

KINNELOA IRRIGATION DISTRICT

Regular Meeting – Board of Directors
1999 Kinclair Drive, Pasadena, CA 91107
Tuesday, January 19, 2021
3:00 P.M.

AGENDA

This meeting will be conducted only by teleconference under the provisions of Executive Order N-29-20. Public comments may be submitted via email to kinneloa@outlook.com prior to the meeting and any information submitted will become part of the official record. The public may participate via computer or telephone using the following information:

<https://us02web.zoom.us/j/85823718385?pwd=WDDmdm9CNU5qZ1FHTVZsUTM0VU5VUT09>

+1 669 900 9128

Meeting ID: 858 2371 8385

Passcode: 647890

1. **CALL TO ORDER** – 3:00 P.M.
 - a. Declaration of a quorum
 - b. Review of agenda

2. **PUBLIC COMMENT** – Comments from the Public regarding items on the Agenda or other items within the jurisdiction of the District
In compliance with the Brown Act, the Board cannot discuss or act on items not on the Agenda. However, Board Members or District Staff may acknowledge Public comments, briefly respond to statements or questions posed by the Public, ask a question for clarification, or request Staff to place item on a future Agenda (Government Code section §54954.2)

3. **REVIEW OF MINUTES** – December 15, 2020
Recommended Action: Review and approve motion to file

4. **REVIEW OF FINANCIAL REPORTS** – December 31, 2020
Recommended Action: Review and approve motion to file

5. **GENERAL MANAGER'S REPORT** – Information item presented by the General Manager
Recommended Action: General Manager to summarize the report and respond to questions

6. **ADVANCED METER INFRASTRUCTURE** – Review and discuss revised proposal from Subeca to supply components for replacement of current meter reading system with an advanced system that provides real-time usage and other information such as leakage alerts to the District and to customers
Recommended Action: Review revised proposal and authorize General Manager to issue a purchase order

7. **EMPLOYEE POLICIES AND PROCEDURES** – Review Revision 5
Recommended Action: After discussion, approve Resolution 2021-01-29 to adopt the revised document and authorize the General Manager to publish and distribute to the District's employees.

8. INFORMATION ITEMS –

- a. Participation in the Public Water Agencies Group (PWAG) Federal Emergency Management Agency’s (FEMA) Local Hazard Mitigation Plan
- b. Equal Employment Opportunity Commission (EEOC) Guidance on COVID-19 Vaccine Issues
- c. COVID-19 Prevention Program (CPP)

9. DIRECTOR REPORTS AND/OR COMMENTS –

In accordance with Government Code §54954.2 Directors may make brief announcements or brief reports on their own activities. Directors may ask a question for clarification, provide a reference to staff or other resources for information, request staff to report back to the Directors at a subsequent meeting, or act to direct staff to place a matter of business on a future agenda.

10. CALENDAR – Special Meeting: January 26 (Master Plan Workshop)

Regular Meetings: February 16, 2021 March 16, 2021 April 20, 2021

11. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you are a disabled person and need a disability-related modification or accommodation to participate in this meeting, please contact the District office 48 hours prior to the meeting at 626-797-6295. Each item on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Material related to an item on this agenda submitted after distribution of the agenda packet is available for public review at the District office or online at the District’s website <https://kinneloairrigationdistrict.info>.

KINNELOA IRRIGATION DISTRICT

Regular Meeting – Board of Directors
1999 Kinclair Drive, Pasadena, CA 91107
Tuesday, December 15, 2020, 3:00 P.M.

MINUTES

Meeting conducted by teleconference under the provisions of Executive Order N-29-20.

The meeting was conducted by teleconference pursuant to the Brown Act Waivers provided for under the Governor's Executive Orders in response to COVID-19 State of Emergency. As stated in the agenda, there was no public location for attending the meeting in person, however the public was provided with alternative methods of listening or participating via telephonically or by videoconference.

DIRECTORS PRESENT: Zoom teleconference/videoconference (Zoom): Tim Eldridge, Frank Griffith, Gordon Johnson, Gerrie Kilburn and Dave Moritz

DIRECTORS ABSENT: None

STAFF PRESENT: Zoom: General Manager Melvin Matthews & Office Manager Martin Aragon

PUBLIC PRESENT: Phone: Karl Bowman

1. **CALL TO ORDER:** Director/Chair Gordon Johnson called the meeting to order at 3:00 P.M. and called the roll. A quorum of Board Members was present. The agenda was reviewed. No changes were requested.
2. **PUBLIC COMMENT:** There were no public comments regarding the items on the Agenda.
3. **PUBLIC HEARING REGARDING PROPOSED 2021 WATER RATES**
There were no oral public comments regarding the proposed 2021 Water Rates. Two letters were received and presented to Board.
4. **WATER RATES:**
It was motioned by Tim Eldridge and seconded by Gerrie Kilburn to approve and adopt 2021 Water Rates – Resolution 2020-12-15. A roll call vote was taken, and Director Frank Griffith voted *Nay*; Tim Eldridge, Gordon Johnson, Gerrie Kilburn and Dave Moritz all voted *Aye*.
5. **REVIEW OF MINUTES:** November 17, 2020
It was motioned by Frank Griffith and seconded by Tim Eldridge to approve the Minutes as presented for filing. A roll call vote was taken and Directors Tim Eldridge, Frank Griffith, Gordon Johnson, Gerrie Kilburn and Dave Moritz all voted *Aye*.
6. **REVIEW OF FINANCIAL REPORTS:** Director Dave Moritz reviewed the Financial Reports. It was motioned by Frank Griffith and seconded by Gerrie Kilburn to approve Financial Reports for filing. A roll call vote was taken and Directors Tim Eldridge, Frank Griffith, Gordon Johnson, Gerrie Kilburn and Dave Moritz all voted *Aye*.
7. **GENERAL MANAGER'S REPORT:** General Manager's report was presented, and no actions were taken.

KINNELOA IRRIGATION DISTRICT

Regular Meeting – Board of Directors

Tuesday, December 15, 2020

MINUTES

8. **ADVANCED METER INFRASTRUCTURE (AMI)**: General Manager presented the Subeca proposal.

Action: It was motioned by Tim Eldridge and seconded by Gerri Kilburn to revisit the implementation of an AMI system, which would include the submission of additional proposals at the next meeting. A roll call vote was taken and Directors Tim Eldridge, Frank Griffith, Gordon Johnson, Gerrie Kilburn and Dave Moritz all voted Aye.

9. **ELECTION OF KINNELOA IRRIGATION DISTRICT BOARD OFFICERS FOR 2021:**

- ❖ *Director Tim Eldridge nominated **Gordon Johnson as Chairman**, seconded by Gerrie Kilburn.*

A roll call vote was taken and Directors Tim Eldridge, Frank Griffith, Gerrie Kilburn and Dave Moritz all voted Aye. Director Gordon Johnson Abstained from vote.

