practice/ specialty;
- When the serious health condition began,
- How long the serious health condition is expected to last,
- If you are the patient, whether you are unable to work, and the likely duration of this inability.
- If a family member is the patient, whether the family member needs care, and an estimate of the frequency and duration of the leave required to care for the family member;
- Whether your need for leave is continuous or intermittent, and
- Appropriate medical facts about the condition.

Additional Information for Intermittent or Reduced Schedule Leave: For intermittent or reduced schedule leave, the certification shall include the following additional information:

- Planned medical treatment for your own or your family member's serious health condition: (1) information establishing the medical necessity of intermittent or reduced schedule leave; and (2) an estimate of dates and duration of such treatment and periods of recovery.
- Unforeseeable leave for your own serious health condition, including pregnancy: (1) information establishing the medical necessity of intermittent or reduced schedule leave; and (2) an estimate of the frequency and duration of the episodes of incapacity due to the serious health condition.
- Unforeseeable leave for your family member's serious health condition: (1) information establishing the medical necessity of intermittent or reduced schedule leave; and (2) an estimate of the frequency and duration of leave.

Incomplete/Insufficient Medical Certification: Whenever the District finds any medical certification “incomplete” or “insufficient,” it will give employee a written notice stating what additional information is necessary to make the certification complete and sufficient.

A certification is considered incomplete if one or more applicable entries have not been completed.

A certification is considered insufficient if the information provided is vague, ambiguous, or nonresponsive.

If employee provides an incomplete or insufficient medical certification, employee will be given a reasonable opportunity to cure any deficiency in the medical certification. The District will provide employee with at least seven (7) calendar days to correct any deficiency in the certification. If it is not practicable under the particular circumstances for employee to cure any deficiency in the seven-day period despite employee’s diligent good faith efforts, the District will provide additional time.

If employee fails to provide a complete and sufficient certification despite the opportunity to cure the deficiency, the District may deny employee’s request for FMLA leave.

Failure to Produce Sufficient Medical Certification: In all cases, if employee never produces the medical certification, his/her/their FMLA/CFRA leave will be denied, and the leave will not be FMLA/CFRA-protected.

Recertification – Second and Third Opinions: If the District has any good faith, objective reason to doubt the validity of the employee’s medical certification, or if employee fails to provide a sufficient medical certification, the District may require a medical opinion from a second health care provider chosen and paid for by the District. If the second opinion differs from the first medical certification opinion, the District may require the opinion of a third, mutually agreeable health care provider, at the District’s expense. Employee may request a copy of the second and third health care provider opinions when there is a recertification.

Employee Obligation to Periodically Report Status and Intent to Return to Work: Employee may be periodically required to report on their status and intent to return to work. This will avoid delays in reinstatement when employee is ready to return to work.

Pay While on Leave: FMLA/CFRA leave is unpaid.

Continuation of Group Health Benefits: While on FMLA/CFRA leave, employee will continue to be covered by the District’s group health insurance to the same extent coverage is provided while they are on the job. However, if employee fails to return to work after their leave entitlement has been exhausted or expires, the District shall have the right to recover its share of the employee’s health plan premiums for the entire leave period unless employee does not return to work because of the continuation, recurrence or onset of a serious health condition of employee or employee’s family member which would entitle employee to leave, employee

transfer directly from FMLA/CFRA leave to retirement or retirement during the first 30 days after their return to work, or because of circumstances beyond their control, such as a layoff.

COBRA Benefits Following Expiration of FMLA/CFRA Leave: If employee is unable to return to work following the expiration of the FMLA/CFRA leave, employee should contact the District before the expected return to work date to discuss their options, and they will be required to utilize COBRA in order to continue health coverage.

Other District Benefit Plans: Employee will not continue to be covered by any other District benefit plans which are not provided pursuant to the District's group health plans. However, employee may make the appropriate contributions for continued coverage under these non-health benefit plans by payroll deductions or direct payments made to the plans. Depending on the particular plan, the District will inform employee whether the premiums should be paid directly to the provider or to the District. Employee coverage on a particular plan may be dropped if more than thirty (30) days late in making a premium payment. However, employee will receive at least fifteen (15) days' notice before coverage ceases, advising employee that he/she/they will be dropped if the premium is not paid by a certain date. Employee contribution rates are subject to any change in rates that occur while an employee is on leave.

No Accrual of Benefits During Unpaid Leave: Leave benefits such as sick and vacation leave will not accrue during employee unpaid leave.

Substitution of Paid Leave Benefits: While on leave under this policy, **employee is required to use paid accrued leaves concurrent with FMLA/CFRA leave.** If employee substitute paid leave for FMLA/CFRA leave, the District will not seek to recover its share of health insurance or other non-health benefit premiums for the period covered by paid leave, regardless of whether employee returns to work following the expiration of the FMLA/CFRA leave.

Sick Leave: The District shall require employee to use paid sick leave while employee is on FMLA/CFRA leave for their serious health condition. However, when employee uses accrued sick leave concurrently with their FMLA/CFRA leave, employee has the right to coordinate their sick leave use with State Disability Insurance or Paid Family Leave benefits.

Vacation Leave: Where employee has accrued unused vacation leave, employee is required to substitute that leave for all or part of any unpaid leave under this policy.

Reinstatement from Leave:

Right to Reinstatement: Upon the expiration or exhaustion of employee's FMLA/CFRA leave, employee is entitled to be reinstated to the position employee held with the District when their leave commenced, or to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.

Employee has no greater right to continued employment, benefits, or other conditions of employment than if it had been continuously employed without leave during the FMLA/CFRA leave.

Reinstatement Date: If employee and the District agreed on a definite date of reinstatement when the leave commenced, employee will be reinstated on the agreed-upon date, subject to the limitations above. If employee's actual reinstatement date differs from the originally agreed-upon date, employee will be reinstated within two (2) business days after notifying the District of their readiness to return to work, when feasible, unless a fitness-for-duty certification is required and subject to the conditions above.

Fitness For Duty Certification: As a condition of employee's reinstatement where employee's leave was for their own serious health condition, which rendered he/she/they unable to perform the essential functions of their job, employee must obtain and present a fitness-for-duty certification from employee's health care provider, stating employee is able to return to work. Failure to provide such certification will result in the denial of reinstatement.

No Work While On Leave: The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate termination, to the extent permitted by law.

Military Family Leave:

The FMLA provides two types of Military Family Leave entitlements. The first is Military Caregiver Leave (MCL) and the second is Qualifying Exigency leave (QEL). The military family leave provisions of the FMLA/CFRA entitle eligible employees of covered employers to take FMLA/CFRA leave for:

Any "qualifying exigency" arising from the foreign deployment of the employee's spouse, son, daughter, or parent with the Armed Forces, or

To care for a covered service member with a serious injury or illness if the employee is the service member's spouse, child, parent, or next of kin. FMLA leave for this purpose is called "military caregiver leave."

4.19.2 Military Caregiver Leave ("MCL")

Leave: Eligible employees are entitled to take up to 26 weeks of unpaid, job-protected leave in a 12-month period to care for a covered servicemember with a serious illness or injury incurred in the line of active duty. This leave may be taken intermittently when medically (psychological and physical care) necessary. Eligible servicemembers include current members of the regular Armed Forces, National Guard or Reserves, veterans undergoing medical treatment, or recuperation, and members who are on a temporary disability retired list. The veteran must have been a member of the Armed Forces (including the National Guard or Reserves) at any time within five years preceding treatment.

Eligibility: Employees who are eligible for MCL include: the servicemember's parent, spouse, or child and next of kin. For purposes of this leave:

The definition of son or daughter includes the servicemember's "biological, adopted or foster child, stepchild, legal ward or child for whom the service member stood in loco parentis, and who is of any age."

The definition of parent includes the servicemember's "biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the service member." However, parents-in-law are not included.

Next of kin is defined as the servicemember's nearest blood relative (other than a spouse, parent, or child) in the following priority order - custodial blood relatives, siblings, grandparents, aunts and uncles, and first cousins. Family members sharing the same relationship (e.g., all siblings) will all be considered next of kin and each will be entitled to leave for care giving. A husband and wife who are FMLA eligible and work for the same employer may be limited to a combined total of 26 weeks' caregiver leave. Confirmation of the employee's relationship to the covered servicemember must be provided to the department.

MCL is not in addition to the 12 weeks of FMLA leave normally available to eligible employees but is aggregated with all other types of FMLA qualifying leave during the applicable 12-month period. The 12-month period begins on the day the employee begins caregiver leave and ends 12 months thereafter.

Because MCL is available on a per servicemember per injury basis, an eligible employee may be entitled to take more than one such leave during the course of his or her employment to care for different servicemembers or for the same servicemember with a subsequent injury or illness. In such circumstances, leave is still limited to no more than 26 weeks during the applicable period.

Certification: The certification may be completed by a Department of Defense (DOD), Veterans Affairs (VA), or TRICARE healthcare provider, or by a private healthcare provider.

- Second and third opinions and recertification's are not permitted for certification of a serious injury or illness of a covered service member when the service member is treated by a DOD, VA, or TRICARE healthcare provider. However, if the covered service member is seeking care from a private (non-DOD) healthcare provider, the District may request a second or third opinion.
- The employee may not be held liable for administrative delays in the issuance of military documents, where the employee has exercised diligent, good-faith efforts to obtain such documents.

Notice: Employees must provide 30 days' advance notice of the need to take leave for planned medical treatment for a serious injury or illness of a covered servicemember. If leave is

foreseeable, but 30 days' advance notice is not practicable, the employee must provide notice as soon as practicable - generally, either the same or next business day.

Qualifying Exigency Leave ("QEL")

Leave: Eligible family members will be entitled to take up to 12 weeks of FMLA/CFRA leave for "qualifying exigencies" arising out of a covered military member's active-duty status, or call to active duty, in support of a contingency operation or deployment to a foreign country. This leave may be taken intermittently. QEL is not available to family members of military members who are retired members of the regular Armed Forces, a state Reserve or National Guard unit, or are called to active duty by a state rather than the federal government. It is available only to the family members of regular Armed Forces, National Guard or Reservists called to federal active duty.

Covered active duty: In order for the employee to take qualifying exigency leave, the military member must be on covered active duty, under a call to covered active-duty status, or have been notified of an impending call or order to covered active duty.

Family Members for Whom An Employee May Take A Qualifying Exigency Leave: To take qualifying exigency leave, the military member must be the employee's spouse, parent, or son or daughter. Unlike non-military FMLA leave, for purposes of qualifying exigency leave, an employee's son or daughter on covered active duty refers to a son or daughter of any age.

Qualifying Exigency Categories: An eligible employee with a family member on covered active duty may take FMLA leave for the following qualifying exigencies:

- Issues arising from the military member's short notice deployment (i.e., deployment within seven or fewer days of notice);
- To make or update financial and legal arrangements to address a military member's absence;
- To attend counseling for the employee, the military member, or a child of the military member when the need for that counseling arises from the covered active duty or call to covered active-duty status of the military member and the counseling is provided by someone other than a health care provider;
- To attend military events and related activities, including official military ceremonies and programs or informational briefings related to the military member's covered active duty sponsored or promoted by the military or military service organizations;
- To spend up to 15 calendar days with a military member who is on rest and recuperation leave,
- Certain childcare and related activities for the military member's child while the military member is on covered active duty. The employee does not need to be

related to the military member's child to take qualifying exigency leave for this purpose. But (1) the military member must be the parent, spouse, or child of the employee taking leave; and (2) the child for whom the employee is arranging for or providing childcare must be the child of the military member;

- To attend post-deployment activities within 90 days of the end of the military member's covered active duty or to attend to issues arising from the death of a military member while on covered active duty;
- Certain parental care activities for the military member's parent who is incapable of self-care. The employee does not need to be related to the military member's parent to take qualifying exigency leave for this purpose. But (1) the military member must be the parent, spouse, or child of the employee taking FMLA leave; and (2) the parent receiving assistance must be the parent of the military member; and
- Any other event that the employee and employer agree is a qualifying exigency. Both the employee and employer must agree to the timing and duration of the leave.

Certification for Qualifying Exigency Leave: When an eligible employee requests qualifying exigency leave, the District may request the following information and documentation:

- A copy of the military member's active-duty orders (or other official documentation issued by the military) which indicates the military member is on covered active duty or call to covered active-duty status, which need be provided only once per deployment;
- A statement or description of the appropriate facts regarding the qualifying exigency;
- The approximate date on which the leave began (or will begin), and how long and/or how often leave will be needed; and
- The contact information for any meeting with a third party and a brief description of the purpose of the meeting.

The notice and timing requirements for a certification for qualifying exigency leave are the same as for medical certifications.

4.19.3 Pregnancy Disability Leave ("PDL")

Eligibility: An employee whose attending health care provider has certified that she is physically incapacitated from performing her job duties due to pregnancy, childbirth or related medical conditions is eligible to take a leave of absence for a reasonable period of time, up to four (4) months, without pay.

Notification of Need for Leave: An employee requesting pregnancy disability leave shall submit, in writing, her intent to take leave. The leave request shall indicate when or whether the employee intends to return to work. With as much notice as possible, the request for

pregnancy disability leave shall be submitted to the employee's manager, with a copy to Human Resources, and shall be accompanied by a statement from the attending health care provider. The request shall indicate the commencement date and probable length of the leave.

Utilization of Paid Leave Benefits: Pregnancy disability leave is unpaid leave. For an employee to receive compensation while on pregnancy disability leave, the employee may utilize any accrued sick leave and vacation benefits during the period of her leave. Use of paid leaves is required. Any portion of the leave that occurs after all Sick Leave and vacation benefits have been exhausted shall be without pay.

Leave Runs Concurrently with FMLA Leave: Leave under this article is granted according to the health of the female employee in accordance with the FMLA. Leave authorized pursuant to the FMLA shall run concurrently with Pregnancy Disability Leave.

Leave Does Not Run Concurrently with CFRA Leave: Pregnancy Disability Leave shall not run concurrently with CFRA leave; however, leave for purposes of childcare/bonding after the employee is medically able to return to work shall be granted to the employee as authorized by the CFRA.

Health Insurance Benefits: Group insurance benefits ordinarily provided by the District will remain in effect until the end of the month in which the leave terminates. Employee is expected to pay the full costs of these coverages thereafter. Employee is requested to notify the Human Resources Director that arrangements have been made with the Finance Manager/CFO to pay for the cost of such coverages before the leave begins.

The District may recover from the employee the premium that the employer paid as required by law for maintaining coverage for the employee under the group health plan if both of the following conditions occur:

- The employee fails to return to work after the expiration of the leave period; and
- The employee's failure to return to work is for non-California Family Rights Act reasons or non-medical condition related circumstances.

Requests for Leave Extension: Written extension requests of PDL, not to exceed the four-month limitation, must be received by the General Manager prior to the expiration of the approved leave or within three (3) days of an absence. Employees who do not report for work at the end of an approved PDL will be considered to have voluntarily resigned. Employees returning from a PDL shall be required to provide a physician's statement that indicates that they are medically able to return to work.

Reinstatement Upon Return from Leave: Upon expiration of the approved pregnancy disability leave, the employee shall be reinstated to her former position, or to a comparable one with equivalent employment benefits, pay and other terms and conditions of employment if the former position is abolished during the period of leave and the employee would otherwise not

have been laid off. Prior to the employee being reinstated, the General Manager may require a statement from the attending physician that the employee is physically capable of resuming the regular duties of her position. Failure to return to work after the authorized four months leave period, unless extended via FMLA/CFRA leave, causes the subject employee to have no reinstatement rights under FMLA or CFRA. Employees on pregnancy disability leave will be credited with all service prior to the commencement of their disability, but not for the period of their disability.

State Disability Insurance: Employees may be eligible for state disability insurance for the unpaid portion of their leave.

Conflict with Federal or State Law: In the event that a conflict arises between this article and federal or state law or regulations, or if some aspect of pregnancy disability law is not covered by this article, the federal and/or state law and regulations will prevail.

4.20 LACTATION BREAK POLICY

The District complies with California's lactation accommodation law which is consistent with federal law. Employee is entitled to time for lactation and a lounge is available. The break time should, if possible, be taken concurrently with other break periods already provided. Non-exempt employees should clock out for any time taken that does not run concurrently with their normally scheduled rest periods, and such time generally will be unpaid, in accordance with state law.

4.21 PERSONAL LEAVE OF ABSENCE WITHOUT PAY

Employees who have been continuously employed with the District for at least one (1) year, who do not qualify for any other type of leave, and who have exhausted all paid time may, due to special circumstances, request a personal leave of absence without pay, for a reasonable period of time up to one hundred and eighty (180) days. Requests for leaves of absence will be considered on the basis of length of service, performance, responsibility level, and the reason for the request, whether other individuals are already out on leave and the expected impact on the District.

Requests: A request must be submitted in writing and be approved in writing by the General Manager before a leave begins. A request for an extension of a leave of absence must be submitted in writing and approved in writing by the General Manager before the extended period begins. It is the employee's responsibility to report to work at the end of the approved leave. If employee fails to report to work on the day after their leave expires, employee will be considered to have voluntarily resigned.

Status of Employee Benefits during a Personal Leave: The District does not pay for group insurance premiums during any portion of a non-FMLA/CFRA leave of absence beyond the end of the month in which the leave begins. Accordingly, the premiums beyond that point for such

coverage are your complete responsibility. In order to keep the insurance in force, premiums for the period of the leave must be paid in a timely manner. Since premiums are normally due by the first of each month, premiums for a month will be considered untimely if received more than thirty (30) days after this date. Failure to pay premiums in a timely manner will result in immediate termination of coverage.