- ❖ *Director Gerrie Kilburn nominated **Dave Moritz as Treasurer**, seconded by Tim Eldridge.*

A roll call vote was taken and Directors Tim Eldridge, Frank Griffith, Gordon Johnson, Gerrie Kilburn all voted Aye. Director Dave Moritz Abstained from vote.

- ❖ *Director Gerrie Kilburn nominated **Frank Griffith as Secretary**, seconded by Tim Eldridge.*

A roll call vote was taken and Directors Tim Eldridge, Gordon Johnson, Gerrie Kilburn and Dave Moritz all voted Aye. Director Frank Griffith Abstained from vote.

10. **DIRECTOR REPORTS AND/OR COMMENTS:**

Directors Gordon Johnson and Tim Eldridge recommended that more options be introduced that break-up the Subeca project into several phases, along with conservative alternative proposals.

Director Tim Eldridge recommended that the District explore the likelihood of new state and local regulations that may impact the use of water for residential irrigation.

11. **CALENDAR:** Two Meetings in January 2021.

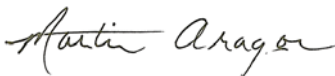
Regular Board Meeting – January **19**, 2021.

*Special Meeting (Water Master Plan Workshop) – January **26**, 2021.*

12. **ADJOURNMENT**

The meeting was adjourned at 4:35 pm.

Prepared and submitted by,



Martin Aragon

Office Manager/Acting Board Clerk

Kinneloa Irrigation District
Income Statement for the Twelve Months Ending December 31, 2020

	Current Month Actual	Current Month Budget	Current Month Variance	Year to Date Actual	Year to Date Budget	Year to Date Variance
Revenues						
4000 Water Sales	167,979.07	112,000.00	55,979.07	1,745,675.97	1,500,000.00	245,675.97
4015 Wholesale Water Sales	21,586.79	45,000.00	(23,413.21)	70,712.84	90,000.00	(19,287.16)
4020 Service/Installation Charges	730.83	833.37	(102.54)	8,851.90	10,000.00	(1,148.10)
4035 Interest-Reserve Fund	1,062.98	2,500.00	(1,437.02)	21,820.62	30,000.00	(8,179.38)
4036 Unrealized Gain(Loss)-CalTRU	(102.73)	0.00	(102.73)	23,928.61	0.00	23,928.61
Total Revenues	191,256.94	160,333.37	30,923.57	1,870,989.94	1,630,000.00	240,989.94
Expenses						
5000 Leased Water Rights	0.00	0.00	0.00	63,135.00	63,135.00	0.00
5005 Electricity	18,728.30	12,000.00	6,728.30	137,678.35	125,000.00	12,678.35
5010 Maintenance/Repair Supplies	1,490.74	2,083.37	(592.63)	39,068.98	25,000.00	14,068.98
5011 Material and Labor for Install	0.00	833.37	(833.37)	0.00	10,000.00	(10,000.00)
5012 Safety Equipment	632.68	133.37	499.31	1,408.55	1,600.00	(191.45)
5015 Operations Labor	24,057.04	17,200.00	6,857.04	213,802.36	206,400.00	7,402.36
5016 Operations OT	358.92	1,125.00	(766.08)	12,936.84	13,500.00	(563.16)
5020 Stand-by Compensation	1,560.00	915.00	645.00	11,760.00	10,980.00	780.00
5022 Training/Certification	295.02	133.37	161.65	445.02	1,600.00	(1,154.98)
5025 Water Treatment/Analysis	761.36	1,833.37	(1,072.01)	26,906.97	22,000.00	4,906.97
5030 Maintenance/Repair Contractors	5,248.24	10,833.37	(5,585.13)	130,086.12	130,000.00	86.12
5034 Equipment Maintenance	0.00	1,250.00	(1,250.00)	14,542.29	15,000.00	(457.71)
5035 Vehicle Maintenance	5,000.00	1,250.00	3,750.00	13,954.45	15,000.00	(1,045.55)
5036 Fuel	893.54	1,250.00	(356.46)	15,067.94	15,000.00	67.94
5040 Equipment Rental	0.00	500.00	(500.00)	0.00	500.00	(500.00)
5045 Insurance-Workers Comp.	3,546.49	5,000.00	(1,453.51)	11,832.88	20,000.00	(8,167.12)
5046 Insurance-Liability	1,387.46	1,333.37	54.09	15,695.90	16,000.00	(304.10)
5048 Insurance-Property	196.04	208.37	(12.33)	2,207.36	2,500.00	(292.64)
5049 Insurance-Medical	9,332.43	7,375.00	1,957.43	84,361.47	88,500.00	(4,138.53)
6000 Engineering Services	0.00	3,958.37	(3,958.37)	28,551.38	47,500.00	(18,948.62)
6005 Watermaster Services	870.08	1,000.00	(129.92)	10,502.54	12,000.00	(1,497.46)
6015 Administrative Salary	12,063.48	12,833.37	(769.89)	143,325.61	154,000.00	(10,674.39)
6017 Administrative Travel	40.14	250.00	(209.86)	494.84	3,000.00	(2,505.16)
6020 Board Compensation	450.00	700.00	(250.00)	6,450.00	8,400.00	(1,950.00)
6021 Administrative & Board Exp.	0.00	83.37	(83.37)	1,017.13	1,000.00	17.13
6022 Board of Directors Election	0.00	12,500.00	(12,500.00)	211.03	12,500.00	(12,288.97)
6024 Customer/Public Info. Prog.	255.55	166.63	88.92	2,469.13	2,000.00	469.13
6025 PERS - KID	3,756.60	3,000.00	756.60	38,034.00	36,000.00	2,034.00
6030 Social Security - KID	2,861.48	2,416.63	444.85	30,523.12	29,000.00	1,523.12
6031 Medicare - KID	702.64	566.63	136.01	7,172.16	6,800.00	372.16
6035 Office/Computer Supplies	211.77	583.37	(371.60)	6,680.98	7,000.00	(319.02)
6036 Postage/Delivery	331.80	416.63	(84.83)	4,170.30	5,000.00	(829.70)
6040 Professional Dues	1,176.61	1,000.00	176.61	14,111.06	12,000.00	2,111.06
6045 Legal Services	867.24	1,250.00	(382.76)	9,737.34	15,000.00	(5,262.66)
6050 Telephone	150.00	375.00	(225.00)	4,259.28	4,500.00	(240.72)
6051 Mobile Telephone	2.90	125.00	(122.10)	251.03	1,500.00	(1,248.97)