4.22 SCHOOL ACTIVITY LEAVE

Any employee who is the parent or guardian of a child in kindergarten through grade 12 may request up to 40 hours off per school year for the purpose of participating in school activities. This time will be unpaid unless you choose to use vacation or compensatory time off for this purpose. Employee will be limited to no more than one day off for this purpose in any one calendar month. Upon request, the District reserves the right to require documentation from the school as proof that employee participated in the school activity. This request must be made in writing with as much advance notice as possible.

4.23 CALIFORNIA DOMESTIC VIOLENCE, SEXUAL ASSAULT, STALKING LEAVE POLICY

District provides reasonable and necessary unpaid leave and other reasonable accommodations to employees who are victims of domestic violence, sexual assault or stalking to attend legal proceedings or obtain other needed relief. Employees who are victims of domestic violence, sexual assault or stalking are eligible for this leave.

In accordance with applicable State law, use of the employee's accrued leave under this policy is available for an employee who is the victim of domestic violence, sexual assault or stalking to attend legal proceedings or to obtain or attempt to obtain any relief necessary, including a restraining order, to ensure the employee's own health, safety or welfare, or that of the employee's child or children. Employees may also request unpaid leave for the following purposes:

- Obtain services from a domestic violence shelter or rape crisis center.
- Seek medical attention for injuries caused by domestic violence or sexual assault.
- Obtain psychological counseling for the domestic violence or sexual assault.
- Take action, such as relocation, to protect against future domestic violence or sexual assault.

To request leave under this policy, an employee should provide his/her/their supervisor or human resources with as much advance notice as practicable under the circumstances. If advance notice is not possible, the employee requesting leave under this policy should provide his/her supervisor or human resources one of the following certifications upon returning back to work:

1. A police report showing that the employee was a victim of domestic violence or sexual assault.

2. A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.
3. Documentation from a medical professional, domestic violence or sexual assault victim advocate, health care provider, or counselor showing that the employee's absence was due to treatment for injuries from domestic violence or sexual assault.

In addition, the District will provide reasonable accommodations to employees who are victims of domestic violence, sexual assault or stalking for the employees' safety while at work. A reasonable accommodation may include the implementation of safety measures, such as a transfer, reassignment, modified schedule, changed work telephone, changed workstation or installed lock; assistance in documenting domestic violence, sexual assault or stalking that occurs in the workplace; an implemented safety procedure; or another adjustment to the employee's job duties and position. Reasonable accommodations will be assessed based on employee's essential job functions along with an analysis of hardship to the District.

To request an accommodation under this policy, an employee should contact human resources. The District will engage the employee in a timely, good faith and interactive process to determine effective reasonable accommodations.

4.24 REQUEST FOR REASONABLE ACCOMMODATION – INTERACTIVE PROCESS

The District is committed to assuring equal employment opportunity and equal access to services, programs and activities for persons with disabilities. It is the policy of the District to provide reasonable accommodations to a qualified person with a disability to enable such person to perform the essential functions of the position for which he or she is applying or in which he or she is employed. The Americans with Disabilities Act (ADA) requires employers to provide reasonable accommodation of the known disability of a qualified applicant or employee unless it would impose undue hardship on an employer's business, or unless the applicant or employee would cause a direct threat to other workers. In California, the Fair Employment and Housing Act (FEHA) coincides with the ADA, however, FEHA expands some of the requirements of the ADA.

In providing reasonable accommodation under the ADA and FEHA, the District is under no obligation to create a new position, displace another employee, promote an employee as an accommodation, reallocate essential job functions or reassign an employee or place an employee on a part-time or modified work schedule if doing so would create an undue hardship on the District.

This ADA request for reasonable accommodation policy applies to all employment practices and actions. It includes, but is not limited to, recruitment, the job application process, examination and testing, hiring, training, disciplinary actions, rates of pay or other compensation, advancement, classification, transfer and reassignment, and promotions.

While department supervisors are encouraged to continue responding directly to requests from individuals with disabilities, there may be occasions when making a decision about accommodations is complicated by other factors. For instance, the need for an accommodation may be obvious, or it may be difficult to determine what constitutes a reasonable accommodation, or a department's budget may be unable to absorb the total cost of providing the accommodation requested. The following procedure has been developed to ensure that employee requests for reasonable accommodations are treated in as consistent and equitable a fashion as possible.

This policy provides guidance to any applicant or employee requesting a reasonable accommodation and outlines the procedure for such a request.

Definition of a disability: A person is considered disabled if he/she/they:

- Has a physical or mental impairment that limits one or more of the major life activities,
- Has a record of such impairment,
- Is regarded as having such impairment,
- Is regarded or treated by the employer as having some condition that has no present disabling effect but may become a physical disability, or
- Has any health impairment that requires special education or related services.

Definition of Major Life Activity:

Major life activities are broadly construed and include physical, mental and social activities, as well as working.

Definition of reasonable accommodation:

An adjustment or modification to job duties, performance methods, and/or work setting or service delivery to meet the individualized need of an individual, applicant or employee with a disability.

Removes barriers in a specific situation, which prevent or limit the application process, recruitment, employment and upward mobility of a qualified person with a disability or prevents their participation in a program, activity or event.

The law does not require an employer to make any adjustment or modification or change jobs or policy that an employer can demonstrate would fundamentally alter the essential functions of the job in question.

Requesting a Reasonable Accommodation:

If an applicant or employee with a disability would like to request a reasonable accommodation, the following procedure should be followed:

The requestor should meet with their supervisor and/or Human Resources to discuss the situation. If the request is within the scope of authority of the supervisor and meets with the legal requirements for accommodation, the request may be approved by the supervisor. Alternatively, the supervisor may forward the request for accommodation to the General Manager for review and determination.

If review by the General Manager of a designee is determined to be appropriate the requester should complete the appropriate form or submit a request in writing which includes the following:

- Name, address and phone number of the person requesting accommodation.
- The specific limitation, the type of accommodation requested, with an explanation of how the accommodation will allow the performance of the essential functions of the position or the participation in a program or activity.
- Verification of the disability by the requester's physician, medical provider or vocational/rehabilitation counselor may be required. (If medical verification is required the person requesting accommodation must sign a release form Authorization for the Release of Medical Information).

Upon completion of the necessary paperwork, a written request should be submitted to the General Manager that outlines the specific accommodation requested. Verification of the disability by the requester's physician, medical provider or vocational/rehabilitation counselor is also required. A copy of the job description should be provided to the medical provider to assist in the determination of the requested accommodation as it relates to performing the essential functions of the position.

Determination

The determination of providing a reasonable accommodation is made on a case-by-case process, known as the "interactive process". This is a timely individual process where management and the individual discuss the request and effective reasonable accommodation(s).

In considering a request for accommodation the following factors must be considered when reviewing a request for accommodation:

- Analyze the job or activity to determine the essential functions.
- Determine with the employee, applicant or participant how the disability limits their performance of the essential functions.
- Identify accommodation options that overcome limitations and determine the effectiveness and feasibility of the proposed accommodations.
- Considering the requester's preference, the General Manager or Human Resources Director selects the accommodation most appropriate for the requester and the department involved.

If the request is approved, management will notify and meet with the requester to make necessary arrangements. If the request is not approved, management will notify and meet with the requester to explain the decision, elicit other possible solutions, and determine the outcome. The decision of the General Manager is final.

Section 5 OVERVIEW OF EMPLOYMENT

5.1 OPEN DOOR POLICY

The District promotes an atmosphere in which you can talk freely with management. Employees are encouraged to openly discuss with their immediate supervisor and/or department head any problems so appropriate action may be taken. If they cannot be of assistance, the Human Resources Director is available for consultation and guidance. The District is interested in all of its employees' success and happiness.

5.2 NEW EMPLOYEE ORIENTATION

Employees will be provided a formal orientation that may include: an initial meeting with your manager; a tour of District facilities; a meeting with the Human Resources Director to review the history of the District, benefits, office procedures and the employee handbook; training as needed for your position (including basic training as outlined in the New Employee Orientation Checklist); and an introduction about specific departments.

5.3 TRAINING PERIOD

As part of the hiring process, employees go through an initial training period. All employees will go through this training period for six months, with an informal review to occur after three (3) months. This "getting acquainted" period will provide management with the opportunity to see how an employee performs his/her/their job. It will also provide the employee with the opportunity to become comfortable with his/her/their position, the management, and working conditions. After three-months of employment, employees receive a performance evaluation with no recommendation for a monetary step increase.

Upon completion of the initial training period of six (6) months a performance evaluation will be conducted, and the employee will be eligible for a step increase based on performance.

An employee's completion of the training period does not change the employment status of an at-will employee, nor does it create an actual or implied employment contract between the employee and the District or a promise of continued employment. Employee will remain an at-will employee, subject to termination at any time, for any reason. Employee may also resign at any time, for any reason.

Newly hired employees who are still in their initial training period will generally not be approved to take any paid time off other than as provided by federal, state or laws.

5.4 EMPLOYEE CLASSIFICATIONS

Employees are classified into one of the following categories.

Full-Time Employee: Defined as employees who are assigned a definite work schedule of at least 30 hours per week. Full-time employees who work at least 40 hours per week are eligible for employee benefits as described in this Handbook. Full-time employees who work less than 40 hours per week, but 30 or more hours per week, will have benefits pro-rated according to the number of hours worked, in accordance with the following policies and requirements of vendors. Employees may submit a written request to their supervisor to have their position analyzed for a 30-hour work week. The supervisor will have thirty days to respond to the request.

Part-Time Employee: Defined as employees who are assigned a work schedule of less than 30 hours per week. Part-time employees are not eligible for vacation or holiday benefits. Part time employees are eligible for sick leave in accordance with state and federal laws. After a part-time employee is employed for one year, he/she/they is eligible to be enrolled in CalPERS.

Temporary Employees/Paid Interns: Defined as an employee who works either part- or full-time, and whose position is funded on a seasonal or other limited basis. Temporary employees are not eligible for benefits unless hired from an employment agency that provides certain benefits for their employees. Paid interns are classified as temporary employees.

Unpaid Interns: Defined as a volunteer who performs a set group of tasks for a specific period of time. Interns must have concurrent enrollment in a formal school internship/work experience program.

In addition to the above classifications, employees are also categorized as either Non-Exempt/Hourly; or as Exempt. There are four (4) categories of exempt employees at the District: Executive, Administrative, Professional, and Computer.

Non-Exempt/Hourly Employee: Defined as an employee who, because of the type of duties performed, the usual level of decision-making authority, and the method of compensation, is subject to Fair Labor Standards Act ("FLSA") wage payment provisions including the payment of overtime. Non-exempt employees are paid an hourly wage.

Exempt/Administrative: Defined as a second level manager, an advisory specialist or consultant who is paid on a salary basis for work performed, with no overtime pay.

Exempt/Executive Employee: Defined as a full-time department head. This management group is paid on a salary basis for work performed, with no overtime pay. As salaried senior officials of

the organization, executive personnel are expected to work those hours necessary to complete their duties and responsibilities.

Exempt/Professional Employee: Defined as work requiring advanced knowledge that is predominantly intellectual in nature and requires consistent exercise of discretion and judgment instead of routine and manual work such as law, medicine, accounting, engineering, etc. Such employees are paid on a salary basis and are not eligible for overtime pay.

Exempt/Computer Employee: Defined as work requiring advanced knowledge that is predominantly intellectual or creative in nature and requires consistent exercise of discretion and independent judgment. Primarily engaged in applying systems analysis techniques and procedures, designing, developing, documenting, analyzing, creating, testing or modifying computer systems or programs.

5.5 REHIRED EMPLOYEES

Employees who are rehired following a break in service in excess of one (1) year, other than an approved leave of absence or layoff, must serve another training period, whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their re-employment for all purposes, including the purposes of accruing benefits. Any exceptions to this rule are at the discretion of the General Manager. Employees who have been terminated for District policy violations are not eligible for rehire.

5.6 PROMOTIONS/TRANSFERS

It is the District's intent to promote from within whenever possible. However, it is in the District's best interest to fill all positions with the best qualified individuals. When opportunities occur within the organization, promotions and transfers will be based upon an employee's qualifications and performance. Only employees who have been with the District for at least six (6) months, who have completed the initial training period, and **have satisfactory performance** in their current role will be considered for promotional opportunities.

The District encourages employees to apply for vacant positions for which they are qualified. To apply for a position, apply online via the District's applicant system. Employees promoted to a new position are required to serve another training period of six (6) months.

5.7 TEMPORARY UPGRADES

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

If management feels that none of the applying employees are fully qualified for the temporary position, outside candidates will be recruited that possess the qualifications necessary to fill the position.

When the temporary position ends, it is the District's intent to give the employees who were temporarily advanced an opportunity to return to their former or a similar position, at the District's sole discretion.

5.8 WORKING AT HOME/TELECOMMUTING

Based on the needs of the District there may be times where the District approves temporary or long-term work from home/telecommuting agreements. In order to work at home, each staff member must have a written work from home/telecommuting agreement with the approval of their department manager and the General Manager. The Department Manager has the right to modify or revoke the work from home/telecommuting agreement at any time based on the needs of the department.

5.9 ATTENDANCE

The District relies on its employees to consistently provide "high quality, cost effective services to its ratepayers." Employees must routinely interact with other staff, members, vendors and the general public to effectively meet these objectives. Good attendance is essential to providing these objectives and is an indicator of effective employee performance.

Failure to report to work as scheduled increases the burden on the District and co-workers, and may result in discipline, up to and including discharge. The District expects all employees to be at their workstations at the start of their shifts and to remain in their work areas except during break and meal periods. Failure to arrive promptly, leaving the workstation, or leaving early all constitute potential grounds for discipline.

The District recognizes that employees will have periodic absences for illness or personal matters, but recurring and excessive absences and/or tardiness adversely affects productivity, morale, workflow and service, and directly impacts the District's ability to meet its challenging goals. If employee is going to be absent or tardy, employee must contact their immediate supervisor prior to the start of their shift so that arrangements for other help can be made.

Employees who fail to report to work for three (3) consecutive business days without notifying their supervisor of their absence will be considered as having voluntarily resigned from employment and having abandoned their jobs.

The professionalism that an employee brings to their position and the District is valued and it is anticipated that they will manage their own good attendance. There are occasions, however, when attendance guidelines are beneficial and necessary to direct employees and managers.

These guidelines are intended to be straightforward and concise. They are subject to management discretion and allow for flexibility in addressing individual attendance situations. Employee's manager will consider State and Federal laws, family and medical leave issues, the

demands of different work units, the District's policy, performance, attendance history, and individual circumstances when assessing appropriate steps to correct attendance problems.

Any unauthorized absence may be cause for disciplinary action, up to and including dismissal from employment. Authorized absence is defined as permission to be absent from duty for a specified purpose, with the right to return before or upon the expiration of the leave period.

Employees shall be in attendance at their work in accordance with the rules regarding hours of work, leave, and related provisions unless their absence has been authorized. Department directors shall be responsible for maintaining employee attendance records that shall be transmitted to the payroll office electronically and at times designated by the Finance Department or designee.

Except in extraordinary circumstances, an employee who is unable to report for work at the beginning of his/her established shift, shall notify his/her immediate supervisor no later than one hour before commencement of such shift, or earlier if required by department procedures. Failure to provide such notification shall result in the unreported period of absence for the first day being considered as unexcused.

If the number of absences within the most recent 12-month period is excessive and has not been approved, including but not limited to as an accommodation or otherwise granted pursuant to a request in accordance with the Fair Employment and Housing Act ("FEHA"), the Americans with Disabilities Act ("ADA"), the California Family Rights Act ("CFRA"), the Family and Medical Leave Act ("FMLA"), the Pregnancy Disability Leave Law ("PDL") or another federal or state law, the absence may be subject to corrective action, at the discipline of the District. See Section 5.10– for the Performance Appraisal process and criteria. The attendance policy of the District will be followed only to the extent allowed by law and is not meant to circumvent or abrogate any existing provisions of the FEHA, ADA, CFRA, FMLA, PDL or other state or federal law and/or regulation.

If it is believed the attendance problems are related to or caused by a disability, and an accommodation for that disability is desired, an employee must inform their supervisor and/or the Human Resources Director of the need for an accommodation and produce documentation to substantiate the existence of both the disability and the need for accommodation. The District will then evaluate the request to determine whether, at its sole discretion, the employee is eligible for an accommodation.

Time Excluded from Absenteeism Evaluation:

- Use of leave pursuant to the FMLA, CFRA, ADA, FEHA, or PDL will not count as a violation of the attendance policy and will not be used as the basis for the issuance of corrective action.
- Changes to a schedule granted as an accommodation will not count as a violation of the attendance policy and will not be used as the basis for discipline.

The District intends to maintain a positive environment that supports its goals while recognizing individual needs and circumstances. If attendance issues arise, employees are encouraged to speak with their manager who can discuss the impact of their attendance on the District's goals and employee's individual performance. Please note that it is the employee's responsibility, however, to understand these guidelines.

5.10 PERFORMANCE APPRAISALS

The District maintains a policy of evaluating an employee's job performance as a means of measuring the efficiency and effectiveness of operations and providing employee with meaningful information about their work. Effective performance evaluations also aid in making personnel decisions related to such areas as training, pay increases, promotion, job assignments, retention, and long-range planning. The process is intended to be participatory in nature, involving employee and employee's manager.

The process is designed to be as objective as possible, focusing on overall performance in relation to job responsibilities and also take into account conduct, demeanor and record of attendance and tardiness. In addition, special written performance evaluations may be conducted by the employee's manager any time to advise the employee of the existence of performance or disciplinary problems. The use of such a system does not waive either the District's or employee's right to terminate employment at any time with or without cause or otherwise alter your at-will employment status. Performance appraisals should be completed in a timely manner, not more than two weeks after the appraisal date. When merit increases are recommended, or promotions granted, the change request should be submitted within two weeks of the date of appraisal or promotion. If employee desires a separate check, employee's supervisor must indicate employee's request during the change in action process. A request for retroactive pay must also be indicated on the change request.