Kinneloa Irrigation District
Income Statement for the Twelve Months Ending December 31, 2020

	Current Month Actual	Current Month Budget	Current Month Variance	Year to Date Actual	Year to Date Budget	Year to Date Variance
6052 Pagers	34.81	41.63	(6.82)	416.25	500.00	(83.75)
6053 Internet Service	0.00	83.37	(83.37)	769.89	1,000.00	(230.11)
6059 Computer Software Maintenance	383.33	1,000.00	(616.67)	7,047.86	12,000.00	(4,952.14)
6061 Office Equipment Maintenance	0.00	83.37	(83.37)	0.00	1,000.00	(1,000.00)
6065 Accounting Services	0.00	0.00	0.00	7,100.00	7,000.00	100.00
6070 Office & Accounting Labor	10,643.00	9,125.00	1,518.00	116,220.50	109,500.00	6,720.50
6075 Professional/Contract Services	2,005.99	2,333.37	(327.38)	26,225.03	28,000.00	(1,774.97)
6080 Administrative Fees	953.73	750.00	203.73	11,286.86	9,000.00	2,286.86
6081 Permits/Fees	326.15	1,250.00	(923.85)	7,218.10	15,000.00	(7,781.90)
6086 Taxes - Sales/Use	0.00	0.00	0.00	6,887.51	500.00	6,387.51
6088 Interest Expense	0.00	0.00	0.00	61,735.46	61,735.00	0.46
6120 Bank Service Charges	799.17	541.63	257.54	8,955.74	6,500.00	2,455.74
Total Expenses	112,374.73	121,690.33	(9,315.60)	1,356,714.61	1,390,650.00	(33,935.39)
Net Income	78,882.21	38,643.04	40,239.17	514,275.33	239,350.00	274,925.33
Other Expenditures						
1504 Water Mains	0.00	456,490.00	(456,490.00)	50,000.03	500,000.00	(449,999.97)
1505 Water Tunnels	0.00	10,000.00	(10,000.00)	0.00	10,000.00	(10,000.00)
1509 Wilcox Well/Wilcox Booster	0.00	52,000.00	(52,000.00)	0.00	52,000.00	(52,000.00)
1511 Water Treatment Plant	1,628.84	0.00	1,628.84	11,827.74	6,000.00	5,827.74
1512 Water Meters	0.00	4,000.00	(4,000.00)	6,142.82	9,000.00	(2,857.18)
1513 Electrical/Electronic Equip.	0.00	5,000.00	(5,000.00)	0.00	5,000.00	(5,000.00)
1514 Computer/Office Equipment	1,431.08	4,000.00	(2,568.92)	1,431.08	5,000.00	(3,568.92)
1515 Vehicles & Portable Equipment	0.00	0.00	0.00	66,107.84	90,000.00	(23,892.16)
1516 Water Company Facilities	0.00	0.00	0.00	33,800.00	30,000.00	3,800.00
1527 SCADA Equipment	0.00	0.00	0.00	11,959.56	10,000.00	1,959.56
2400 Installment Purchase Agreement	0.00	0.00	0.00	138,466.50	138,467.00	(0.50)
Total Other Expenditures	3,059.92	531,490.00	(528,430.08)	319,735.57	855,467.00	(535,731.43)
Total Increase or (Drawdown)	75,822.29	(492,846.96)	568,669.25	194,539.76	(616,117.00)	810,656.76

Kinneloa Irrigation District

Balance Sheet as of December 31, 2020

ASSETS

Current Assets

1010	Checking-Wells Fargo Bank	\$ 448,753.16
1012	Reserve Fund-LAIF	127,714.90
1014	Reserve Fund-CalTRUST	1,763,624.27
1016	Accrued Interest-LAIF	745.21
1100	Accts. Receivable-Water Sales	17,762.89
1102	Accts. Receiv.-Wholesale Water	13,719.09
1113	Employee Loans	301.07
1190	Allowance for Bad Debts	(771.48)
1200	Inventory	20,000.00
1340	Accrued Water Sales	190,874.54
1350	Prepaid Insurance	12,116.94
1360	Prepaid Expenses	31,804.52

Total Current Assets

2,626,645.11

Property and Equipment

1501	Water Rights	52,060.41
1503	Land Sites	96,700.08
1504	Water Mains	3,634,517.80
1505	Water Tunnels	729,074.60
1506	K-3 Well	89,543.06
1507	Improvement District #1	602,778.12
1508	Mountain Property	6,620.00
1509	Wilcox Well/Wilcox Booster	94,030.98
1510	Interconnections	14,203.27
1511	Water Treatment Plant	203,453.56
1512	Water Meters	118,735.53
1513	Electrical/Electronic Equip.	256,918.72
1514	Computer/Office Equipment	77,353.20
1515	Vehicles & Portable Equipment	308,656.75
1516	Water Company Facilities	104,222.20
1517	KID Office	54,741.36
1518	Shaw Ranch	280,789.92
1519	Dove Creek Project	487,383.87
1520	Glen Reservoir/Booster	24,190.86
1521	Kinneloa Ridge Project	690,492.58
1522	Eucalyptus Booster Station	532,342.43
1526	Vosburg Booster	1,647,215.66
1527	SCADA Equipment	362,117.90
1528	Tanks and Reservoirs	119,491.90
1529	Holly Tanks	181,113.76
1530	Tools	6,273.13
1600	Accum. Depreciation	(5,253,645.76)

Total Property and Equipment

5,521,375.89

Other Assets

1901	PERS-Deferred Outflows	76,176.00
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Total Assets

\$ 8,224,197.00

Kinneloa Irrigation District
Balance Sheet as of December 31, 2020

LIABILITIES AND CAPITAL

Current Liabilities

2000	Accounts Payable	\$ 31,855.76	
2272	Job Deposits	3,600.00	
2275	Deposits-Water Customers	255.02	
2290	Accrued Vacation	21,462.60	
	Total Current Liabilities		57,173.38

Long-Term Liabilities

2400	Installment Purchase Agreement	1,594,609.63	
2801	PERS- Net Liability	285,991.40	
2901	PERS- Deferred Inflows	38,397.00	
	Total Long-Term Liabilities		1,918,998.03
	Total Liabilities		1,976,171.41

Capital

3040	Fund Balance	5,733,750.26	
	Net Income	514,275.33	
	Total Capital		6,248,025.59
	Total Liabilities & Capital		\$ 8,224,197.00

Kinneloa Irrigation District
Statement of Cash Flow
For the Twelve Months Ended December 31, 2020