OVERVIEW OF PERFORMANCE APPRAISALS

New employees will be evaluated at the end of three months, six months, and one year to provide management with the opportunity to review the employee's job performance. It will also provide the employee with an opportunity to become comfortable with his/her job position. Major objectives will be outlined by the employee's manager at this evaluation.

Thereafter, employees will be evaluated annually, approximately April 1st through June 15th. The yearly evaluation will provide a rating to be used in any compensation changes and incentive awards. Job descriptions should be reviewed at each evaluation and updated accordingly. An employee not satisfied with the performance rating should meet with their direct supervisor for review and clarification of the performance appraisal. As a subsequent step the employee may submit a written request to the Human Resources Director who will arrange a meeting to discuss.

A performance appraisal will be used to inform employees of their performance during a review period and to set new goals for the coming year. It will also be used to determine the appropriateness of a salary adjustment within the established guidelines for the current salary level and job classification. The rating received, combined with current pay level, will determine the next salary step increase, if any. THERE SHOULD BE NO SURPRISES during this review process. The performance appraisal must never be used as a retaliatory weapon.

CONSEQUENCES OF SUBSTANDARD RATINGS

Substandard ratings mean any rating below the rating level of “satisfactory”. Employees receiving a substandard rating may have their employment conditions modified in any of, but not limited to, the following:

- Ineligibility for promotional consideration until the deficiency is corrected;
- Withholding of a performance-based pay increase until the deficiency is corrected;
- Extension of the training period, whether it is related to a new employee or a new position;
- Transfer to a comparable position or demotion for an indefinite period to a position in which competency can be reasonably expected; or
- Termination.

If the employee’s deficient performance has improved to an acceptable level, and the employee has maintained satisfactory performance in all other respects, the rating manager may recommend the use of a corresponding merit or performance pay increase and restoration of promotional consideration.

5.11 DRESS CODE

The District expects that employees will dress in a manner consistent with a business casual dress code unless uniforms are provided. Employees will be sent home if not dressed according to policy.

The following guidelines were discussed and approved by the Employee Manual Committee:

- Professional clothing (coats, ties, dresses and nylons) is not required on a daily basis. The standard is business casual.
- Employees working in the field are expected to wear assigned uniforms/clothing and personal protective equipment as supplied by the District. Outdoor employees will be provided hats.

The following are not appropriate business casual attire:

- mini skirts
- shorts (walking shorts are ok for field and facilities staff)
- halter/tube/crop type tops (including tank top t-shirts, and any backless tops)

- athletic clothing
- sheer clothing
- thongs/flip flops/Birkenstock type sandals/tennis shoes
- t-shirts
- facial piercing
- torn, cut or frayed clothing
- clothing with obscene messages or artwork
- hats or headgear indoors (except those worn for acceptable religious reasons)

The basic rule is: “Nothing too tight, short, revealing, ragged or dirty. If in doubt, don’t wear it!”

Thursdays will be casual days and employees may wear jeans, tennis shoes and approved shirts with District logos.

5.12 SMOKING

Cigarettes and E-Cigarette’s are allowed in approved smoking areas only. The current approved areas are:

- Northeast corner of Main District Building
- Northeast corner outside the Control Room or the Treatment Plant
- Northeast corner outside NOB at benches

Each of these areas is equipped with ashtrays. All smoking areas have been placed away from doors so that the smoke does not enter the buildings.

5.13 SOLICITATION AND DISTRIBUTION

Soliciting co-workers during work time being paid for by the District is prohibited, including the use of e-mail. Distribution or posting of pamphlets, leaflets, or any other literature in District departments is prohibited except in the employee break rooms.

5.14 BREAK ROOM

The District has a “kitchen” for employees’ use during breaks and at lunch. It is important that employees clean up after themselves. Do not leave any dirty dishes, wipe off the counters, and clean the inside of the microwave if there is any splattering of food during cooking.

- Coffee/Tea/Hot Chocolate: These items are available for employee use and convenience.
- Making Coffee: If the coffee pot is running low, please make the next pot of coffee. If unsure how to make the coffee, ask someone to help. When the coffee has been made, throw the grounds in the garbage (not in the sink), rinse the basket, and place it in the drainer for the next person to use.
- Vending Machines: The vending machines are located conveniently in the break rooms.

- Antelope Valley Press: The daily paper is delivered to the office and is for everyone's use and convenience. Please leave the papers in the break room and wait until the end of day to cut out an article or coupon. Administration cuts out articles related to the business of the District.

5.15 REFRIGERATOR

The refrigerator is available for employee's convenience. However, there are many employees using the refrigerator, so please limit the number of items put in it. Also, it will be cleaned frequently, so please throw away any old items and take home any dishes, Tupperware, etc. If there are items that should not be discarded, please put a name on them.

5.16 SUPPLIES

It is the District's intent to provide employees with everything employees need to do their job. Basic supplies are kept in supply cabinets. Any special orders should be placed through the department's purchasing process or by contacting Purchasing staff. Purchases must be approved by the person responsible for the budget.

5.17 RESIGNATION

When an employee decides to leave employment at District for any reason, Management and the Human Resources Director would like an opportunity to discuss the resignation before final action is taken. It is requested that a written two-week advance notice is provided, if practicable. If, as it sometimes happens, management believes it advisable for employment to end prior to the end of the two weeks' notice, the remainder of that period may be paid.

5.18 TERMINATION

District employees have an "employee-at-will" status, meaning there is no contractual right, expressed or implied, to remain in the District's employ. The District may terminate employment, or the employee may terminate their employment, with or without cause, at any time. No manager or other representative of the District has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above, with the exception of the General Manager, who may only make such agreements in writing.

5.19 EXIT INTERVIEW

The Human Resources Director is responsible for scheduling exit interviews on the last date of employment and for arranging the return of the District's property. As part of the exit interview an employee may be asked questions about the reason for leaving, benefits, and pay structure. The exit interview is considered a confidential meeting and only general data will subsequently be shared that reflects a pattern in the reasons why employees leave the District.

5.20 TERMINATION OF BENEFITS

Medical, Dental, and Vision benefits end on the last day of the month following termination of employment. Life and Disability coverages require “active” employment; therefore, coverage for these two ends on the last day worked.

COBRA notification will be sent directly to the employee’s home. Employees may contact CalPERS, Lincoln Financial and supplemental insurance carriers online or by telephone regarding their post-employment options.

5.21 FINAL PAYCHECK

The district will make its best effort to provide employees with their final paycheck on their final day of work if 72 hours’ notice was given. If less than 72 hours’ notice was given, the district will make its best effort to provide their final check within 72 hours. Unused vacation, administrative leave and Personal Time Off leave will be paid and calculated in accordance with the District’s vacation policy.

Section 6 SAFETY

Safety is a shared responsibility between the District and the employee. The District takes safety very seriously and encourage every employee to communicate any safety concerns with their supervisor, manager, safety and training technician, human resources or safety committee member. An employee should ensure they have read and understand the District’s Injury and Illness Prevention Program (IIPP) which is found on the District’s Intranet.

6.1 WORKERS COMPENSATION PROGRAM

The District provides workers' compensation coverage. This coverage protects employee if he/she/they are injured or disabled on the job. It also provides medical, surgical, and hospital treatment in addition to payment for loss of earnings that result from work related injuries. Compensation payments begin from the first day of the employee’s hospitalization or after the third day following the injury if not hospitalized. The cost of this coverage is completely paid for by the District. Accumulated “Sick/Paid Time Off” may be used for the three-day waiting period, and to bring the employee’s compensation up to, but not greater than, the employee’s regular gross pay, at the discretion of the General Manager. Accrued sick leave should be used for doctor’s appointments, with the exception of the first appointment.

If injured while working, employee must immediately report such injuries to their manager, regardless of how minor the injury might be. If employee has any questions regarding this workers' compensation coverage, contact the Human Resources Director/Safety and Training Technician.

WORKERS COMPENSATION DISCLAIMER NOTICE

The District or its insurance carrier, ACWA-JPIA may not be liable for the payment of workers' compensation benefits for any injury which arises out of voluntary participation in any off-duty recreational, social or athletic activity which is not a part of work-related duties.

6.2 RETURN TO WORK PROGRAM

In an effort to minimize serious disability due to on-the-job and off-the-job injuries and illnesses and to reduce workers' compensation costs (if applicable), the District has developed an early Return-to-Work program.

This policy is consistent with the District's responsibilities under the Americans with Disabilities Act to provide reasonable accommodations to persons with disabilities, as discussed above.

Managers will assist by directing the employee to appropriate care and notifying the Human Resources Director. Managers will also assist in proper reporting of the injury or illness while maintaining a positive and constant flow of communication with the injured worker. Where possible, they will also assist in arranging work which meets "light duty" restrictions, as needed, to reduce lost time. Human Resources Director will work with the workers' compensation carrier (if applicable), Occupational Medical Clinic, and with the physician to assist with the assessment of the employee's ability to return to work. Together they will actively encourage the treating physician to release the injured worker to work as soon as possible.

Employees and supervisors should notify the Human Resources Director as soon as possible when there is an illness or injury so the process with the Occupational Medical Clinic can begin in a timely manner. By this joint effort, the District will help the injured/ill worker recover at a more rapid rate, gain production for wages paid, minimize the employees' wage loss, and reduce workers' compensation costs.

6.3 ALCOHOL – DRUG FREE WORKPLACE

6.3.1 Substance Abuse Policy.

GENERAL POLICY; PURPOSE. It is the policy of the District to create a drug free work place in keeping with the spirit and intent of the Drug Free Work Place Act of 1988, and to discourage drug and alcohol abuse by its employees. The District has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse in the workplace is inconsistent with the behavior expected of District employees, subjects all employees, residents and visitors to unacceptable health and safety risks, and undermines the District's ability to operate effectively and efficiently. Employees who are under the influence of drugs or alcohol on the job compromise the District's interests, endanger their own health and safety and the health and safety of others, and can cause a number of work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, delays in the completion of jobs, and disruption of service to the public.

While conducting or performing District business or on District property, including in District vehicles or while operating District equipment, employees shall not consume or possess alcoholic beverages or consume or possess controlled substances or abuse legal drugs as defined herein. Employees shall not work or be at work while under the influence of any of the above mentioned, or in the case of controlled substances/legal drugs, without authorization from a qualified physician and the employee's supervisor. The unlawful manufacture, distribution, dispensing, possession, or consumption of any alcohol, controlled substance, or abuse of legal drug is prohibited anytime an employee is conducting or performing District business regardless of location, when operating or responsible for the operation, custody, or care of District equipment or property, on District property, or while subject to duty (i.e., standby).

The District has established this Substance Abuse Policy to provide the greatest degree of protection possible to the public and to District employees. The purpose of this policy is to ensure worker fitness for duty and protect our employees and the public from risks posed by the use of alcohol and controlled substances, to ensure the safe and efficient performance of employee duties, to reduce absenteeism and tardiness, to promote productivity, and to cooperate with the rehabilitation of those employees who seek such help. The District recognizes that drug, alcohol and other controlled substance abuse of employees in the work place is a serious and growing problem of nation-wide proportions. The District is taking this opportunity to reaffirm its commitment to a drug and alcohol-free work place.

Employees who violate any aspect of this policy, either by reason of a positive test under this policy or by their own admission, may be subject to disciplinary action, up to and including dismissal; provided that the employee shall have the grievance, rights afforded under Section 2.15 of this Handbook. At its discretion, the District may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

APPLICABILITY. As a condition of employment, all employees are required to comply with all applicable personnel policies and rules. This substance abuse policy applies to all District employees.

This policy applies at all times while District employees: (i) are on District premises, (ii) are off-District premises but engaged in a work-related activity that is related to or may affect the District's business, reputation or public relations, including, but not limited to, activities during work hours, including lunch and other breaks, and attendance at seminars as a participant or speaker; and (iii) are traveling on behalf of the District.

PROHIBITED SUBSTANCES: As used in this policy, "prohibited substances" include, but are not limited to, the following:

- **Illegal drugs or other controlled substances:** Illegal drugs or other controlled substances; means any drug or substance that (i) is not legally obtainable; or (ii) is legally obtainable

but has not been legally obtained; or (iii) has been legally obtained but is being sold or distributed unlawfully.

- Legal drugs: Legal drugs means any drug, including prescription drugs and over the-counter drugs, that has been legally obtained and that is not unlawfully sold or distributed.
- Abuse of any legal drug: Abuse of any legal drug means the use of any legal drug (i) for any purpose other than the purpose for which it was prescribed or manufactured; or (ii) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.
- 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 below 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.

PROHIBITED CONDUCT

- Possession, Use, Manufacture and Trafficking: No employee shall engage in the unlawful manufacture, distribution, dispensing, possession, receipt, sale, purchase or use of a prohibited substance or alcohol on District premises, in District vehicles, or while conducting District business off the premises.
- Drug Paraphernalia: No employee shall engage in the possession, distribution, sale, manufacture, or use of paraphernalia normally used for consumption or use of prohibited substances on District premises, in District vehicles, or while conducting District business off the premises.
- Impairment: All employees are prohibited from being under the influence of alcohol or other prohibited substances during working hours. The use of prescription drugs is prohibited in the workplace by any person other than the person for whom they are prescribed. Such prescribed drugs will be used only in the manner, combination and quantity prescribed, and the employee shall advise their supervisor that they are taking such medication prior to operating machinery, vehicles, or equipment. Any employee who is reasonably suspected of being impaired, under the influence of a prohibited substance, or otherwise not fit for duty due to substance abuse shall be removed from their duties and be subject to a reasonable suspicion prohibited substance or alcohol test, as hereinafter provided. If such a test is positive, the employee will be subject to discipline in accordance with this policy and the other provisions of this Section 6.
- Alcohol: No employee will report for duty or remain on duty when his or her ability to perform assigned function is adversely affected by alcohol or when his or her or their breath alcohol concentration is 0.04% or greater. No employee shall use alcohol

while on duty or while performing safety sensitive functions. As used herein, the term "safety sensitive functions" shall mean all time from the time any driver on District business begins to work or is required to be in readiness to work until the time he/she/they is relieved from work and all responsibility for performing work.

Safety-sensitive functions shall include:

- All time at a District facility waiting to be dispatched, unless the driver has been relieved from duty by the District;
- All time inspecting equipment as required by applicable federal regulations or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- All time spent at the driving controls of a commercial motor vehicle in operation;
- All time, other than driving time, in or upon any commercial motor vehicle;
- All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments of material or supplies being loaded or unloaded; and/or
- All time repairing or remaining in attendance upon a disabled vehicle.

No employee performing safety sensitive functions shall use alcohol within four hours of reporting for duty nor during hours that he/she/they are on-call. Violation of this provision is prohibited and will subject the employee to removal from his or her duties and referral to a Substance Abuse Professional ("SAP"), as set forth below.

6.3.2 Testing Procedures.

Analytical urine-controlled substance testing and breath testing for alcohol will be conducted based on reasonable suspicion, as hereinafter described, and all employees will also be tested prior to returning to duty after failing a prohibited substance and/or alcohol test. In addition, random testing of employees who perform safety sensitive duties as part of their job requirements may occur. Employees who have returned to duty will be subject to unannounced follow-up tests as determined by a SAP.

REASONABLE SUSPICION TESTING: All employees shall be subject to urine and/or breath testing when there is a reason to believe that prohibited substances or alcohol use is adversely affecting job performance. Reasonable suspicion testing will be based on written documentation of specific observations concerning the appearance, behavior, speech or body odor of the employee. Referral for testing of the employee will be made on the basis of such documented observations.

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 abuse and who reasonably concludes that an employee may be adversely affected or impaired in his or her work performance due to prohibited substance abuse or misuse.

Testing shall be conducted in the manner designed to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which meet all applicable standards. All testings will be conducted consistent with established procedures, including those in the Department of Transportation ("DOT") guidelines.

The prohibited substances that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine (PCP). An initial prohibited 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 DOT guidelines.

Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing (EBT) device operated by a trained Breath Alcohol Technician (BAT). If the initial test indicates an alcohol concentration of 0.02% or greater, a confirmation test will be performed to confirm the results 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 or her position for at least twenty-four hours unless a re-test results in an alcohol concentration of 0.02% or less. However, unless the alcohol concentration is 0.04% or greater, the fact that an employee was removed from duty in the interests of safety shall not form the basis for any discipline. An alcohol concentration of 0.04% or greater will be considered a positive alcohol test and in violation of this policy.

6.3.3 Procedures Applicable to a Positive Test for a Prohibited Substance.

POST OFFER TESTING: Any employee who has a confirmed positive prohibited substance or alcohol test will be removed from his or her position, informed of education and rehabilitation programs available, will be subject to discipline in accordance with this Section and other provisions of this Handbook and may be evaluated by a SAP, to be selected from a list of SAP names, addresses and telephone numbers to be provided by the District. The District will make every effort to, and affirms the need to, provide individual employees with dignity, privacy, and confidentiality throughout the testing process.

EMPLOYEE REQUESTED RE-TESTING: Any employee who questions the result of a prohibited substance abuse test may request that an additional test be conducted. The additional test may be conducted at the same laboratory or at a different 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 invalidates the original test, in which event, the cost of testing will be reimbursed to the employee by the District. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the DOT Regulations found at 49 CFR, Part 40. The employee's request for a re-test must be made to the doctor responsible for analyzing the original laboratory results within 72 hours of receiving notice of the initial test result.

Requests after 72 hours will be accommodated only where the employee can establish that the delay was due to circumstances beyond the control of the employee, or otherwise at the District's discretion.