	Current Month	Year to Date
Cash Flows from Operating Activities		
Net Income	\$ 78,882.21	\$ 514,275.33
<i>Adjustments to reconcile net income to net cash provided by operating activities</i>		
1100 Accts. Receivable-Water Sales	20,759.53	26,116.79
1101 Accts. Receiv.-Service Charges	0.00	494.19
1102 Accts. Receiv.-Wholesale Water	(13,719.09)	(13,719.09)
1113 Employee Loans	50.19	602.28
1340 Accrued Water Sales	(33,751.74)	(62,595.24)
1350 Prepaid Insurance	1,583.50	(979.30)
1360 Prepaid Expenses	607.86	(2,011.14)
2000 Accounts Payable	6,074.58	(336.48)
2272 Job Deposits	(900.00)	2,700.00
	(19,295.17)	(49,727.99)
Net Cash Provided by Operations	59,587.04	464,547.34
 Cash Flows from Investing Activities		
<i>Used for</i>		
1504 Water Mains	0.00	(50,000.03)
1511 Water Treatment Plant	(1,628.84)	(11,885.50)
1512 Water Meters	0.00	(6,142.82)
1514 Computer/Office Equipment	(1,431.08)	(1,431.08)
1515 Vehicles & Portable Equipment	0.00	(66,107.84)
1516 Water Company Facilities	0.00	(33,800.00)
1527 SCADA Equipment	0.00	(11,959.56)
	(3,059.92)	(181,326.83)
Net Cash Used in Investing	(3,059.92)	(181,326.83)
 Cash Flows from Financing Activities		
<i>Proceeds from</i>		
<i>Used for</i>		
2400 Installment Purchase Agreement	0.00	(138,466.50)
2801 PERS- Net Liability	(1,732.49)	(19,012.56)
	(1,732.49)	(157,479.06)
Net Cash Used in Financing	(1,732.49)	(157,479.06)
Net Increase (Decrease) in Cash	\$ 54,794.63	\$ 125,741.45
 Summary		
Cash Balance at End of Period	\$ 2,340,837.54	\$ 2,340,837.54
Cash Balance at Beg. of Period	(2,286,042.91)	(2,215,038.33)
Net Increase (Decrease) in Cash	\$ 54,794.63	\$ 125,799.21

Kinneloa Irrigation District
Check Register
For the Period from December 1, 2020 to December 31, 2020

Date	Check #	Payee	Amount	Description
12/14/20	EFT4555	Automatic Data Processing, Inc.	104.35	payroll processing fee
12/14/20	EFT4556	Arco Gaspro Plus	893.54	fuel for trucks
12/14/20	EFT4557	CA Public Employees Ret. Sys.	6,410.48	KID and employee retirement contributions
12/14/20	EFT4558	Century Business Solutions	332.94	credit card processing fee
12/14/20	EFT4559	Pasadena Municipal Services	1,729.06	electricity for Wilcox Well
12/14/20	EFT4560	Southern California Edison Co.	6,839.20	electricity for 13 sites
12/14/20	EFT4561	Spectrum	376.02	phones and internet
12/14/20	EFT4562	Umpqua Bank	4,877.45	credit cards - see attached detail
12/14/20	EFT4563	VeriCheck, Inc.	136.20	echeck processing fee
12/14/20	EFT4564	Century Business Solutions	15.00	credit card processing fee
12/14/20	9647	ACWA-JPIA	6,571.97	KID and employee health benefits contributions
12/14/20	9648	ADVANTAGE FORD	5,000.00	deposit for truck repair
12/14/20	9649	Underground Service Alert	16.60	digalert
12/14/20	9650	Eurofins Eaton Analytical, Inc.	132.00	water sample analysis
12/14/20	9651	Foothill Municipal Water District	953.73	administrative fee
12/14/20	9652	Hill Brothers Chemical Co.	467.00	sodium hypochlorite
12/14/20	9653	Matt Chlor Inc.	1,628.84	maintenance supplies
12/14/20	9654	Public Water Agencies Group	867.24	Oct. - Dec. Emergency Preparedness Program
12/14/20	9655	Utility Service Co., Inc.	5,248.24	tank maintenance agreement
12/14/20	9656	ACWA-JPIA	10,007.27	KID and employee health benefits contributions
12/15/20	EFT4565	Bernadette C. Allen	447.45	salary
12/15/20	EFT4566	Arthur M. Aragon	1,708.38	salary
12/15/20	EFT4567	Joel D. Bundy	1,639.47	salary
12/15/20	EFT4568	Christopher A. Burt	2,681.25	salary
12/15/20	EFT4569	Timothy J. Eldridge	99.21	salary
12/15/20	EFT4570	Michele M. Ferrell	2,025.60	salary
12/15/20	EFT4571	Brian L. Fry	1,731.19	salary
12/15/20	EFT4572	Francis J. Griffith	138.53	salary
12/15/20	EFT4573	Gerrie G. Kilburn	138.52	salary
12/15/20	EFT4574	Melvin L. Matthews	4,105.62	salary
12/15/20	EFT4575	Juan R. Tello	1,919.57	salary
12/15/20	EFT4576	Christopher A. Burt	150.00	salary
12/15/20	EFT4577	Automatic Data Processing, Inc.	6,775.75	payroll taxes and withholdings
12/22/20	9657	Debbie Dreher	204.02	customer net refund on deposit for fire flow test
12/30/20	EFT4578	Automatic Data Processing, Inc.	104.35	payroll processing fee
12/30/20	EFT4579	American Messaging Services	34.81	pager service
12/30/20	EFT4580	AT&T Mobility	147.77	FirstNet mobile phone service
12/30/20	EFT4581	Athens Services	215.69	trash pickup
12/30/20	9658	Martin Aragon	543.52	education and mileage reimbursement
12/30/20	9659	Aramark Uniform Services	82.37	shop rag service

Kinneloa Irrigation District
Check Register
For the Period from December 1, 2020 to December 31, 2020

Date	Check #	Payee	Amount	Description
12/30/20	9660	BrightView Landscape Services	1,490.00	landscape service
12/30/20	9661	Joel Bundy	40.14	mileage reimbursement
12/30/20	9662	Eurofins Eaton Analytical, Inc.	105.60	water sample analysis
12/30/20	9663	Foothill Municipal Water District	55.55	water sample analysis
12/30/20	9664	Hill Brothers Chemical Co.	467.00	sodium hypochlorite
12/30/20	9665	SWRCB Accounting Office	3,880.80	small water system annual fees
12/31/20	EFT4582	Bernadette C. Allen	435.14	salary
12/31/20	EFT4583	Arthur M. Aragon	1,644.03	salary
12/31/20	EFT4584	Joel D. Bundy	1,742.12	salary
12/31/20	EFT4585	Christopher A. Burt	3,482.64	salary
12/31/20	EFT4586	Michele M. Ferrell	2,253.47	salary
12/31/20	EFT4587	Brian L. Fry	2,079.44	salary
12/31/20	EFT4588	Melvin L. Matthews	4,036.73	salary
12/31/20	EFT4589	Juan R. Tello	1,661.36	salary
12/31/20	EFT4590	Christopher A. Burt	150.00	salary
12/31/20	EFT4591	Automatic Data Processing, Inc.	<u>7,715.78</u>	payroll taxes and withholdings
Total			<u>108,740.00</u>	