RETURN-TO-DUTY TESTING: All employees who previously tested positive on a prohibited substance or alcohol test must test negative (for alcohol, the blood alcohol concentration must be less than 0.02) and be evaluated and released for duty by the SAP before being allowed to return to their jobs. Employees will be required to undergo unannounced follow-up prohibited substance and/or alcohol breath testing following return to duty, as determined by the SAP. The duration of the period during which the employee is subject to such testing, and the frequency of such testing, will be as determined by the SAP. However, it shall not be less than six tests during the first 12 months following return to duty, nor longer than 60 months total, following return to duty.

COMPLIANCE WITH TESTING REQUIREMENTS: All employees are subject to prohibited substance testing and breath alcohol testing in accordance with this policy. Any employee who refuses to comply with a request for testing, who provides false information in connection with the test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, shall be removed from duty immediately and be referred to an SAP. Refusal to submit to a test can include 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. Failure to comply with testing requirements or failure to comply with a referral to a SAP will result in immediate termination.

NOTIFYING THE DISTRICT OF CRIMINAL CONVICTION: Any employee convicted of a crime involving the manufacture, distribution, possession or use of a prohibited substance, or convicted of driving under the influence of alcohol or drugs, shall notify the District of such conviction no later than five (5) days after such conviction. A plea of no contest shall constitute a conviction for purposes of this rule, and for purposes of imposing discipline under District rules and regulations governing employee conduct. Upon conviction of a crime involving alcohol or drugs as specified above, the employee shall be referred to a SAP for rehabilitation assessment. The SAP will evaluate the employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance abuse or misuse.

If an employee is returned to duty following rehabilitation, he/she/they must agree and sign a Return-To-Duty Agreement, pass a return-to-duty prohibited substance and/or alcohol test, and be subject to unannounced follow-up tests as determined by the SAP. The cost of any rehabilitation and subsequent prohibited substance and/or alcohol testing is to be paid by the employee. Employees may use accumulated sick leave, vacation and floating holidays, if any, to participate in a prescribed rehabilitation program.

6.4 WORKPLACE VIOLENCE

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

Workplace violence includes, but is not limited to, the following:

- a. Threats of any kind;
- b. Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others;
- c. Other behavior that suggests a propensity towards violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of the Authority's property, or a demonstrated pattern of refusal to follow the Authority's policies and procedures;
- d. Defacing the Authority's property or causing physical damage to the facilities; or
- e. With the exception of security personnel, bringing weapons or firearms of any kind on the Authority's premises, in the Authority's parking lots, or while conducting Authority business.

Off-site threats include but are not limited to threats made via telephone, fax, electronic or conventional mail, or any other communication medium.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on District property may be removed from the premises pending the outcome of an investigation. Threats, threatening behavior, or other acts of violence off District property, but directed at District employees, District members or the public while conducting business for the District, is a violation of this policy. Violations of this policy will lead to disciplinary action that may include dismissal, arrest, and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from District property, termination of business relationships with that individual, and/or prosecution of the person(s).

Employees are responsible for notifying the Human Resources Director or the General Manager or any other manager of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when that behavior is job related or might be carried out on District property or in connection with employment.

Each employee who receives a protective or restraining order that lists District premises as a protected area is required to provide the Human Resources Director with a copy of such order.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the District will inform the reporting individual of the results of the investigation. The District will not tolerate retaliation against any employee who reports workplace violence or participates in any investigation.

If the District determines that workplace violence has occurred, the District will take appropriate corrective action and will impose discipline on offending employees. The appropriate discipline will depend on the particular facts but may include written or oral warnings, reassignment of responsibilities, suspension or termination. If the violent behavior is that of a non-employee, the District will take appropriate corrective action in an attempt to ensure that such behavior is not repeated. Under certain circumstances, the District may forego disciplinary action on the condition that the employee takes a medical leave of absence. In addition, the District may request that the offending employee participate in counseling, either voluntarily or as a condition of continued employment.

6.5 INJURY AND ILLNESS PREVENTION PLAN

District greatly values the safety and health of all of its employees and is committed to providing a safe and healthful workplace. This will be accomplished through the establishment, implementation and maintenance of an effective Injury & Illness Prevention Program (IIPP). The General Manager is assigned responsibility for implementing the IIPP.

All managers and supervisors are responsible for implementing the IIPP in their departments and for answering worker questions about the IIPP. A copy of the IIPP will be maintained on the intranet under Human Resources, Safety Page.

COMPLIANCE: Management is responsible for ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees. Managers and supervisors will enforce the rules fairly and uniformly.

All employees are responsible for using safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a safe work environment.

The District's system of ensuring that all employees comply with the rules and maintain a safe work environment include:

- All employees will be annually evaluated on their safety performance.
- Employees who exercise safe and healthful work practices will be recognized in their evaluation.
- Employees that do not exercise safe and healthful work practices will be trained or retrained.

Any employee/supervisor that continues to fail to comply with or ignores safe and healthful work practices will be disciplined. The District will not tolerate unsafe acts by its employees. Any employee or supervisor who violates safety and health policies and rules, or otherwise

does not perform their job in a safe and healthful manner, may be subject to appropriate corrective action, up to and including termination.

6.5.1 Communication of Safety and Health Information

The District recognizes that open, two-way communication between management and staff on health and safety issues is essential to an injury-free, productive workplace.

The District will provide employees with up-to-date safety and health information that is readily understandable. The information will be presented through:

- New employee orientation;
- Staff Q&A's that are scheduled to coordinate with Safety Committee meetings;
- Department meetings by the department manager;
- Posters in the break rooms;
- Suggestion boxes;
- The District Safety Committee.

This information shall include:

- The District's safety and health policies;
- The District's safety and health rules and regulations; and
- New work procedures.

The Employee Safety Committee may recommend topics or entire articles for distribution and consideration to employees via email or the Staff Newsletter.

Employees are encouraged to share safety and health ideas, information, and concerns with the District's management. The District will give these communications prompt and serious attention. As part of this commitment, the District pledges not to discriminate, retaliate against or otherwise take any type of corrective action against any employees who express their safety concerns. The suggestion boxes in the break rooms may be used to submit these concerns if any employee wishes to remain anonymous.

The District shall comply with all CAL-OSHA and other safety and health rules and regulations that apply.

6.5.2 Safety and Healthful Work Practices

District recognizes its responsibility to create a safe and healthful workplace for all employees. However, each employee must also share in this responsibility. Specifically, every employee:

- Is responsible for the safe operation of all of the District's equipment, tools, machinery, vehicles, or other District property in their charge.
- Must not remove or inactivate any established safeguards.
- Mechanical safeguards must be in place at all times.

- Must immediately report any machine, tool, or equipment malfunctions to the manager. Managers shall investigate and take the necessary steps to correct the malfunction as soon as possible.
- Must wear appropriate personal protective equipment when required.
- This personal protective equipment shall be provided and maintained by the District. Failure to wear the required equipment is cause for disciplinary action.
- Shall follow beneficial ergonomic criteria and adjustments.
- Will utilize defensive driving techniques supported by the District while driving on the District business.
- Must immediately report all accidents, injuries, exposures, and "close call" incidents, regardless of how small, to their immediate manager.

6.5.3 Hazard Assessment

Monthly inspections to identify and evaluate workplace hazards will be coordinated by the Human Resources/Safety Manager and conducted by the departmental Safety Committee Representative with the assistance of a Safety Consultant when necessary. These inspections will also be conducted when:

- New processes, substances, procedures or equipment which present potential new hazards are introduced into our workplace;
- New, previously unidentified hazards are recognized;
- Occupational injuries and illnesses occur;
- Workplace conditions warrant an inspection.

Periodic inspections consist of identification and evaluation of workplace hazards utilizing the checklists provided by Human Resources/Safety Manager.

6.5.4 Hazard Correction

Unsafe or unhealthy work conditions, practices or procedures will be corrected in a timely manner based on the severity of the hazards. The inspection checklist will be presented to management and the hazards will be corrected in accordance with the following:

- When observed or discovered;
- When an imminent hazard exists, which cannot be immediately abated without endangering employees or property, all exposed workers will be removed from the department except those necessary to correct the existing condition. The employees necessary to correct the existing condition will be trained to handle the condition and be provided with necessary protection;
- All corrective actions taken and the dates they are completed will be documented on the inspection form provided by Human Resources/Safety Manager, where they will be maintained.

6.6 TRAINING

All employees, including managers and supervisors, shall have training and instruction on general and job-specific safety and health practices. Training and instruction will be provided as follows:

- When the IIPP is first established;
- To all new employees, including refresher courses;
- To all employees given new job assignments for which training has not been previously provided;
- Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;
- To supervisors to familiarize them with the safety and health hazards to which workers under their immediate direction and control may be exposed; and
- To all employees with respect to hazards specific to each employee's job assignment.

RECORD KEEPING

The following procedures are taken to maintain the District's IIPP:

- Records of hazard assessment inspections, including the names of persons conducting the inspection, the date and unsafe work conditions and practices that have been identified and the action taken to correct the identified unsafe work conditions and work practices, will be recorded on a hazard assessment and correction form.
- Documentation of safety and health training for each employee, including the employee's name training dates, type of training will be recorded on course attendance sheets and input into the Safety training database.

6.7 SAFETY COMMITTEE

District chooses to have an Employee Safety Committee. The Committee will:

- Meet on a monthly basis;
- Provide written minutes of the meetings to staff and management;
- Review results of monthly worksite inspections (assessments);
- Review investigations of occupational accidents, close calls, or reported unsafe incidents without violating the privacy of the individual involved;
- Review investigations of alleged hazardous conditions brought to the attention of any committee member;
- Assist in the evaluation of employee safety suggestions; and
- Submit its own recommendations to management for consideration.

6.8 EMERGENCY EVACUATION PROCEDURES

Should a warning alarm sound or an evacuation announcement be made, please take the following minimum actions:

- Take whatever immediate steps are necessary and feasible to minimize any hazard in leaving the department unattended. **Time permitting**, shut off heaters, radios, coffee warmers, etc.
- Take your personal items with you, i.e., purses and briefcases, time permitting.
- Follow the directions of your department head or supervisor to assemble in the assigned meeting place for your department.
- If you find yourself away from your Department at the sound of an alarm, follow the instructions of the supervisor assigned to that area. Do not return to your department after the evacuation process has begun.
- Never use the elevator to evacuate the building.
- Do not re-enter the building until advised to do so by the department head/supervisor(s).
- Department heads/supervisors are responsible for the safety of those in their charge during an emergency evacuation, and they will be the last to leave the building.
- The Department head/supervisors located closest to the break rooms will be responsible for removing the first aid kit and taking it to the assembly area.
- In the event of an earthquake, get under your desk or the nearest table, (staying away from windows if possible) until further notice from your supervisor or department head.
- In the event of a front desk emergency, evacuate through the back exit, proceeding out around the perimeter of the office, not down the middle aisle.
- In the event of a small fire, a conservative approach should be taken when deciding to use a fire extinguisher or calling 9-1-1.

6.9 EMERGENCY RESPONSE PLAN

The District is a Special District and therefore has responsibility to our customers to provide continuity of services in the event of an emergency. Employees will be trained on your specific duties were an event to occur based on the District's Emergency Response Plan.

6.10 BOMB THREATS AND/OR THREATENING CALLS

Should employee receive a threatening phone call, remain calm and try to write down the exact wording of the emergency/threat. Be sure to notify a manager immediately. Follow the Standard Operating Procedure No. 1 for external threats.

6.11 DRIVING ON THE JOB

The District has established and maintains a Driving Record Review Program. As part of this program, it has enrolled in the Department of Motor Vehicles ("DMV") Employer Pull Notice

Program. This is a free service for public agencies that provides driver record reports on employees. All District employees are subject to that program. All employees required to drive a District vehicle or their own personal vehicle for District business will be required to submit current proof of automobile insurance to the Facilities Manager.

PROCEDURES

The District obtains from the DMV a copy of the driving record of all of its employees that are authorized to operate vehicles (District or personal) on the District's business.

As a public agency, District is entitled to receive copies of driving records from the DMV without charge.

A copy of your driving record shall be obtained as soon as possible after you are hired and annually thereafter.

The District is responsible for ordering and interpreting all driving records.

To ensure uniformity in the application of recommendations to employees whose records are found to be unacceptable, the driver record review criteria was developed.

Occasionally other concerned employees or the general public may bring to the District's attention the fact that you may be jeopardizing the organization's integrity and exposing it to undue liability through poor driving techniques and habits. All such complaints will be investigated immediately, and action taken to correct the problem as follows:

- If it is established that you have poor driving techniques and/or habits, the District's corrective action may be followed. (Depending on the seriousness of the poor driving technique and/or habit, it may be desirable to enroll you in a "defensive driving" course.)
- A second warning for the same poor driving technique and/or habit, within a three-year period, may require temporary suspension or temporary reassignment to a non-driving position and will be appropriately documented.

If your duties require driving a vehicle, you must maintain a driving record that will not cause the District's insurance rate to be increased or for you to become uninsurable. Any such actions could lead to disciplinary action.

If your duties require driving a vehicle, you must provide proof of insurance at least annually.

DRIVER RECORD REVIEW CRITERIA

The following criteria reflect the good risk management procedures used by the District in order to control its auto liability and physical damage exposures. The Human Resources Director will review your Driver Record Report to determine which category you will fall into.

Class I -- Immediate Attendance in Defensive Driving Program.

- Two points within 36 months;
- Any moving violation in a District vehicle;
- Any accident; or
- Two **Failure to Appear notices within 36 months.
- Class II -- 12-Month Driving Probation. Any additional point violations within this probation period will trigger a Class III recommendation.
- Three to five points within 36 months;
- Any accident in which the driver was charged with a ***public offense within 36 months, except for DUI, reckless driving, or speed contest violations (see Class III);
- Any *chargeable accident while on District business;
- A violation for an expired license; or
- Four ** Failure to Appear notices within 36 months.

Class III -- 120 Day Suspension of District Driving Privileges.

- Four or more points within 24 months;
- Six or more points within 36 months;
- DUI, reckless driving, or speed contest, NOT during District business;
- Five ** Failure to Appear notices within 36 months;
- Two chargeable accidents within 24 months; or
- Any citation incurred while license is suspended.

* *Chargeable Accident -- when a driver has received a point violation.*

** *Failure to Appear – Vehicle Code Section 40508(a)*

*** *Public Offense – Vehicle Code Sections 23100 through 23249.58*

CELLULAR PHONE SAFETY

In the interest of the safety of our employees, the District does not allow use of a cell phone while driving for the District including the use of blue tooth technology. California Vehicle Code 23123 prohibits the use of handheld wireless telephones. If an employee must make or answer a call while driving, they should pull over and stop. In doing so, they should make certain they are well to the side of the road when stopping.

Driving District Owned Vehicles

- Vehicles may be used only for District business.
- Seat belts must be worn by drivers and passengers whenever the vehicle is moving.
- If the vehicle is left unattended, it must be locked.
- Under no circumstances is a driver to pick up or drive any friends, family members or hitchhikers in District vehicles.
- No eating, drinking or smoking while operating any District vehicle.

- No one other than an authorized District employee is to operate the vehicle.
- No use of District authorized or personal cellular telephones and services
- It is drivers responsibility to keep vehicle tidy and fully stocked with necessary inventory.

6.12 SAFETY FOOTWEAR

POLICY STATEMENT

It is the policy of the District to require the use of safety shoes where foot hazards exist as a significant part of the job, as determined at the sole discretion of the District. Employees shall not be permitted to work in areas where foot or slip/fall hazards exist unless properly protected.

6.12.1 Definitions and General Requirements

- Risk Level 1: Risk Level 1 shall consist of job duties that involve conditions that present a high degree of potential foot hazards, including, but not limited to, working on uneven and slippery surfaces, handling heavy objects, equipment, or tools potentially causing injuries from crushing or penetrating actions.

A steel toe safety shoe is required. Positions requiring Risk Level 1 safety footwear are as follows: Senior Field Customer Care Representative, Field Customer Care Representative I/II, Plant Operator I/II/III, Maintenance Worker I/II, Operations Manager, Operations Technician I/II/III, Electrician I/II/III, SCADA Technician I/II, Construction Inspector I/II/III, Operations Supervisor – Construction, Maintenance, Purchasing Technician, Service Worker III - Foreman, Service Worker I/II and Facilities Manager.

- Risk Level 2: Risk Level 2 shall consist of job duties that involve conditions that present a lesser degree of foot hazard risk potential than Risk Level 1, including, but not limited to, working on uneven surfaces, handling light objects, equipment, or tools with no exposure to crushing or penetrating actions.

An appropriate work shoe or boot is required when performing duties that present Risk Level 2 conditions. Positions that may at times require Risk Level 2 safety footwear are as follow: General Manger, Assistant General Manager, Executive Assistant, Management Analyst, Human Resources Director, Public Affairs Director, Water Use Efficiency Specialist I/II, Resource and Analytics Director, Information Technology Manager, Information Technology Technician I/II, Finance Manager/CFO, Customer Care Supervisor, Senior Customer Care Representative, Customer Care Representative I/II, Accounting Supervisor, Accounting Technician, Accounting Assistant I/II, Operations Manager, Water Quality Supervisor, Lab Analyst I/II, Administrative Technician, Engineering Manager, Project Manager, Cross Connection Technician, Engineering Technician I/II, Facilities Manager, Engineering Technician/Grant Writer.

- Fair wear and tear – A determination that shoe wear has deteriorated to the point that replacement is necessary shall be made by the appropriate supervisor pursuant to Section 6.12.2 of this Policy.

Note: An evaluation is also made if shoes have been used properly.

Note: Non-skid protection applies in Level 1 and Level 2 categories for exposure to slippery work surface conditions.