**Credit Card Detail Umpqua Bank
November 2020**

(Expenses incurred/billed in November and due/paid in December)

Acct. No.	Account Description	Additional Description	MLM	CAB	BLF	JDB	BCA	JRT	TOTAL
1511	Water Treatment Plant								\$0.00
1514	Computer/Office Equip.								\$0.00
5010	Maintenance Supplies	MM: Landscape Fabric, Sulzer EMS inc. CB: Keys BF: Keys, Tools, Rake, Seat Covers, Tarp, Hand Cleaner, Zip Ties Steering wheel cover, tape measure, vacuum breaker, white paint, rust destroyer JB: Meter Reading Antenna JT: Gloves, Flashlights, Spray paint	\$1,716.37	\$54.88	\$600.79	\$21.93		\$193.41	\$2,587.38
5012	Safety Equipment	BF: Safety Gloves			\$56.98				\$56.98
5022	Training/Certification								\$0.00
5025	Water Treatment/Analysis	MM: Softner Salt	\$1,108.31						\$1,108.31
5035	Vehicle Maintenance								\$0.00
5036	Fuel								\$0.00
6017	Adm. Travel								\$0.00
6021	Adm. & Bd. Exp.	MM:							\$0.00
6024	Customer/Public Info	JB: Streamline monthly website fee				\$200.00			\$200.00
6035	Office/Computer Supplies	MM: Toner (3) JB: Pens., cleaning supplies	\$435.53			\$65.35			\$500.88
6036	Postage/Delivery	JB: Stamps				\$331.80			\$331.80
6040	Professional Dues								\$0.00
6050	Telephone	MM: answering service	\$75.00						\$75.00
6051	Mobile Phone								\$0.00
6053	Internet Service								\$0.00
6059	Computer/Software Maint.	MM: Splashtop	\$17.10						\$17.10
6061	Office Equipment Maint.								\$0.00
6075	Outside Services								\$0.00
6081	Permits/Fees								\$0.00
TOTAL			\$3,352.31	\$54.88	\$657.77	\$619.08	\$0.00	\$193.41	\$4,877.45

Kinneloa Irrigation District
Net Income Statement for Years Ending December 31, 2020 and December 31, 2019

	Year of 2020	Percentage	Year of 2019	Percentage
Revenues				
4000 Water Sales	\$ 1,745,675.97	93.30	\$ 1,515,910.52	89.10
4015 Wholesale Water Sales	70,712.84	3.78	97,182.94	5.71
4020 Service/Installation Charges	8,851.90	0.47	23,518.54	1.38
4035 Interest-Reserve Fund	21,820.62	1.17	45,752.39	2.69
4036 Unrealized Gain(Loss)-CalT	23,928.61	1.28	13,117.23	0.77
4070 Misc. Income	0.00	0.00	5,969.27	0.35
Total Revenues	1,870,989.94	100.00	1,701,450.89	100.00
Expenses				
5000 Leased Water Rights	63,135.00	3.37	63,135.00	3.71
5005 Electricity	137,678.35	7.36	122,047.78	7.17
5010 Maintenance/Repair Supplies	39,068.98	2.09	52,443.94	3.08
5012 Safety Equipment	1,408.55	0.08	1,956.42	0.11
5015 Operations Labor	213,802.36	11.43	193,597.79	11.38
5016 Operations OT	12,936.84	0.69	19,434.94	1.14
5020 Stand-by Compensation	11,760.00	0.63	10,830.00	0.64
5022 Training/Certification	445.02	0.02	1,265.22	0.07
5025 Water Treatment/Analysis	26,906.97	1.44	24,007.59	1.41
5030 Maintenance/Repair Contract	130,086.12	6.95	164,782.48	9.68
5034 Equipment Maintenance	14,542.29	0.78	20,228.24	1.19
5035 Vehicle Maintenance	13,954.45	0.75	11,683.21	0.69
5036 Fuel	15,067.94	0.81	14,665.14	0.86
5045 Insurance-Workers Comp.	11,832.88	0.63	24,574.00	1.44
5046 Insurance-Liability	15,695.90	0.84	14,717.87	0.87
5048 Insurance-Property	2,207.36	0.12	1,464.48	0.09
5049 Insurance-Medical	84,361.47	4.51	84,051.34	4.94
6000 Engineering Services	28,551.38	1.53	26,916.50	1.58
6005 Watermaster Services	10,502.54	0.56	10,567.00	0.62
6015 Administrative Salary	143,325.61	7.66	137,868.24	8.10
6017 Administrative Travel	494.84	0.03	1,060.06	0.06
6020 Board Compensation	6,450.00	0.34	5,000.00	0.29
6021 Administrative & Board Exp.	1,017.13	0.05	237.61	0.01
6022 Board of Directors Election	211.03	0.01	0.00	0.00
6024 Customer/Public Info. Prog.	2,469.13	0.13	1,421.95	0.08
6025 PERS - KID	38,034.00	2.03	105,936.63	6.23
6030 Social Security - KID	30,523.12	1.63	27,638.50	1.62
6031 Medicare - KID	7,172.16	0.38	6,490.55	0.38
6035 Office/Computer Supplies	6,680.98	0.36	6,823.40	0.40
6036 Postage/Delivery	4,170.30	0.22	4,708.28	0.28
6040 Professional Dues	14,111.06	0.75	13,984.38	0.82
6045 Legal Services	9,737.34	0.52	9,251.61	0.54
6050 Telephone	4,259.28	0.23	4,352.66	0.26
6051 Mobile Telephone	251.03	0.01	772.97	0.05
6052 Pagers	416.25	0.02	451.69	0.03
6053 Internet Service	769.89	0.04	783.76	0.05
6059 Computer Software Maintena	7,047.86	0.38	6,971.25	0.41
6061 Office Equipment Maintenanc	0.00	0.00	747.89	0.04
6065 Accounting Services	7,100.00	0.38	7,100.00	0.42
6070 Office & Accounting Labor	116,220.50	6.21	92,911.75	5.46
6075 Professional/Contract Servic	26,225.03	1.40	30,971.72	1.82
6080 Administrative Fees	11,286.86	0.60	9,462.85	0.56
6081 Permits/Fees	7,218.10	0.39	8,752.50	0.51
6086 Taxes - Sales/Use	6,887.51	0.37	38.90	0.00
6088 Interest Expense	61,735.46	3.30	64,800.74	3.81
6120 Bank Service Charges	8,955.74	0.48	7,677.19	0.45
Total Expenses	1,356,714.61	72.51	1,418,586.02	83.38
Net Income	514,275.33	27.49	282,864.87	16.62

General Manager's Report for the Board of Directors Meeting on January 19, 2021

I. Customer Account Information and Internet Usage

A. Delinquent Accounts –

22 accounts received past-due notice
 22 accounts received late charges in the total amount of \$331.56
 4 accounts received door hanger shut off notice
 0 accounts were shut off for non-payment
 0 accounts remain shut off for non-payment

B. Aged Receivables –

Month	Current	30 days	60 days	90 days or greater	Total
January 2020	\$57,804.78	\$2,029.61	\$0.00	\$0.00	\$59,834.39
February 2020	\$43,425.93	\$2,189.30	\$0.00	\$0.00	\$45,615.23
March 2020	\$17,853.64	\$2,148.94	\$261.86	\$0.00	\$20,264.44
April 2020	\$20,241.55	\$3,075.96	\$320.44	\$24.85	\$23,662.80
May 2020	\$21,330.64	\$2,628.19	\$261.22	\$159.13	\$24,379.18
June 2020	\$26,619.22	\$1,657.73	\$0.00	\$0.00	\$28,276.95
July 2020	\$35,672.74	\$1,791.06	\$44.66	\$0.00	\$37,508.46
August 2020	\$27,970.57	\$2,624.99	\$0.00	\$0.00	\$30,595.56
September 2020	\$32,787.39	\$3,299.78	\$181.77	\$0.00	\$36,268.94
October 2020	\$35,165.98	\$3,020.50	\$1,102.31	\$97.99	\$39,386.78
November 2020	\$31,925.74	\$6,497.96	\$98.72	\$0.00	\$38,522.42
December 2020	\$28,288.75	\$3,101.55	\$91.68	\$0.00	\$31,481.98

C. Website Usage and Online Payments –

Month	Users	Page Views	Online Payments	Online Amount
January 2020	222	633	86	\$16,487.54
February 2020	302	792	79	\$15,576.49
March 2020	261	676	71	\$13,884.21
April 2020	268	729	87	\$16,741.06
May 2020	296	798	92	\$15,222.42
June 2020	459	994	92	\$19,899.20
July 2020	354	1166	98	\$27,411.85
August 2020	276	708	100	\$30,398.55
September 2020	277	608	91	\$27,761.46
October 2020	278	654	109	\$35,098.93
November 2020	248	591	93	\$29,258.42
December 2020	253	560	110	\$33,318.03

II. General Manager’s Projects and Activities

A. Employee Policies and Procedures – Prepared Revision 5 for presentation to the Board for discussion and adoption.

B. Advanced Meter Infrastructure – Worked with vendor to prepared a revised proposal.

C. Activities/Meetings/Webinars/Conferences*

1. KID Staff Meetings
2. RMJ Tech/Geotab Fleet Tracking and Maintenance Demo
3. ACWA Region 8 Virtual Membership Meeting
4. PWAG Board Meeting
5. PWAG Emergency Coordination Update & Discussion
6. General Pump Maintenance, Operation and Troubleshooting Webinar
7. KID Board Meeting
8. FMWD Finance Committee Meeting
9. FMWD Board Meeting
10. MWD “Water is Life” Event

* Organization Acronyms:

ACWA – Association of California Water Agencies

ACWA JPIA – Association of California Water Agencies Joint Powers Insurance Authority

AWWA – American Water Works Association

CalTRUST – Investment Trust of California Joint Powers Authority

CSDA – California Special Districts Association

CUEA – California Utilities Emergency Association

FMWD – Foothill Municipal Water District

KID – Kinneloa Irrigation District

LAFCO – Local Agency Formation Commission of Los Angeles County

PWAG – Public Water Agencies Group

RBMB – Raymond Basin Management Board

RCAC – Rural Community Assistance Corporation

III. Incident Reports and Facility Activities

A. Incident Reports –

Customer Leaks	System Leaks	Water Waste	Water Quality	Customer Service*	Comments
1	0	0	0	4	Leak was in nipple on customer side of meter

* Customer service includes requests for water shutoff to facilitate customer plumbing repairs, inquiries about water bills, requests for leak checks and general questions.

B. Current and Completed Capital Improvement, Facilities Improvement, Maintenance and Repair Projects and Activities –

1. Routine daily and monthly activities
 - a. Operator training
 - b. Meter and transmitter maintenance and replacement
 - c. Water samples
 - d. Vehicle and equipment maintenance and testing
 - e. Facility cleanup
 - f. Production meter readings and report to RBMB
 - g. Chlorine generator maintenance
 - h. Meter reading
 - i. Customer service calls
 - j. Responding to Underground Service Alerts (USA's) to mark our pipelines
2. Facility and Equipment Repair and Maintenance for December
 - a. Far Mesa Tunnel back flush to remove clog due to root intrusion
 - b. Fire hydrant painting
 - c. Office painting and front landscaping preparation
 - d. Holy Cl₂ injector leak repaired
3. Capital Improvement and Maintenance Projects for 2020 (Completed or in progress)
 - a. Water softener installation at Glen for Far Mesa Cl₂ system
 - b. Two replacement pickup trucks
 - c. Replace chlorination equipment at Eucalyptus Reservoir for Eucalyptus Tunnel water
 - d. Solar power supplies for West Tank and Transfer Valve
 - e. Office driveway remove and replace

C. Future Capital Improvement Projects, Facilities Improvement, Maintenance and Repair Projects –

1. Sierra Madre Villa and Villa Heights Pipeline Improvement Project (Design phase completed)
2. Brown/Glen Pipeline Improvement Project (Design phase in progress)
3. House Tunnel Pipeline repair
4. High/Low Tunnel Pipeline inspection

IV. Water Supply Summary as of November for the Watermaster Year July 2020 through June 2021

Raymond Basin Groundwater (Acre Feet)		Kinneloa Irrigation District Water Tunnels (Acre Feet)	
Water Rights	516	Eucalyptus	5
Prior Year Carryover	52	Far Mesa	2
Less Temporary 30% Reduction in Water Rights	-155	Delores	1
Leases/Exchanges	0	House	0
Prior Year Spreading	93	Holly High/Low	3
Short Term Storage	134		
Current Year Spreading	0		
Total Allowable Extractions	640		
Less Water Extracted YTD This Watermaster Year	- 301	Current Tunnel Monthly Production	11
Remaining Allowable Groundwater Extractions through June 2021	339	Remaining Estimated Tunnel Production through June 2021	77
Total Available Water Supply (Remaining Allowable Groundwater + Remaining Estimated Tunnel Production through June 2021)		416 Acre Feet	
Less Remaining Forecasted Retail Water Sales through June 2021		-284 Acre Feet	
Surplus Water through June 2021*		132 Acre Feet	