6.12.2 General Information

The District will provide safety shoes to an employee based upon “fair wear and tear” of existing shoes to a maximum cost of \$175.00 per year for each employee determined to be exposed to Risk Level 1-foot hazard. Except in unusual circumstances, safety shoes will not be purchased for an employee more frequently than once each calendar year.

- The cost of the Risk Level 1 safety shoe purchased in excess of the maximum of \$175.00 will be the responsibility of the employee.
- All Risk Level 1 safety shoes must meet I/75, C/75, or EH ratings and bear the official stamp of approval from the American Society for Testing and Materials (ASTM). I/75 rated footwear will protect the toes from an impact of up to 75 pounds. C/75 rated footwear will protect the toes from compressive loads up to 2,500 pounds. EH (Electrical Hazard) footwear is designed for employees who work around heavy-duty electrical equipment, live wires and circuits, and energized conductors and include soles and heels that dispel electricity in case of electrical shortage or shock.
- When performing duties that are within Risk Level 1 or Risk Level 2, no tennis shoes, cowboy boots, slip-on boot or other non-safety shoe styles will be allowed.
- A 6” minimum high-top shoe, for jobs involving uneven ground assignments, and a low quarter shoe, for jobs involving more even ground assignments will be the standard acceptable under this Policy.
- Risk level requirement determinations and fair wear and tear evaluations will be made by the Department Manager, Supervisor, or Lead Worker of the subject employee.

Employees determined to be exposed to Risk Level 2-foot hazards will provide their own suitable work shoes.

6.12.3 Procedure

- Each Department Manager will establish a list of employees needing Risk Level 1 safety shoes, in compliance with the Policy.
- In accordance with the above guidelines, Risk Level 1 safety shoes will be provided. If shoes have worn, each Department Manager or Supervisor will evaluate new safety shoe requests determining if resoling and/or re-heeling is appropriate. If so, the employee will be directed to have the shoes repaired and return the repair receipt for reimbursement up to a maximum dollar amount of \$40.00.

- When new safety shoes are purchased, the authorized supervisor of the requesting employee will verify by his/her signature on the Safety Footwear Policy Reimbursement Form the following points:
 - The employee is eligible to receive shoes.
 - The safety shoe style is appropriate for the work performed.
 - The safety shoe meets I/75, C/75, or EH ratings and bears the official stamp of approval from the American Society for Testing and Materials (ASTM).
- The employee is responsible for selecting the correct shoe in compliance with this policy and will pay for any incurred costs/subsequent shoe purchases over the maximum allowance at the time of the transaction with the vendor.
- After the employee obtains the correct shoe, the Department Manager, Supervisor, or will verify that the shoe is in compliance.
- After verification of compliance, the employee will turn in the original receipt to the Department Manager, Supervisor, or for attachment to the Safety Footwear Policy Reimbursement Form.
- The Department Manager or Supervisor will forward the Safety Footwear Policy Reimbursement Form and original receipt from the employee to the accounting department for reimbursement to the employee on a non-tax basis up to the maximum amount of \$175.00.

6.12.4 Enforcement

The Department Manager or Supervisor will enforce employee compliance with the program through a daily inspection as employees will not be allowed to work without wearing the appropriate shoe. Employees not complying with this Policy will be sent home without pay to dress according to Policy.

All safety shoes/boots will be purchased by employees during their own time. No employee shall be allowed to purchase safety shoes while on duty.

All safety shoes/boots purchased under this Policy are to be used during work hours and are encouraged to be stored in District-provided lockers.

Employee Responsibility for Maintenance and Replacement Intervals for Safety Footwear: Replacement of lost or damaged shoes will not be reimbursed unless the employee can show reasonable cause for loss or damage. Employees are responsible for maintaining and safekeeping their safety footwear in such a manner that it is usable for at least one (1) year. Alternative rubber work boots must be worn when deemed appropriate. All premature, unusual wear, or damage must be reported to the Supervisor or Senior Service Worker. If extreme conditions exist for premature wearing of shoes, the employee must notify the Supervisor or Senior Service Worker immediately. The Supervisor, up to the Department Manager, will investigate the situation and determine appropriate action to address and/or correct the problem.

6.13 SECURITY

Security is important to everyone. Employees are asked not to discuss the security of the District's premises or services with any individual not employed by the District. Additionally, neither the District nor its insurance carriers take any liability for employee's personal belongings. Employees are encouraged to secure personal belongings to the best of their ability.

The buildings are secured with electronic keypads for access before and after hours. Employees will be given a confidential code, not to be shared with anyone. Additionally, the district utilizes access card throughout the buildings. Access cards should not be shared.

Since the District retains the right to search its property or facilities at any time (including employee-assigned desks, files and computer systems), if employees have anything of a private nature that you wish not to be subjected to discovery during such searches, these items should be kept in a personal briefcase, purse or lunch bag.

6.14 CHILDREN AT WORK

In the event of an "emergency situation" where an employee would find it necessary to bring their child to the workplace, the District will deem this acceptable under the following circumstances:

- The event must be an emergency, (i.e., not a scheduled day off from school, choice of not hiring a baby-sitter) a rare, unusual, and infrequent event.
- You must get prior approval from your supervisor.
- Your child must not be disruptive. If this occurs, you and your child will be asked to leave immediately.
- This should not be a "social event". Your child should be situated in a quiet, out-of-the way place, such as an unused break or conference room.
- Your child must not interfere with your job or your co-workers.

The District prefers that children not be brought to the office in lieu of childcare.

Section 7 EXPENSE REIMBURSEMENT

7.1 CREDIT CARD USE

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

- No personal items may be charged on the District's credit card;
- All charges must be in line with District travel guidelines and policies, or as otherwise approved by management; and
- Receipts must be submitted to the Finance Director with the approved travel expense report, expense claims reimbursement form or the charge card request/authorization form within one week of making the charge.

7.2 EMPLOYEE INCURRED EXPENSES

Expenses which are incurred by employees for District purposes, will be reimbursed through normal accounting procedures after an employee completes and submits an expense report. All expenses must be approved in advance by the employee's supervisor before submitting to the Finance Department for reimbursement.

7.3 MILEAGE

The mileage reimbursement rate to operate privately-owned vehicles used on District business, including attendance at meetings or conferences, will be the allowable IRS rate in effect at the time the expense is incurred. The mileage distance subject to reimbursement should be calculated based on the actual miles traveled. Any employee incurring out-of-pocket expenses due to traffic accidents while on District business (i.e. deductibles), may, in the sole discretion of the District, be reimbursed by the District.

Employees driving private vehicles on District business will be required to attend a defensive driving class every four years and from time to time, to have your driving records reviewed. In addition, you are required to provide the District with proof of insurance coverage for your personal vehicle.

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

7.4 AIR TRAVEL

When appropriate and approved by management, employees may make their own travel arrangements when traveling on District business.

Employees make their own reservations either by going on-line or calling associated airlines.

Employees are expected to get the least expensive flight; however, refundable tickets should be purchased. First class travel is prohibited unless there is no other alternative available and the travel on that particular flight is absolutely necessary. Although not a requirement to take flights with "abnormal schedules" or to stay over a Saturday, the District will reimburse the additional expenses if you choose to do so for cost saving purposes and in doing so it is cost efficient to the district.

7.5 CAR RENTALS

The District's policy allows employees to rent a mid-size automobile. Contact automobile rental locations for reservations by using online or telephone services.

When renting a car on District business, use the District's Cal Card. Inquire with the department manager before traveling if additional car rental loss and damage coverage should be obtained.

7.6 MEALS

The following guidelines should be used for reimbursement of meals while traveling on District business. Special circumstances will be required to justify reimbursement for amounts above the following:

	Partial Day	Full Day
Breakfast	\$15.00	\$75.00
Lunch	\$20.00	
Dinner	\$40.00	

In order to be eligible for meal reimbursement, the following criteria must be met:

- For Breakfast - you must have started traveling prior to your normal shift start time or have stayed overnight.
- For Lunch - you must have started traveling prior to 11 a.m. or have stayed overnight. If the travel ends prior to noon, lunch expenses will not be eligible for reimbursement.
- For Dinner - you must have started traveling prior to 4 p.m. or have stayed overnight. If the travel ends prior to 6 p.m., dinner expenses will not be eligible for reimbursement.

7.7 LODGING

The reimbursement rate should not exceed the published conference rates for lodging unless the conference hotels are completely full. Then, choose a hotel with comparable lodging costs.

Hotels may be utilized if training is over one-hour commute or 60 miles from the District. This applies to both District sponsored training and education reimbursement eligible training. For educational reimbursement eligible training, the cost of meals and lodging will be deducted from the employee's educational reimbursement allowance.

7.8 PHONE

Employees who qualify for cell phone stipends will not be reimbursed for additional phone expenses. Employees not receiving cell phone stipends and traveling on District business will be reimbursed for up to 10 minutes every other night for necessary personal calls using their personal cellular phone. Managers and supervisors may not use cell phones to conduct

business with non-exempt employees who are not receiving a cell phone stipend and may not ask those employees to utilize their cell phones for District business.

7.9 PARKING

Airport parking shall be reimbursed as District travel.

7.10 EXPENSE REPORTS

Expense reports must be turned into the Finance Department within one (1) week of returning to the District office. Reimbursement for expenses will appear on the next scheduled paycheck.

7.11 TRAVEL TIME

Employees in positions classified as non-exempt under the Fair Labor Standards Act are eligible for compensation for the time they spend traveling during non-work hours. The compensation an employee receives depends upon the kind of travel and whether the travel time takes place within normal work hours or outside of normal work hours.

“Travel time” is defined as Time to and from the conference/meeting minus normal commute time. If an employee is traveling to a location, then the destination is either the hotel or the work site. Travel between home and work is considered normal commuting time and is not eligible for compensation.

Before planning any travel for which compensation may be payable by the District, an employee shall obtain approval from his or her department manager or, if applicable, the General Manager with respect to the necessary travel arrangements and compensation issues. Any portion of authorized travel time (with the exception of driving time) that takes place outside of normal work hours is considered to be outside travel hours that are subject to compensation for non-exempt employees. When non-exempt staff are required to travel outside of normal work hours, he/she/they will be compensated for that portion of travel time that takes place outside of normal work hours at his/her regular hourly rate. Travel hours are not factored into overtime calculations. If you are transporting others to an event in a District Vehicle your hours will not be considered travel time and will be entered on your timesheet as regular work hours and therefore counted in overtime calculations.

Please use a District vehicle to attend off site events while on District business. If you are using your education reimbursement to attend a class/event/seminar/conference, you will not be paid for your travel time and all expenses must be submitted on your education reimbursement form. This includes all continuing education classes for certifications.

Section 8 SOCIAL MEDIA AND INFORMATION TECHNOLOGY POLICY

8.1 NON-DISTRICT USE OF SOCIAL MEDIA POLICY

The District has a business need to enhance traditional communication methods with the use of social media. The District operates and maintains its social media sites as a public service to provide information about District programs services, projects, issues, events, highlights and activities.

The District views social media, such as web-based discussion or conversation pages, and other forms of social networking, such as Facebook, LinkedIn, Nextdoor, Twitter, blogs etc., as significant forms of public communication. As such, all District employees, interns and temporary staff who engage in social networking are held to the same standards that apply to any public communications. Therefore, all employees have an obligation to the District to ensure that any public communication they make, including social networking communications, must not negatively impact the reputation of the District or bring disrepute in any way to the District, fellow employees, its partners, customers, suppliers, etc. Further, only a select group of employees are authorized to publicly speak on behalf of the District such as the Public Affairs Department, General Manager and Assistant General Manager. Violations of this policy will result in discipline, which may include termination, depending on the severity of the situation and its impact on the District.

Employment with the District is public record. Employees should be mindful that whenever District business is discussed online, whether in a personal or professional capacity, one's comments could be tied back to employment with the District. This policy, however, is not meant to prevent an employee from exercising his or her right to freedom of expression.

Employees, interns and temporary staff may not engage in social networking during work hours unless authorized in advance by the Public Affairs Department. Employees should not use District email address when using social media in personal capacities. For example, do not create a personal Facebook or Twitter account using your .org email address. Identified below are general guidelines and examples of prohibited communications.

Please note that this list shows examples only and is not intended to be, nor is it, an exhaustive list of prohibited communications. The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy. Where no policy or guideline exists, employees should use their professional judgment and take the most prudent action possible. Consult with the Public Affairs staff if you have any questions.

GUIDELINES AND EXAMPLES OF PROHIBITED COMMUNICATIONS

- Should an employee identify themselves as a District employee when conducting personal social media activities, employee shall state in their personal profile that one's

comments are not representative of the District. Make your writing clear that you are not speaking on behalf of the District.

- Do not mention District employees or customers without their expressed consent. Information published on social networks or blogs should be approved by the District's Public Affairs Department.
- You may not use the District's logo on your posts unless given written consent by the General Manager. Respect copyright laws, and reference or cite sources appropriately.
- You are responsible for what is written or presented on your social media profiles, regardless of if you posted or someone else posted it.
- Do not link to the District's website, or post District material on social media sites without written permission.
- All policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, non-competition, protecting confidential and/or proprietary information.

Employees are encouraged to report violations of this policy. The District prohibits retaliation against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Where applicable, the District complies with state laws concerning access to an employee's personal social networking account, including California Labor Code Section 980, and restrictions concerning employer requests for an employee's username and/or password.

Violation of this policy may lead to discipline up to and including termination.

8.2 INFORMATION AND COMMUNICATION TECHNOLOGIES

Information and Communication Technologies are a valuable and necessary resource in the workplace both in terms of efficient sharing of information among District personnel and in terms of providing quality service and access to the District's customers. The District provides its personnel with computer hardware, software, licenses, and internet access along with various communication devices and technologies to aid them in their work. Information and Communications Technologies, however, must always be used in compliance with applicable statutes, ordinances, regulations, policies and rules, including those that require a work environment free from unlawful discrimination, harassment, retaliation and threats of physical or mental harm or misconduct amounting to same. District personnel are expected to use common sense and judgment to not engage in any conduct that is disrespectful or offensive to others or that is unlawful. This Employee Handbook establishes rules for use of Information and Communications Technologies by District personnel. District personnel may be subject to disciplinary action for using Information and Communications Technologies in a manner that is in violation of this Employee Handbook.

"Information and Communications Technologies" includes, but is not limited to, computer systems and equipment, computer software and applications, copiers, printers, fax machines, phone systems and services, cellular phones, personal digital assistants, handheld computers,

paggers, radio systems and services, and all other electronic devices and means of electronic communication, that are owned, leased, rented, or borrowed by the District, or such equipment that is owned, leased, rented, or borrowed by District personnel when used during the course and scope of employment.

EMPLOYEE PRIVACY

On occasion, the District may need to access its Information and Communications Technologies including computer files, email messages, and voice mail messages. In addition, should the District become engaged in a matter of litigation, use of the District's Information and Communications Technologies and the content of the communications therein are subject to discovery by opposing parties on the same basis as correspondence or internal memos. Such communications may also constitute "records" within the meaning of the California Public Records Act and may be subject to public disclosure. You should therefore understand that you have no right of privacy with respect to any messages or information created or maintained on the District's Information and Communications Technologies, including personal information or messages. The District may, at its discretion, inspect all files or messages on its Information and Communications Technologies at any time for any reason. The District may also monitor its Information and Communications Technologies at any time in order to determine compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information, or for any other business purpose.

Deleting or erasing information, documents, or messages maintained on Information and Communications Technologies is, in most cases, ineffective. You should understand that any information kept on Information and Communications Technologies may be electronically recalled or recreated regardless of whether it may have been "deleted" or "erased" by you. Because the District periodically backs-up all files and messages, and because of the way in which computers re-use file storage space, files and messages may exist that are thought to have been deleted or erased. Therefore, those who delete, or erase information or messages should not assume that such information or messages are confidential.

PASSWORDS

Certain Information and Communications Technologies can be accessed only by entering a password. Passwords are intended to prevent unauthorized access to information. Passwords do not confer any right of privacy upon you. Thus, even though you may maintain passwords for accessing Information and Communications Technologies, you must not expect that any information maintained on Information and Communications Technologies, including email and voicemail messages and internet use history, are private. You are expected to maintain your passwords as confidential. You must not share passwords and must not access coworkers' systems without express authorization.

The District has the ability to access any information maintained on Information and Communications Technologies, including email and voicemail messages and internet use history. However, the District does not store or require password information from its employees.

TELEPHONE CALLS

The District understands that you may need to speak with your family or tend to non-business activities at times, but requests cooperation in keeping personal calls/texts to reasonable levels. In the event you must make long distance calls, you will be expected to reimburse the District for those calls. You are encouraged to use personal phone cards if available. Please note all phone calls should be considered public information and subject to surveillance. Any confidential calls should be conducted elsewhere. All communication can be disclosed to law enforcement or other third parties without prior consent of the sender and/or receiver. Please restrict personal cell phone usage to work breaks except in emergencies.

VOICE MAIL

The phone system is equipped with a very efficient and easy to use voice mail system. Try to leave a message if you are going to be out of the office.

EMAIL/FAX

Prohibited conduct; system security

Sending unsolicited e-mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (e-mail spam) is prohibited.

Unauthorized use, or forging, of e-mail header information is prohibited. Intentionally reading or disclosing the content of e-mail that was not directed to the employee is prohibited.

Attorney-client privileged communications

Some messages sent, received, or stored on the District's electronic mail system may constitute confidential, privileged communications between the District and its legal counsel. Upon receipt of a message either from or to legal counsel, employees shall not forward it to anyone without legal counsel's or the General Manager's authorization. The text portion of such messages should always begin with the wording "Confidential. Not Open to Public Inspection. Attorney- Client Privileged Communication."

Due to the security risks involved, employees should avoid emailing any confidential information. Instead, an employee should consider writing a letter, memorandum or placing a telephone call if the employee needs to exchange confidential information.