* This is the forecasted surplus water available for sale in the current year and/or carryover to the next Watermaster year which starts on July 1 subject to the carryover limits established by the Raymond Basin Management Board. Regarding the available surplus water, we will generally maximize the carryover to the next year and deliver the balance of the forecasted surplus water (if any) to the City of Pasadena. In the 2019-2020 year, 119 Acre-Feet were sold to the City, 52 Acre-Feet were carried over to 2020-2021 and 134 Acre-Feet were put into our short-term storage account. Although we may lease additional pumping rights from another agency with surplus pumping rights, this is not considered a guaranteed source of supply since it is subject to negotiation. In addition to the available water, the KID has 774 Acre Feet in a long-term storage account. Additions to long-term storage are no longer permitted but withdrawals can be made at any time to supplement allowable extractions. However, since long-term storage is considered by KID staff to be an emergency supply, we do not plan to use or sell this water now.

V. Water Samples and Test Results – See Attachment A

Attachment A

Water Samples and Test Results

Sample Date	Source or Distribution	Lab	Description	# of tests	Results**	Maximum Contaminant Level* (MCL)
01/07/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
01/08/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
01/08/20	Distribution	Clinical	fluoride	6	1.2 - 1.7 ppm	3 ppm
01/15/20	Source	Weck	Title 22 VOC	66	ND or A	1 positive sample
01/15/20	Source	Weck	Title 22 fluoride	6	1.1 - 2.7	3 ppm
01/15/20	Source	Weck	Title 22 nitrate	3	1.6 - 4.2	10 ppm
01/21/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
02/04/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
02/04/20	Both	Eurofins	coliform, e. coli	72	ND or A	1 positive sample
02/12/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
02/13/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
02/19/20	Both	Eurofins	coliform, e. coli	72	ND or A	1 positive sample
03/03/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
03/04/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
03/04/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
03/11/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
03/12/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
03/17/20	Both	Eurofins	coliform, e. coli	72	ND or A	1 positive sample
04/01/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
04/01/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
04/01/20	Distribution	Clinical	fluoride	6	1.2 - 1.7 ppm	3 ppm
04/02/20	Source	Weck	Title 22 VOC	330	ND or A	1 positive sample
04/02/20	Source	Weck	Title 22 fluoride	6	1.2-2.7	3 ppm
04/02/20	Source	Weck	Title 22 nitrate	5	0.76-4.5	10 ppm
04/14/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
05/05/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
05/05/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
05/19/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
06/02/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
06/02/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
06/16/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
07/07/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
07/07/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
07/14/20	Source	Weck	fluoride	6	1.0-2.5	3 ppm
07/14/20	Source	Weck	Nitrate	2	3.9-4.2	10 ppm
07/14/20	Source	Weck	Perchlorate	6	ND	6 ppb
07/21/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
07/22/20	Distribution	Clinical	fluoride	6	1.2 - 1.5 ppm	3 ppm
08/04/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
08/04/20	Both	Eurofins	coliform, e. coli	72	ND or A	1 positive sample
08/10/20	Distribution	Weck	DBPR TTHM/HAA5	22	<1-26 ppb	80 ppb, 60 ppb
08/18/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample

Attachment A

Water Samples and Test Results

Sample Date	Source or Distribution	Lab	Description	# of tests	Results**	Maximum Contaminant Level* (MCL)
08/20/20	Both	Eurofins	coliform, e. coli	8	ND or A	1 positive sample
09/01/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
09/01/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
09/22/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
10/06/20	Source	Weck	fluoride	6	1.1 - 2.7	3ppm
10/06/20	Source	Weck	Nitrate	2	4.2 - 4.3	10 ppm
10/06/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
10/06/20	Distribution	Clinical	fluoride	6	1.1 - 1.3 ppm	3ppm
10/06/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
10/20/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
11/03/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
11/03/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
11/17/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
12/01/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
12/01/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
12/15/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample

Total samples: 2516

* Color, odor, and turbidity are regulated by a secondary standard to maintain aesthetic qualities.

** ppm = parts-per-million, ppb = parts-per-billion, pCi/L = picocuries per liter, <MCL = less than Maximum Contaminant Level, ND = not detected, A = Absence

The State of California Water Resources Control Board, Division of Drinking Water, provides access to water quality monitoring notification documents, including monitoring schedules and test results. The link for Kinneloa Irrigation District Water System Details is

https://sdwis.waterboards.ca.gov/PDWW/JSP/WaterSystemDetail.jsp?tinwsys_is_number=2514&tinwsys_st_code=CA



1999 KINCLAIR DRIVE, PASADENA, CALIFORNIA 91107-1017
TELEPHONE (626) 797-6295 • FAX (626) 794-5552
WEBSITE: kinneloairrigationdistrict.info

January 13, 2021

Dear Board of Directors,

In response to the discussion and questions raised in the November 17, 2020 and December 15, 2020 meetings, I requested a revised proposal for the Subeca AMioT™ platform that will satisfy our requirements for the first year to replace the existing transmitters that we expect to fail during the year. This will give us an opportunity to evaluate the performance of the system without committing to system-wide conversion.

As explained in the previous meetings, Subeca has not “created” new technology but has consolidated proven technologies to accommodate the needs of the water agencies for today and tomorrow. This type of integrated water management system empowers both the District and the customer to offset increases in rates by giving customers ultimate control over their respective water usage. This also helps the KID to meet the reduced water usage mandate of the State of California and avoid the need for costly imported water supplies.

The primary advantages of the Subeca system as compared to competing systems are the real-time collection of data and leak alerts and the overcoming of the communications problems in our service area. This was demonstrated by an extensive field test and a continuing pilot program.

In considering the proposal, please know that I have been informed that some of the items such as the communications gateway installation are “not to exceed” amounts. Furthermore, quantities will be adjusted based on actual components that are needed and we will only be billed for the actual amounts.

I have considered many options during the past two years for addressing the need to replace our failing and obsolete automated meter reading system. I recommend that the Board approves installing the Subeca system in this phased manner to allow us to evaluate the system before we commit to a total conversion over the next few years.