Further, except for the right of the District to access voicemail and e-mail messages, all messages sent by voicemail and e-mail are considered to be confidential and, as such, are to be accessed only by the addressed recipient or at the direction of the addressed recipient. Should it become necessary, information or messages contained in the voicemail or e-mail systems will be revealed only to authorized personnel and disclosed on a need-to-know basis.

Brown Act Compliance

E-mail messages sent to a quorum of the District Board or other District legislative body, commission, board or committee subject to the Brown Act, should be of an informational

nature only and should not solicit feedback or encourage separate communication amongst a quorum. Recipients of said e-mails, shall not “reply-all” to e-mails with any correspondence which would otherwise require public notice requirements.

Electronic mail retention and destruction

Retention of electronic mail fills up large amounts of storage space and significantly slows the performance of the District’s computer network. Therefore, the District requires its employees to promptly delete any non- record messages they have been sent or received that no longer require action or are not necessary to an ongoing project. Employees in possession of electronic mail messages that qualify as “public records” under the California Public Records Act must transfer said information to a paper format and file it in an appropriate subject or project file. Examples of the types of items which are not normally classified as public records are:

- Reference material
- Informal notes
- Preliminary drafts
- Interagency or intra-agency memorandum that are not customarily retained by the public agency in the ordinary course of business
- Copies of information/data retained in another location or format or storage medium

Employees must limit the storage of their electronic mail to the maximum set forth by their department for their position and follow the best electronic message storage management practices set forth by the Information Technology Department.

Non-exempt employees are not authorized to access District emails on their personal devices after or before their scheduled shifts unless required by their job description. If required, they must report this time on their timesheet. Any overtime must be authorized by the employee’s manager or supervisor.

8.3 USE OF THE DISTRICT’S INTERNET AND SOCIAL MEDIA

GENERAL POLICY:

The District provides Internet connections only for business-related use, and only in other limited circumstances, as set forth in this policy.

In keeping with the purpose of the objectives of this policy, any individual who uses the District’s internet and social media resources must do so in a professional and appropriate manner. Particular attention should be given to issues involving the use of the Internet and awareness that information posted on commercial on-line systems or the Internet creates the potential for broad distribution of and access to such information. Employees should understand it is not possible to guarantee complete security of electronic communications

either within or outside the District, so it is important that they exercise care when sending or receiving sensitive, privileged, proprietary or confidential information.

It may not be possible to identify every standard and rule applicable to the use of electronic media resources. Employees are therefore encouraged to utilize sound judgment whenever using any feature of the District's internet and social media resources. In order to offer employees some guidance, the following principles and standards should be clearly understood and followed.

GENERAL USE GUIDELINES

Employees and other authorized persons may be granted access to the District's internet and social media in order to perform their job duties. Such access is discretionary on the part of the District and may be revoked at any time for any reason.

The District reserves the right to audit networks or any other Information Technology or Electronic Service on a periodic basis to ensure compliance with this policy.

Each employee shall be aware that all Electronic Services, including Internet and Intranet activity, may be subject to discovery orders in litigation matters and/or publicly produced.

All Electronic Information sent to, received from, created on or stored on any Information Technology or utilizing any Electronic Service is the property of the District.

Each employee utilizing the District's Internet access, or any other Electronic Service, shall identify himself or herself honestly, accurately, and completely when using Information Technology.

UNACCEPTABLE USE

The appropriate use of the Internet is for gathering information needed to conduct District business. However, accessing the Internet and "surfing the web" can be very addictive and time consuming. Accordingly, employees shall avoid using the Internet for matters not related to District business. Also, while the Internet is sometimes the fastest and most effective means by which to obtain information, it is important to check the date and authenticity of the information collected.

Further, good judgment and common sense always prevail regarding the appropriate use of the District's Internet connection. Under this standard, it is not possible to list all the allowed and prohibited uses of the District's Internet connection, other Electronic Services or Information Technology.

Under no circumstances is an employee authorized to engage in any activity that is illegal under local, state or federal law while utilizing District- owned resources, including Information Technology or Electronic Services. The following list is an attempt to provide a framework for activities which fall into the category of unacceptable use but is not intended as an exhaustive list.

- The unauthorized sending of protected or confidential information via e-mail, texting or Internet/Intranet/Extranet, or other Electronic Service, is prohibited.
- Employees shall not use the e-mail system, texting or other Electronic Service, for the distribution of computer games or other computer novelty items.
- Employees shall not compromise the integrity of the District and its business operation in any way, including misrepresenting the position or viewpoint of the District.
- Employees may not violate software licensing or copyright laws. No employee may use Electronic Services or Information Technology to knowingly download or distribute pirated software or data. Any software or files downloaded via the Internet may be used only in ways that are consistent with their licenses or copyrights.
- Offensive content may not be accessed, displayed, archived, stored, distributed, edited, or recorded using Electronic Services or Information Technology, including District network, printing, or computing resources. Offensive content includes, but is not limited to, pornography, sexual comments or images, profanity, racial slurs, gender-specific comments, or any content that can reasonably offend someone on the basis of sex, race, color, religion, national origin, age, sexual orientation, gender identity, mental or physical disability, veteran status or any protected status of an individual. Any content that may be interpreted as libelous, defamatory or slanderous is also prohibited.
- Access to the District Internet/Intranet/Extranet, shall not be used in violation of the District's equal employment opportunity policy, sexual harassment policy, or any other applicable policy.
- Access to Electronic Services, including the District Internet/Intranet/Extranet, shall not be used to conduct personal business, play computer games, gamble, run a business, conduct political campaigns (supporting or opposing) of candidates or elected offices, for personal gain, promote or oppose religious beliefs, or to take part in any prohibited or illegal activity.
- Uploading, downloading, or installing software, including screensavers, is prohibited unless it is related to the employee's official assignments and/or job responsibilities, and appropriate authorization has been obtained. Illegally downloading, streaming (e.g., listening to music provided by an Internet radio station but not downloading the information) or otherwise copying any software is strictly prohibited.
- Downloading any software, electronic files, or other Electronic Information without District installed virus protection measures is prohibited. Further, no employee shall tamper with District-installed programs on any Information Technology.
- Intentionally interfering with the normal operation of the District's internet gateway is prohibited.
- Altering the settings of, removing or disabling any software installed by the District without prior authorization is prohibited.

- Accessing data stored on the District’s computer equipment from outside the District (e.g., accessing records from a home computer), unless expressly authorized by the District in advance is prohibited.

PROHIBITION AGAINST HARASSMENT AND DISCRIMINATION

The District maintains strict policies against unlawful discrimination and harassment based on any characteristic protected by state or federal law, including sexual harassment. These anti-discrimination and anti-harassment policies apply to all employee conduct and extend to the use of the District’s Information Technology and Electronic Services, including but not limited to the use of computers, the Internet and any component of the communications systems. For example, the District strictly prohibits the use of electronic media resources to send or deliver a message or information that is either harassing or offensive on the basis of any legally protected characteristic, such as age, race, national origin, ancestry, color, religion, sex, gender, gender identity, gender expression, sexual orientation, genetic information, marital status, military and veteran status, physical or mental disability or medical condition. This includes off-color, sexual or offensive information that involves or relates to such legally protected characteristics.

Any employee who uses any electronic media resource will therefore be subject to disciplinary action, including the possibility of immediate termination, for use of such a resource in a manner that violates the District’s anti-discrimination policies or commitment to equal employment opportunity. This includes, as an example, using the electronic media resource to transmit, communicate or post personal opinions of a discriminatory nature.

DISTRICT MONITORING OF INTERNET USAGE

Expanded URL monitoring:

The IT Division shall monitor the “Top 25 URL locations” visited to proactively identify questionable sites visited by District employees. The District shall periodically review those monitoring reports.

Standard access:

The lowest level-filtering category shall be named “Standard Access.” All employees will have their Internet access set at "Standard" Internet filtering unless elevated by District management, via a form from the staff member through their department supervisor listing specific sites and/or filtered categories with the recommendation of the department manager.

“Work period” and “personal period” time settings shall be established during the employee lunch break period. The default time period shall be set at 11:30 AM - 1:30 PM. Limited before and after work access may also be authorized.

Enhanced access:

A filtering category of enhanced access will be created to provide a common set of tools and sites for staff members whose jobs require frequent Internet access.

Definition of excessive, unauthorized Internet use:

Evidence of potential excessive Internet access arises whenever an employee visits one or more URLs that are either (1) prohibited by District policy, or (2) without clear business purpose to such an extent that the total visits by the employee to the URL(s) resulted in the URL(s) being tabulated as among the top 25 "most frequently visited URLs" in the reporting period.

Internet access usage investigation protocol:

It is the responsibility of the employee's department to investigate any cases of potentially excessive, unauthorized Internet use.

Where abuse occurs, a department shall uniformly apply principles of progressive discipline. Counseling is the least amount of discipline that should be applied for an initial violation.

Depending on the severity of the misuse, its timing (work time or not) or whether it is repeated, more serious forms of discipline ("up to and including dismissal") shall be applied on a case-by-case basis.

At least temporary loss of Internet privileges should be applied in almost all cases of prima facie excessive, unauthorized use. Absent a compelling case that the employee or his/her supervisor could not perform a significant, ongoing job responsibility, Internet privileges shall be terminated during the investigation period upon consultation with the employee's department director or manager. Privileges shall be reinstated only upon the request of the department manager and only then following a review of the District's best interests.

Reinstatement of privileges may be accompanied by restricting employees to only "authorized" Web sites ("Standard Access" or an appropriate modification thereof

Attached hereto as an Appendix and incorporated herein by this reference, are Operational Directives established by the District's Information Technology Department to govern the use of the District's information technology. To the extent that the foregoing e-mail and internet and social media usage policies conflict with any provision in the Information Technology Directives Appendix, the provisions of those foregoing policies shall control.

Incidental Personal Use Of Technologies

While the District's Information and Communications Technologies are intended for business-related purposes, it is permissible, where specifically authorized, to use them for incidental personal purposes. Access by employees shall be limited to a reasonable amount of time, as established by the employee's department head and supervisor, and shall not interfere with the employee's performance of his/her/their duties. Employee personal use shall not consume significant amounts of time, shall not distract other employees, shall not potentially cause discredit to the District, shall not result in personal profit or gain, shall not violate any law or District policy and shall be done in a professional and courteous manner. Mass communications, such as those sent to "All Users," shall not be sent for personal use. In

addition to the criteria above, employees shall be aware that they are responsible for exercising good judgment regarding the reasonableness of personal use. Please note all use of and information stored in the District's Information and Communications Technologies should be considered public information and subject to surveillance.

USE OF ENCRYPTION SOFTWARE OR DEVICES PROHIBITED

The use of encryption software or encryption devices of any kind on the District's Information and Communication Technologies without prior, written approval by the IT Manager is prohibited. All requests to use encryption devices or encryption software shall be submitted in writing to the IT Manager for review and approval.

ENFORCEMENT

Management and supervisors are responsible for enforcement of this policy. The District will review all alleged violations of this policy on a case-by- case basis. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Section 9 APPENDICES

APPENDIX ONE: INFORMATION TECHNOLOGY DEPARTMENT DIRECTIVES EMAIL SYSTEMS AND RESOURCES

PURPOSE

The purpose is to document existing practices regarding usage of District's E-mail systems and resources.

SCOPE

The scope of this policy includes all users who have, or are responsible for, the receiving and sending of e-mail at the District.

POLICY

NO EXPECTATION OF PRIVACY; PROHIBITED CONDUCT; SYSTEM SECURITY

The District respects the individual privacy of its employees. However, an employee cannot expect privacy rights to extend to work-related conduct or the use of District owned equipment or supplies. Consequently, system users shall have no reasonable expectation of privacy in communications sent over e-mail. These communications are not confidential, and management reserves the right to access or disclose private electronic messages or the files of an employee for any valid business purpose without the employee's permission or knowledge. Employees hereby acknowledge that messages may be read by someone other than their intended addressee or may have to be disclosed to outside parties or a court in connection with litigation or public records requests.

Accordingly, employees must take care to ensure that their messages are courteous, professional and business-like. Use of e-mail to engage in any communications that are in violation of District policy, including, but not limited to the transmission of defamatory, obscene, offensive or harassing messages or messages that disclose personal information without authorization, is prohibited. Electronic mail is intended for the business use of the addressee, and any unauthorized monitoring or accessing of these communications addressed to another person is a violation of this policy.

INCIDENTAL PERSONAL USE

While the District's systems are intended for business-related purposes, it is permissible, where specifically authorized, to use them for incidental personal purposes, in much the same manner the telephone may be used when necessary. Access by employees shall be limited to a reasonable amount of time, as established by the employee's department head and supervisor.

Your communications should be brief and not require any substantial expenditures of time. They are not to include any uses for profit (such as Tupperware, Girl Scout Cookies (a non-profit organization), personal fund- raisers, etc.) or any use that would otherwise violate the law or any District policy. Mass communications, such as those sent to "All Users," shall not be sent for personal use.

ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS

Some messages sent, received, or stored on the District electronic mail system may constitute confidential, privileged communications between the District and its legal counsel. Upon receipt of a message either from or to legal counsel, employees shall not forward it to anyone without legal counsel's authorization. The text portion of such messages should always begin with the wording "Confidential. Not Open to Public Inspection. Attorney- Client Privileged Communication."

ELECTRONIC MAIL RETENTION AND DESTRUCTION

Retention of electronic mail fills up large amounts of storage space and significantly slows the performance of the network. Therefore, the District requires its employees to promptly delete any non-record messages they have been sent or received that no longer require action or are not necessary to an ongoing project.

Employees in possession of electronic mail messages that qualify as "public records" under the California Public Records Act must transfer said information to a paper format and file it in an appropriate subject or project file. Examples of the types of items which are not normally classified as public records are:

- Reference material
- Informal notes
- Preliminary drafts
- Interagency or intra-agency memoranda that are not customarily retained by the public agency in the ordinary course of business
- Copies of information/data retained in another location or format or storage medium

Employees must limit the storage of their electronic mail to the maximum set forth by their department for their position and follow the best electronic message storage management practices set forth by the Information Technology Department.

ENFORCEMENT

All users must read and sign the District's Electronic Mail Use, Voice Mail, and Internet Policy as part of the PWD Employee Manual.

Any user found to have violated this policy may be subject to disciplinary action in accordance with the District's Employee Handbook, up to and including termination of employment.

APPENDIX TWO: INFORMATION TECHNOLOGY DEPARTMENT INTERNET DIRECTIVES

PURPOSE

The purpose is to document existing practices regarding usage of Internet systems and resources. The Internet usage policy was established by the District.

SCOPE

The scope of this policy includes all users who have or are responsible for Internet access on any system that resides at any District facility.

POLICY

Accountability: Department managers and supervisors are accountable for Web access by their staff members.

Expanded URL monitoring: The IT Division shall monitor the "Top 25 URL locations" visited to proactively identify questionable sites. Said monitoring reports shall be generated on a monthly basis and will be reviewed by the District IT Manager.

Incidental personal use: Employees may occasionally use District email and Internet resources during breaks for personal use, provided such use does not interfere with job performance, consume significant amounts of time, distract other employees, does not potentially cause discredit to the District, does not result in personal profit or gain, and is done in a professional and courteous manner.

STANDARD ACCESS

The lowest level-filtering category shall be named "Standard Access."

All employees shall have their Internet access set at "Standard" Internet filtering unless elevated by the District Information Technology Manager, or designated representative, via a form or email from the staff member through their department supervisor listing specific sites and/or filtered categories with the recommendation and approval of the department manager.

"Work period" and "personal period" time settings shall be established during the employee lunch break period. The default time period shall be set at 11:30 AM - 1:30 PM. Limited before and after work access may also be authorized.

ENHANCED ACCESS

A filtering category of enhanced access will be created to provide a common set of tools and sites for staff members whose jobs require frequent Internet access to sites blocked by the Standard Access level.

Definition of excessive, unauthorized Internet use:

Evidence of potential excessive Internet access arises whenever an employee visits one or more URLs that are either (1) prohibited by District policy or (2) without clear business purpose to such an extent that the total visits by the employee to the URL(s) resulted in the URL(s) being tabulated as among the top 25 "most frequently visited URLs" in the reporting period.

INTERNET ACCESS USAGE INVESTIGATION PROTOCOL:

- It is the responsibility of the employee's department manager to investigate any cases of potential excessive, unauthorized Internet use.
- Where abuse occurs, a department manager shall uniformly apply principles of progressive discipline. Counseling is the least amount of discipline that should be applied for an initial violation.
- Depending on the severity of the misuse, its timing (work time or not) or whether it is repeated, more serious forms of discipline ("up to and including dismissal") shall be applied on a case-by-case basis.
- At least temporary loss of Internet privileges should be applied in almost all cases of prima facie excessive, unauthorized use. Absent a compelling case that the employee or his/her supervisor could not perform a significant, ongoing job responsibility, Internet privileges shall be terminated during the investigation period upon consultation with the employee's department manager. Privileges shall be reinstated only upon the request of the department manager and only then following a review of "the best interests of the District."
- Reinstatement of privileges may be accompanied by restricting employees to only "authorized" Web sites ("Standard Access" or an appropriate modification thereof).

PASSES FOR SHORT-TERM INTERNET ACCESS:

One, two, three, five and up to 30-day-"filtered passes" may be authorized by email request by a department manager or designee to specific Web sites or access categories by the District Information Technology Department Manager based on agreed criteria (e.g., District Manager approval of passes in excess of five days); however, a random review of site visits shall be regularly conducted of employees who are issued "passes." Department heads or designee must sign-off on all "passes" with a copy filed with District Information Technology Department Manager. The IT Division shall keep a log of all passes issued.

DEPARTMENT INTERNET ACCESS DESIGNEE:

In order to provide a point of contact within each department for expanded, business-related Website access, a department manager may designate one or more department staff members to have rights to approve unblocking URLs.

USAGE MONITORING:

In addition to review following suspected cases of access misuse, users with expanded access rights shall be periodically monitored as to the URLs they visit.

District Manager approval: The District General Manager, Assistant General Manager, or IT Manager shall approve all filtering categories, including "Standard" and divisional access filtering categories.

ENFORCEMENT

All users must read and sign the District's Electronic Mail Use, Voice Mail, and Internet Policy.

Any user found to have violated this policy may be subject to disciplinary action in accordance with the District's Employee Handbook, up to and including termination of employment.

APPENDIX THREE: INFORMATION TECHNOLOGY DEPARTMENT DIRECTIVES CONTROLS FOR ESTABLISHING STRONG PASSWORDS

PURPOSE

The purpose of this policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change.

SCOPE

The scope of this policy includes all users who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any District facility that has access to the District network or stores any non-public District information.

POLICY GENERAL

1. Non-District users will not be granted network accounts without the prior written approval of the Information Technology Department Manager.
2. Users will be notified about security policies and their responsibilities before they are authorized for use of the system.
3. All users must have a unique user identification that identifies only one user and a personal secret password in order to gain access to every District multi-user computer and computer network.
4. Shared or group user ids are not permitted. Users will not disclose their network login IDs nor passwords to anyone. Requests for passwords should be directed to the IT Help Desk at extension 1094.
5. All system-level passwords (e.g., root, enable, network administration, application administration accounts, etc.) must be changed at least every 90 days.
6. All user-level passwords (e.g., email, web, desktop computer, etc.) must be changed at least every 90 days. Passwords must not be inserted into email messages or other forms of electronic communication.
7. All user-level and system-level passwords must conform to the guidelines described below.

GUIDELINES

General Password Construction Guidelines

- Poor, weak passwords have the following characteristics:

- The password contains less than eight characters
- The password is a common word found in a dictionary (English or foreign)
- The password is a common usage word such as:
 - Names of family, pets, friends, co-workers, fantasy characters, etc.
 - Computer terms and names, commands, sites, companies, hardware, software.
 - The words "Palmdale", "Water", "District", "PWD", or any derivation.
 - Birthdays and other personal information such as addresses and phone numbers
 - Word or number patterns like aaabbb, qwerty, zyxwvuts, 123321, etc.
 - Any of the above spelled backwards.
 - Any of the above preceded or followed by a digit (e.g., secret1, 1secret)
- Strong passwords have the following characteristics and contain characters from the following categories:
 - Uppercase characters (e.g. A through Z)
 - Lowercase characters (e.g. a through z)
 - Numeric digits (e.g. 0 through 9)
 - Special, non-alphabet characters (for example, !, \$, #, %)
 - Are at least eight alphanumeric characters long.
 - Is not a word or phrase in any language, slang, dialect, jargon, etc.
 - Are not based on personal information, names of family, etc.
- Passwords should never be written down or stored on-line.
- Try to create passwords that can be easily remembered. One way to do this is create a password or passphrase based on a song title, affirmation, or other phrase. For example, the phrase might be: "This May Be One Way to Remember" and the password could be: "TmB1w2R!" or "Tmb1W>r~" or some other variation. NOTE: Do not use these examples as passwords!
- All District passwords will be at least 8 characters long, contain a combination of alpha and numeric characters, and contain at least 1 special, non-alphabet character. An example would be Se(ur1+y NOTE: Do not use these examples as passwords!

PASSWORD PROTECTION STANDARDS

1. Do not use the same password for District accounts as for other non-District access (e.g., personal ISP account, option trading, benefits, etc.).
2. Do not share passwords with anyone, including administrative assistants or secretaries. All passwords are to be treated as sensitive, confidential District information.

3. If an account or password is suspected to have been compromised, report the incident to the IT Help Desk and change all passwords.
4. The IT Department or its delegates may perform password cracking or guessing on a periodic or random basis. If a password is guessed or cracked during one of these scans, the user will be required to change it.

Here is a list of "don'ts":

- Don't reveal a password over the phone to ANYONE.
- Don't reveal a password in an email message.
- Don't reveal a password to your boss, supervisor, co-worker, family, or friends.
- Don't talk about a password in front of others.
- Don't hint at the format of a password (e.g., "my family name").
- Don't reveal a password on questionnaires or security forms.
- Don't share a password with family members.
- Don't reveal a password to co-workers while on vacation.
- Don't write down a password and keep it within the general area of the computer.
- Don't use the "Remember Password" feature of applications (e.g., Edge, Chrome, Firefox, Outlook).

ACCOUNT AND PASSWORD GUIDELINES FOR NEW APPLICATIONS

New applications being considered for District implementation must adhere to the following security precautions.

Applications:

- Should support authentication of individual users.
- Should not store passwords in clear text or in any easily reversible form.
- Should provide for some sort of role management, such that one user can take over the functions of another without having to know the other's password.
- Should support TACACS+ , RADIUS and/or X.509 with LDAP security retrieval, wherever possible.

USE OF PASSWORDS AND PASS PHRASES FOR REMOTE ACCESS USERS

Access to the District Networks via remote access is to be controlled using either a one-time password authentication or a public/private key system with a strong passphrase.

PASS PHRASES

Pass phrases are generally used for public/private key authentication. A public/private key system defines a mathematical relationship between the public key that is known by all, and the private key, that is known only to the user. Without the passphrase to "unlock" the private key, the user cannot gain access.

Pass phrases are not the same as passwords. A pass phrase is a longer version of a password and is, therefore, more secure. A passphrase is typically composed of multiple words. Because of this, a passphrase is more secure against "dictionary attacks."

A good passphrase is relatively long and contains a combination of upper and lowercase letters and numeric and punctuation characters. An example of a good pass phrase:

"The*?#>*@TrafficOnThe101Was*&!#ThisMorning"

All of the rules above that apply to passwords apply to pass phrases.

ENFORCEMENT

All users must sign District Employee Handbook prior to being given a user id allowing access to District systems. Users will be notified about security policies and their responsibilities before they are authorized for use of the system.

Any user found to have violated this policy may be subject to disciplinary action in accordance with the District's Employee Handbook, up to and including termination of employment.

APPENDIX FOUR: INFORMATION TECHNOLOGY DEPARTMENT DIRECTIVES NETWORK ACCESS CONTROL

PURPOSE

The purpose of this policy is to define standards for connecting to the District's network from any host. These standards are designed to minimize the potential exposure to the District from damages that may result from unauthorized use of District resources. Damages include the loss of sensitive confidential data, intellectual property, damage to public image, damage to critical District internal systems, etc.

SCOPE

This policy applies to all District employees, contractors, vendors and agents with a District owned or personally owned computer or workstation used to connect to the District's network. This policy applies to remote access connections used to do work on behalf of the District, including reading or sending email and viewing intranet web resources by way of a dial in, VPN, or wireless connection.

Remote access implementations that are covered by this policy include, but are not limited to, dial-in modems, frame relay, ISDN, DSL, VPN, SSH, cable modems, etc.

POLICY GENERAL

1. The District utilizes a tiered network architecture to segregate and separate computing systems based on their design and production functions.
2. All internal access to external networks must occur through known and defined gateways.
3. General access to the Internet, for recreational use by immediate household members, through the District's network on personal computers is not permitted.
4. All external access to public servers must occur through known and defined gateways.
5. It is the responsibility of District employees, contractors, vendors and agents with remote access privileges to the District's network to ensure that their remote access connection is given the same consideration as the user's on-site connection to the District network.
6. Personal equipment that is used to connect to the District's networks must meet the requirements of District owned equipment for remote access.
7. All hosts or personal computers that are connected to the District's internal networks via remote access technologies must use the most up-to-date anti-virus, anti-malware, and anti-spyware software.

8. Secure remote access must be strictly controlled. Control will be enforced via one-time password authentication or passwords with strong pass-phrases. For information on creating a strong pass-phrase see the Strong Password Policy.
9. At no time should any District employee provide his or her login or email password for the District's network to anyone, not even family members. District employees and contractors with remote access privileges must ensure that their District owned or personal computer (when remotely connected to the District's network) is not simultaneously connected to any other network; with the exception of personal networks that are under the complete control of the user.
10. District employees and contractors with remote access privileges to the District's network must not use non-District email accounts (i.e., Hotmail, Yahoo, AOL), or other external resources to conduct District business, thereby ensuring that official business is never confused with personal business.
11. Reconfiguration of a home user's equipment for the purpose of split-tunneling or dual homing is not permitted at any time.

NETWORK ARCHITECTURE

Consist of three different kinds of nodes:

1. Clients
2. Application servers which process data for the clients
3. Database servers, which store data for the application servers
4. This configuration is called a three-tier architecture and is the most commonly used type of client-server architecture.

EXTERNAL ACCESS

All internal users (accessing external networks) must comply with District's usage guidelines. The guidelines are documented in District's Employee Handbook.

REQUESTING REMOTE ACCESS

All remote use by District users and vendors, require prior request to and authorization from the District's Information Technology Department Manager. Appropriate remote access privileges will be determined based on need.

Vendor requests for remote access to the District's network must also comply with the Extranet Connection Policy.

VPN REQUIREMENTS

1. When actively connected to the network, VPNs will force all traffic to and from the PC over the VPN tunnel: all other traffic will be dropped.
2. Dual (split) tunneling is NOT permitted; only one network connection is allowed.
3. VPN gateways will be set up and managed by the District's IT Department.

4. All computers connected to the District's internal networks via VPN or any other technology must use the most up-to-date anti-virus software that is the District standard.
5. VPN users will be automatically disconnected from the District's network after 60 minutes of inactivity. The user must then logon again to reconnect to the network. Pings or other artificial network processes are not to be used to keep the connection open.
6. The VPN concentrator is limited to an absolute connection time of 24 hours.
7. Users of computers that are not District owned equipment must configure the equipment to comply with District's VPN and Network policies.
8. Only District IT Department approved VPN clients may be used.
9. By using VPN technology with personal equipment, users must understand that their machines are a de facto extension of the District's network, and as such are subject to the same rules and regulations that apply to the District-owned equipment.

WIRELESS REQUIREMENTS

This policy covers all wireless data communication devices (e.g., personal computers, cellular phones, PDAs, etc.) connected to any of the District's internal networks. This includes any form of wireless communication device capable of transmitting packet data. Wireless Access Points that are connected to any of the District's internal networks is strictly forbidden. Wireless devices and/or networks without any connectivity to the District's networks do not fall under the purview of this policy.

To comply with this policy, wireless implementations must: Maintain point-to-point hardware encryption of at least 56 bits and maintain a hardware address that can be registered and tracked, i.e., a MAC address.

ENFORCEMENT

Any user found to have violated this policy may be subject to disciplinary action in accordance with the District's Employee Handbook, up to and including termination of employment.

DEFINITIONS

Term: Definition

Client-server: Computing architecture, which separates a client from a server, and is almost always implemented over a computer network. Each client or server connected to a network can also be referred to as a node.

Cable Modem: Cable companies such as AT&T Broadband provide Internet access over Cable TV coaxial cable. A cable modem accepts this coaxial cable and can receive data from the Internet at over 1.5 Mbps. Cable is currently available only in certain communities.

Dial-in Modem: A peripheral device that connects computers to each other for sending communications via the telephone lines. The modem modulates the digital data of computers

into analog signals to send over the telephone lines, then demodulates back into digital signals to be read by the computer on the other end; thus, the name "modem" for modulator/demodulator.

Dual Homing: Having concurrent connectivity to more than one network from a computer or network device. Examples include: Being logged into the District network via a local Ethernet connection, and dialing into AOL or another Internet service provider (ISP). Being on a District-provided Remote Access home network, and connecting to another network, such as a spouse's remote access. Configuring an ISDN router to dial into District and an ISP, depending on packet destination.

DSL: Digital Subscriber Line (DSL) is a form of high-speed Internet access competing with cable modems. DSL works over standard phone lines and supports data speeds of over 2 Mbps downstream (to the user) and slower speeds upstream (to the Internet).

Remote Access: Any access to District's network through a non- District controlled network, device, or medium.

Split-tunneling: Simultaneous direct access to a non- District network (such as the Internet, or a home network) from a remote device (PC, PDA, WAP phone, etc.) while connected into District's network via a VPN tunnel. VPN Virtual Private Network (VPN) is a method for accessing a remote network via "tunneling" through the Internet.

APPENDIX FIVE: INFORMATION TECHNOLOGY DEPARTMENT DIRECTIVES USER IDENTIFICATION AND PASSWORD CONTROL

PURPOSE

User Identification is one component of a conscientious information security policy for systems. It involves rules for granting access, and procedures for granting, changing and deleting access for users of a system. In addition, management of password practices is also a critical element for information security. Passwords are the keys that control system access. Adhering to secure password procedures will help reduce the compromise of user accounts on the District's systems.

SCOPE

The scope of this policy includes all users who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any District facility that has access to the District network or stores any non-public District information.

POLICY

User Identification

While the formality and numbers of people involved will vary, best practice in implementing a user identification program will include:

- 1) Develop an access policy and strategy for implementation.
 - a) Develop, approve and implement formal information access criteria.
 - b) Develop, approve and implement standard user access profiles based upon the system owner's information access criteria. Test each standard user profile before implementing into production. This ensures that the functionality of user access profile agrees with the system owner's access criteria.
 - c) Systems should be designed so that the default access is either NO ACCESS or the lowest level of access ever granted. This will help ensure that additional access privileges aren't given out inadvertently.
- 2) Procedures for granting new users access to the system.
 - a) Identify who should have access.
 - b) Identify what data the individual should see. For example: only data for a certain department or certain types of data (names and addresses but not salary).
 - c) Identify what the individual can do with the data. Access should be based on what is required for them to do their job. Some examples of things to consider:
 - d) Read only access versus ability to create or change.
 - e) Ability to create versus ability to approve.
 - f) Highly sensitive functions should be restricted to a few individuals.

- g) Ability to change some data but not all fields.
 - h) Who can approve requests for new users.
 - i) Ensure that each user access request is documented, validated and approved prior to be implemented.
1. Procedures for dealing with changes to access privileges.
 - a. Develop and have in place processes for requesting changes.
 - b. Approval for changes is to be completed by the department head.
 2. Procedures for monitoring systems usage and reviewing access privileges when:
 - a. Users don't use the system for a prolonged period (what's considered prolonged will vary from system to system)
 - b. Users change responsibilities.
 - c. To facilitate ongoing review, department managers may be asked to review current users on a periodic basis. The period used, quarterly, monthly, etc. would be determined by the rate of change of the user population and the sensitivity of the system involved.
 3. Procedures for disabling system access when users no longer have a need for it.
 - a. Inclusion of system access removal on a termination checklist (from Human Relations / Personnel).
 - b. The periodic manual review mentioned above could also help to catch users who no longer need access.
 - c. Where feasible, periodically monitor the effective termination of users by electronically comparing their current system access privileges to their current organizational roles within the human resource system.

PASSWORD CONTROL

Best practices for secure password management include the following points:

1. Do not share passwords with anyone, including administrative assistants or secretaries. All passwords are to be treated as sensitive, confidential District information.
2. Password complexity: Establish policy and train users on choosing strong, hard to guess, passwords. See Best Practices document "Secure Account Passwords Policy".
3. IT recommends invoking systemically enforced password complexity options where available on servers and applications.
4. Protect applications with access to confidential information whenever possible.
5. Default passwords: Establish procedures for management of default passwords.
 - a. System Administrators must change default passwords on all system accounts before connecting a server to the network.
 - b. Users should always change any passwords they were given for initial access the first time they use a system.
6. Password Changes: At a minimum, users should abide by the District's Passwords Policy found in the employee handbook. The policy mandates that users change passwords where required by law, contract, or other external rules.

7. In lieu of password changes, a multi-factor security authentication mechanism such as SecurID or biometrics could be used. Multi-factor authentication (MFA) employs the concept of 'what you know' (your password) combined with one or both of the following: 'what you have' (your token such as a smart card) and 'what you are' (your finger print or eye scan).
8. Password reuse: Do not reuse passwords within 6 months where password changes are required.
9. Compromised passwords: Change a password as soon as there is any suspicion that it has been compromised.
10. Password Protection: Train users to keep their passwords secure. Users should:
 - a. Avoid writing down passwords (If electronically saved they should be in a file or password locker using a secure encryption technology.)

ENFORCEMENT

Users will be notified about security policies and their responsibilities before they are authorized for use of the system.

Any user found to have violated this policy may be subject to disciplinary action in accordance with the District's Employee Handbook, up to and including termination of employment.

APPENDIX SIX: PALMDALE WATER DISTRICT UNMANNED AERIAL SYSTEM USE POLICY

DEFINITIONS

Definitions related to this policy include:

Certificate of Authorization (“COA”). A COA is an authorization issued by the Air Traffic Organization, part of the FAA to a public operator for a specific Unmanned Aircraft (“UA”) activity, under specific conditions of authorization.

Federal Aviation Administration (“FAA”). The branch of the U.S. Department of Transportation responsible for regulation of access to the national navigable airspace, known as the National Airspace System (“NAS”).

Pilot-in-Command (“PIC”). The person responsible for operation and safety during a UAS flight.

Unmanned Aerial System (“UAS” or “Drone”). An unmanned aircraft system is an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft. An unmanned aircraft is a component of a UAS. It is defined by statute as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (Public Law 112-95, Section 331(8)). All UAS weighing over 0.55 lbs. must be registered with the FAA.

Unmanned Aerial Vehicle Observer (“UAVO”). The person assigned to assist the PIC in the safe operation of the UAS.

PURPOSE AND SCOPE OF THIS POLICY

It is the policy of the District (“District”) to utilize UAS to enhance the District’s ability to conduct GIS mapping, aerial inspections (including videography and photography), of District facilities, projects, and events. Navigable airspace is within the exclusive regulatory jurisdiction of the FAA. Any use of a UAS shall be in accordance with FAA regulations, and other applicable federal, state and local laws. This policy only governs use of UAS by and on behalf of the District and is not intended to govern UAS operations in the National Airspace System.

The purpose of this policy is to establish guidelines and responsibilities associated with the deployment and use of UAS owned by the District and for the storage, retrieval and dissemination of images and data captured by the UAS. This policy applies to the use of UAS by District employees, as may be permitted by law. Only duly trained and authorized District personnel may deploy a District-owned UAS in the performance of their official duties.

All images and other forms of data recorded by use of a UAS is subject to the California Public Records Act and any other applicable Federal, State, and local laws.

GENERAL GUIDELINES RELATED TO USE OF UAS

Only authorized remote pilots who have completed the required training and obtained the required certification(s), shall be permitted to operate a UAS on behalf of the District.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is not permitted, unless authorized in writing by the General Manager, or unless otherwise permissible by law (e.g., when in compliance with a search warrant or court order).

UAS operations should be conducted in accordance with Title 14 of the Code of Federal Regulation (14 C.F.R.) Part 107 (“Small UAS Rule” or “Part 107”), or in accordance with the District’s COA, if applicable, depending upon the scope of mission operations.

Consent must be obtained prior to any UAS operations over private property on a District-approved Waiver and Consent for UAS Operations Form.

PROHIBITED USES OF A UAS

The UAS shall not be used in any of the following ways:

- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.
- For recreational use.
- To conduct random surveillance activities.
- To target any person based solely on individual characteristics, such as, without limitation, race, ethnicity, national origin, religion, disability, sex, gender, gender identity, or sexual orientation.

PRIVACY CONSIDERATIONS

It is the policy of the District to observe and respect personal privacy in the use of UAS. Personnel operating UAS on behalf of the District shall only collect information to the extent that such collection or use is consistent with and relevant to an authorized public safety or other public purpose. Personal use of recordings from UAS is prohibited.

District-sponsored event attendees will be notified of the use of UAS devices to capture images at the event by posting written notice at the event, on any media used to advertise the event, or on the District’s website.

SAFETY CONSIDERATIONS

To minimize safety risks, UAS shall be operated consistent with FAA regulations. UAS flights will be conducted only after completion of a thorough risk assessment. The risk assessment shall take into account, without limitation, review of weather conditions vis-à-vis the performance capability of the UAS, the maintenance record of the UAS, and identification of generally anticipated failure modes (lost link, power plant failures, loss of control, etc.) and the consequences of such failures.

No UAS may be deployed or operated unless valid insurance against claims for injuries to persons or damages to property that may arise from or in connection with the operation of the UAS by District agents, representatives, employees or subcontractors, has been obtained prior to conducting operations.

PROGRAM COORDINATOR APPOINTMENT AND RESPONSIBILITIES

The District General Manager shall appoint a UAS Program Coordinator who will be responsible for the management of the UAS program as well as updating the District's webmaster with regards to placing specific information collected by the UAS on the District's website. Subject to the District General Manager's approval, the Program Coordinator responsibilities include:

- Maintain and update required FAA authorizations and certifications.
- Maintenance of proper UAS insurance coverage.
- Verify completion of all required training and certification in the operation, applicable laws, policies, and procedures regarding use of the UAS by, or on behalf of, the District, including flight status.
- Ensure completion of all required UAS maintenance.
- Ensure completion of required training, as needed, at periodic intervals, for continued effective use of UAS.
- Subject to District Board approval, develop additional, or revise existing UAS policies.
- Develop a uniform procedure for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the District General Manager or an authorized designee.
- Implement a system for public notification of UAS deployment.
- Develop a written deployment and operation procedure to ensure compliance with applicable laws.
- Develop a procedure for fully documenting all UAS use.
- Develop a UAS inspection, maintenance, and record-keeping procedure to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Develop procedures to ensure that all data intended to be used as evidence is accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Develop procedures that ensure retention and purge periods are maintained in accordance with this policy, or the District's record retention schedules, as may be applicable.
- Facilitate law enforcement access to images and data captured by the UAS as needed.

- Recommend program enhancements, particularly regarding safety and information security.
- Ensure that established procedures are followed by monitoring and providing periodic reports on the program to the District General Manager.
- Oversee the procurement and maintenance of UAS equipment.
- Conduct audits of flight logs semiannually, or more frequently as needed.
- Establish emergency reporting and response procedures.

PILOT-IN-COMMAND (“PIC”) QUALIFICATIONS AND RESPONSIBILITIES

To be considered a PIC, applicants must be in compliance with all applicable FAA regulations whether operating under Part 107 or the District’s COA. Further, applicants must be in good standing with the District and must meet all other requirements specified by the District General Manager. Pilots may be temporarily or permanently removed from District flight status at any time and for any reason, upon written notification approved and executed by the District General Manager.

In order to fly a mission (other than flights required for initial training or currency) pilots must have completed three (3) currency events within the previous 90 days. Currency events must include landing, takeoff, and simulator flights. Currency is required in addition to any other requirements specified in this policy.

A PIC’s primary duty is the safe and effective operation of the District’s UAS in accordance with the manufacturer’s approved flight manual, FAA regulations, and COA conditions (if applicable), and District Policies and Procedures, and must remain knowledgeable of the same. Only one PIC may be deployed at any given time for any given mission.

The PIC may refuse any flight request based on current meteorological conditions, physiological conditions, or any other reason that the PIC believes will impact the safety of the flight. Should the PIC refuse a flight for any reason, they shall inform the requesting manager or supervisor, or higher authority, as soon as possible of such refusal and the reason for the refusal.

While UAS is in flight, the PIC is authorized and responsible for making all decisions regarding use of the UAS including, but not limited to, direction of flight, duration of flight time, capabilities of the aircraft, maximum load allowance, use of affixed certified equipment, allowance or advisability of affixing additional equipment, the determination of allowance of agency equipment, and all other configurations. The PIC is responsible for the safety of the aircraft, personnel, any other aircraft, and all equipment used during flight operations.

Exercising responsibility for the safe conduct of all flights, includes without limitation:

- Flight planning and preparation, including preflight inspections of aircraft and equipment;
- Weather briefing;

- Flight operations, including course, air speed, altitude, and duration;
- Landing zone selection;
- Go / No-go and landing judgments with regard to weather minimums, terrain, air traffic, or other criteria;
- Timely reporting of new or previously unknown hazards to safe flight;
- Post-flight inspection in accordance with manufacturers' recommendations, to include assuring batteries are recharged in order to ensure the aircraft is ready for the next mission. Any discrepancies shall be promptly reported to the Program Coordinator. The UAS will be removed from service for as long as remediation of any mechanical condition may require;
- Making appropriate entries in aircraft logbooks;
- ALWAYS yield right of way to manned aircraft;
- Keep the aircraft in visual line-of-sight (subject to waiver by FAA);
- Fly during the day (subject to waiver by FAA);
- Fly at or below 100 mph (subject to waiver by FAA);
- Not fly directly over people (subject to waiver by FAA); and
- Not fly from a moving vehicle (subject to waiver by FAA).
- Fly at or below 400 feet AGL, or within 400 feet of any structure that is the subject of UAS operations (subject to waiver by FAA).

OBSERVER OR UAVO QUALIFICATIONS AND RESPONSIBILITIES

To be considered as a District UAVO, applicants must be in good standing with the District and must meet all other requirements specified by the General Manager. Observers do not have to meet the requirements of a pilot but must have demonstrated a basic understanding of UAS operations and of applicable District policies and procedures. The UAVO may be temporarily or permanently removed from flight status at any time and for any reason, upon written notification approved and executed by the District General Manager.

A UAVO's primary duty is to assist the PIC in the safe and effective operation of the District's UAS during flight missions by providing the PIC with information necessary for the PIC to operate the UAS safely and to keep the PIC advised of any changes in flight conditions. The UAVO may not operate the UAS unless specifically trained and authorized to do so or unless an emergency situation arises that renders the PIC incapable of continuing the mission.

DATA AND FLIGHT LOGS RETENTION

Each authorized UAS operator must maintain a flight log consistent with FAA requirements. Retention of flight logs is governed by federal law and in the event of any conflict between federal retention requirements and state or local requirements, federal law applies. Additionally, operators must complete a District UAS Flight Information Form at the conclusion of any operation. Copies of flight logs and the original UAS Flight Information Form must be submitted to the Program Coordinator at the conclusion of every operation.

For all authorized UAS use, the District's Information Technology Department will retain all UAS collected data for a period not to exceed one year, as defined by 28 Code of Federal Regulation (CFR) Part 23. Exemptions to the data retention limit may be granted by the District General Manager, in writing, in special circumstances.

Data collected by the UAS must be secured as follows:

- All data collected shall be securely downloaded at the completion of each mission.
- Staff shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner UAS data without prior written authorization and approval of the General Manager or his or her designee.
- Files should be securely stored in accordance with applicable policies and state law.

ACCIDENT REPORTING

All accidents must be reported promptly to the Program Coordinator or the District General Manager for appropriate action. In addition, the PIC is required to report an accident to the FAA within 10 days if it results in at least serious injury to any person or any loss of consciousness, or if it causes damage to any property (other than the UAS) in excess of \$500 to repair or replace the property (whichever is lower).

ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK AND AT-WILL AGREEMENT

After you have read this handbook and have clarified any issues with your manager, please complete and sign the following statement within five (5) days of receipt of this Handbook. A copy of this acknowledgment will be provided for your records.

Palmdale Water District Employee Handbook Receipt

I have received my copy of the District's Employee Handbook. I understand and agree that it is my responsibility to read and familiarize myself with and follow the policies and procedures contained in the Handbook.

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

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

Sign, date and return to HR.

Employee's Signature: _____ Date: _____

**PALMDALE WATER DISTRICT
BOARD MEMORANDUM**

DATE: August 2, 2022 **August 8, 2022**
TO: BOARD OF DIRECTORS **Board Meeting**
FROM: Mr. Scott Rogers, Engineering Manager
VIA: Mr. Dennis D. LaMoreaux, General Manager
Mr. Adam Ly, Assistant General Manager
RE: ***AGENDA ITEM NO. 7.2 – CONSIDERATION AND POSSIBLE ACTION TO REJECT ALL BIDS RECEIVED FOR THE LITTLE ROCK DAM RESERVOIR SEDIMENT REMOVAL PROJECT, PHASE 2, YEARS 1 – 5, FY 2022 – 2026. (NO BUDGET IMPACT – ENGINEERING MANAGER ROGERS)***

Recommendation:

Staff recommends that the Board reject all bids received for the Littlerock Dam Reservoir Sediment Removal Project Phase 2, Years 1 – 5, FY 2022 – 2026 as allowed in the District’s bid documents in *Section 5. Award of Contract in the Notice Inviting Bidders*, which states “*The Owner reserves the right, after opening bids, to reject any or all bids, or to make award to the lowest responsible bidder and reject all other bids.*”

Alternative Options:

No alternative option exists.

Impact of Taking No Action:

The potential impact of taking no action is exceeding budget allocation for the project.

Background:

The bid is for the second phase of the Littlerock Dam Reservoir Sediment Removal Project. The second phase consists of removing 1.12 million cubic yards (CY) of material. The initial survey for the design of sediment has shown the current capacity of the reservoir is 2,787 acre-feet (ac-ft). To get the original storage volume of 3,583 ac-ft, 1.67 million CY of sediment needs to be removed. Using the proposed removal plan identified in the Environmental Impact Report (EIR), staff proposed to return the reservoir to its original storage capacity in 12 years. However, this does not appear to be feasible for the District from a financial perspective.

District staff prepared a solicitation for sediment removal over a three-year period with two one-year optional years that could be added. Over the three-year period, 424,000 cubic yards would be removed, hauled, and disposed of. The project was posted on June 9, 2022 on the District’s procurement website. A mandatory meeting was held on July 21, 2022, at 10:00 a.m. The District received five bids on July 22 at 1 p.m. A summary of the bids is attached for the first three years. The bids range from \$22,781,700 to \$30,865,680 for the three years.

BOARD OF DIRECTORS
PALMDALE WATER DISTRICT
VIA: Mr. Dennis D. LaMoreaux, General Manager
Mr. Adam Ly, Assistant General Manager

August 2, 2022

Strategic Plan Initiative/Mission Statement:

This item is under Strategic Initiative No. 4 – Financial Health and Stability.

This item directly relates to the District’s Mission Statement.

Budget:

No budget impacts.

Supporting Documents:

- Bid Summary

Littlerock Sediment Removal Phase 2, Years 1-5 (FY 2022-2026) Bid Summary Years 1-3

	Remedial Transportation Services	C.A. Rasmussen, Inc.	TORO ENTERPRISES, INC.	W.A. Rasic Construction	Granite Construction Company
Year 1	\$5,893,230	\$6,055,600	\$7,143,090	\$7,968,000	\$10,331,995
Year 2	\$6,138,035	\$8,277,800	\$7,821,150	\$8,316,000	\$10,023,173
Year 3	\$6,197,375	\$8,448,300	\$8,547,285	\$8,652,000	\$10,510,512
Total Years 1-3	\$18,228,640	\$22,781,700	\$23,511,525	\$24,936,000	\$30,865,680

**PALMDALE WATER DISTRICT
BOARD MEMORANDUM**

DATE: August 2, 2022 **August 8, 2022**
TO: BOARD OF DIRECTORS **Board Meeting**
FROM: Mr. Adam Ly, Assistant General Manager
VIA: Mr. Dennis D. LaMoreaux, General Manager
RE: ***AGENDA ITEM NO. 7.3 – CONSIDERATION AND POSSIBLE ACTION ON RESOLUTION NO. 22-22 BEING A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT APPROVING A WAIVER OF THE DISTRICT’S PROCUREMENT AND PURCHASING POLICY. (NO BUDGET IMPACT – ASSISTANT GENERAL MANAGER LY)***

Recommendation:

Staff recommends the Board approve Resolution No. 22-22 being a Resolution of the Board of Directors of the Palmdale Water District Approving a Waiver of the District’s Procurement and Purchasing Policy related to the Littlerock Dam Reservoir Sediment Removal Project, Phase 2.

Alternative Options:

The Board can choose not to approve Resolution No. 22-22.

Impact of Taking No Action:

The District will not be doing any sediment removal this year.

Background:

The District advertised the Littlerock Dam Reservoir Sediment Removal Project, Phase 2, Years 1 – 5, FY 2022 – 2026 and received bids on July 22, 2022. The cost of the Project is substantially higher than anticipated, and staff asked the Board to reject all bids. Staff has had a discussion and is looking at downsizing the Project to a smaller volume.

In 2020, the District did an emergency removal of the sediment. With the information gathered from the current bidding process and the information in 2020, staff wants to negotiate with the contractors to evaluate the volume to be removed. The District’s Procurement and Purchasing Policy listed under Appendix M of the Rules and Regulations grants the Board the authority to waive the bidding if it is in the best interest of the District. Staff hopes to get a fair deal with the funds we have set aside and the Proposition 1 grant. We will report back to the Board on the outcome of the negotiation.

August 8, 2022

Strategic Plan Initiative/Mission Statement:

This item is under Strategic Initiative No. 1 – Water Resource Reliability and Strategic Initiative No. 3 – Systems Efficiency.

This item directly relates to the District’s Mission Statement.

Budget:

There is no budget impact.

Supporting Documents:

- Resolution No. 22-22 being a Resolution of the Board of Directors of the Palmdale Water District Approving a Waiver of the District’s Procurement and Purchasing Policy.

RESOLUTION NO. 22-22

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT APPROVING A WAIVER OF THE DISTRICT'S PROCUREMENT AND PURCHASING POLICY

WHEREAS, the Board of Directors of the Palmdale Water District ("District") has previously adopted a Procurement and Purchasing Policy, as fully set forth in Appendix M of the District's Rules and Regulations; and

WHEREAS, the District's Procurement and Purchasing Policy generally requires solicitation of bids for any construction project the District undertakes which has an estimated cost in excess of \$50,000, and the subsequent letting of any contract for such a project to the lowest responsible bidder and

WHEREAS, Section I of the District's Procurement and Purchasing Policy provides that notwithstanding that policy, all contracts for projects the District undertakes may be made or entered into upon such terms and conditions and in such manner as the Board of Directors determines is in the best interest of the District; and

WHEREAS, the Littlerock Dam's sediment must be removed and hauled away to maintain sufficient storage, and Littlerock Dam has reached the condition where such removal and hauling should occur in the immediate future; and

WHEREAS, due to the timing and urgent nature of the removal and hauling, obtaining competitive bids for this work may restrict the District's ability to utilize a Proposition 1 grant from the California Department of Water Resources to help pay for part of the sediment removal; and

WHEREAS, the District has received proposals from potential and past contractors performing removal and hauling work; and

WHEREAS, the District now desires to waive the requirement for solicitation of bids and authorize District staff to negotiate a fair and reasonable price for the sediment removal and hauling based on the proposals received.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT DOES HEREBY RESOLVE that it is in the District's best interest to authorize the General Manager, or his designee, to negotiate a proposal for performance of the Littlerock Sediment Removal and Hauling and related work without further compliance with the District's Procurement and Purchasing Policy requirement for solicitation of multiple bids as set forth under Section IV of that policy and waives such requirement as to the Littlerock Dam Reservoir Sediment Removal Project.

PASSED AND ADOPTED by the Board of Directors of the Palmdale Water District this 8th day of August, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President, Board of Directors

ATTEST:

Secretary, Board of Directors

APPROVED AS TO FORM:

Aleshire & Wynder, LLP, General Counsel