Sincerely,

Melvin L. Matthews

General Manager

Quotation

Subeca, Inc.
 P.O. Box 6569
 McKinney, TX 75071



Date	Quote #
1/13/2021	20225

Name / Address
Kinneloa Irrigation District Melvin L Matthews 1999 Kinclair Drive Pasadena, CA 91107

Line	Spec No.	Description	Qty	Price	Total
1	12007	Subeca Pin with Adapter	50	120.00	6,000.00T
2	22002	Subeca Link	50	195.00	9,750.00T
3	40001	Meter box lid replacement	50	30.00	1,500.00T
4	SubFee	Subeca Engage platform per connection point annual fee. Includes Agency Engage platform for multi-users	50	8.40	420.00
5	70001	Gateway, 16 channel	3	1,900.00	5,700.00T
6	70004	Sennet License 16 channel annual fee KID assumes payment after 12 months	50	2.40	120.00
7	90002	Installation of 3 gateways	3	5,000.00	15,000.00
8	60013	ACT 3/4" wireless valve	1	0.00	0.00T
		Subeca will perform a site evaluation to determine the final mix of Pins and Links. In some areas a single Link may support multiple Pins.			
		Sales Tax		9.50%	2,180.25
			Total		\$40,670.25



Kinneoloa Irrigation District Employee Policies and Procedures

DRAFT

KINNELOA IRRIGATION DISTRICT EMPLOYEE POLICIES AND PROCEDURES

**Adopted
February 15, 2000**

**Revision 5
January 19, 2021**

DRAFT

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I. GENERAL EMPLOYMENT POLICIES

A. Equal Employment Policy

State and Federal employment laws prohibit discrimination because of race, color, religion, sex, sexual orientation, age, physical or mental disability, veteran's status, marital status, national origin, ancestry, pregnancy, citizenship, or medical condition in all employment practices, including conditions of employment. Job applicants and current employees will be evaluated solely on their ability and experience as it relates to the requirements of the position.

The Kinneloa Irrigation District (the District) will not tolerate acts of discrimination, including harassment, by either board directors, managers, supervisors, employees, or members of the public.

The District will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified applicant for employment, unless undue hardship would result. Any applicant or employee who requires accommodation to perform the essential functions of a job should contact the General Manager. The applicant or employee should advise the District what accommodations are needed to perform the job. The District will determine possible accommodations, if any. If accommodation is reasonable and will not impose undue hardship upon the District, the accommodation will be made.

When job openings occur, the District is interested in obtaining the best-qualified personnel available, consistent with the requirements of the job.

Federal and State Child Labor Laws prohibit the District from employing anyone less than 18 years of age, except in jobs not prohibited by these laws.

If an employee believes that they have been subjected to any form of unlawful discrimination, they should promptly report the facts of the incident or incidents, and names of the individuals involved, to the General Manager. The District will promptly investigate all claims of discrimination and ensure that appropriate action will be taken. The District will also take action to deter any future discrimination. The District's determination and related District action will be communicated to the reporting employee.

B. Discrimination or Harassment Policy

1. Discrimination or Harassment

The District strictly prohibits unlawful discrimination or harassment on the basis of an employee's race, sex, religious creed, color, national origin, ancestry, age, marital status, sexual orientation, or physical or mental disability. Discrimination of anyone in or from the District, on any of these bases, is strictly prohibited. This policy prohibits discrimination in any form, including:

- Verbal harassment such as epithets, jokes, derogatory comments, or slurs based on the person's race, sex, religious creed, color, national origin, ancestry, age (over 40), marital status, sexual orientation, or physical or mental disability;
- Physical harassment such as assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on one of the categories above; and
- Visual harassment such as derogatory posters, cartoons or drawings based on one of the categories above.

If an employee believes they have been or are being subjected to this kind of discrimination, and are unable to resolve (or uncomfortable attempting to address) the problem with the individual, they should promptly report it to the General Manager. All such claims will be investigated in a manner designed to protect the privacy and confidentiality of all involved and appropriate action will be taken. When appropriate, the District may seek to resolve the matter informally. Any employee found to have discriminated against anyone in or from the agency, based on one of the categories above will be disciplined, from verbal reprimand to dismissal, based on the circumstances. If they have any questions about this policy or want more information about it, please contact the General Manager.

2. Sexual Harassment

Sexual harassment of the District employees, by any person includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

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

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

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

3. Anti-Harassment Training

In compliance with CA Government Code §12950 and §12950.1, the District will provide:

- At least two hours of classroom or other effective training and education regarding sexual harassment prevention to supervisory employees (CA SB1343/AB1825). Thereafter, anti-harassment training will be provided once every two years.
- One hour of sexual harassment prevention training and education to nonsupervisory employees (SB1343). Thereafter, anti-harassment training will be provided once every two years.
- New employees will be trained within thirty calendar days after hire date or within 100 hours, whichever is first. Thereafter, anti-harassment training will be provided once every two years.
- Temporary employees must be trained within thirty calendar days after the hire date or within 100 hours worked if the employee is expected to work for less than six months.

4. Guidelines for the Employee

If an employee thinks they are being sexually harassed they should be advised to:

- Say NO! Make it clear to the offender that the behavior is unacceptable to them. The person may not realize the advances or behavior are offensive. Sometimes a simple confrontation will end the situation.
- Not let confusion and/or self-doubt stop them from speaking out.
- Keep a record of dates, times, places, witnesses, and nature of harassment. Such records will be helpful if they find it necessary to pursue a formal grievance.

If an employee feels that they have been or are being sexually harassed or are aware of or suspect the occurrence of sexual harassment, or they desire counseling on coping with sexual harassment, they should be encouraged to immediately contact the General Manager.

5. Disciplinary and/or Corrective Action

Any employee found to have sexually harassed anyone in or from the District will be disciplined, from verbal reprimand to dismissal, based on the circumstances.

C. Immigration Reform and Control Act Policy

The District is committed to full compliance with the Immigration Reform and Control Act. This law requires all individuals pass a verification procedure, including the completion of an "Employment Verification Form," before they are permitted to work. This verification procedure requires every potential new employee to provide satisfactory evidence of identity and legal authority to work in this country, which comply with the requirements of the Immigration law. All new employees are required to pass this verification process.

D. Nepotism Policy

A spouse of a District employee may not be precluded from employment unless there is a supervision, safety or morale problem involved in placement of the employee in the same department as the spouse, creating potential conflict of interest or other hazard greater for married couples than for other persons.

A closely related person of any present elected or appointed officer or employee may not be hired by the District so long as such elected or appointed officer or employee remains as such, except as may be approved by the General Manager or the Board of Directors. For the purpose of this rule, a closely related person shall be defined as any of the following: spouse, registered domestic partner, child, adopted child, stepchild, son-in-law, daughter-in-law, parent, stepparent, father-in-law, mother-in-law, sibling, stepsibling, brother-in-law, sister-in-law, grandparent, or grandchild.

E. Employee Classification Policy

Upon successfully completing an initial appraisal process, the employee will then be classified into one of the following classifications.

1. Full-Time Regular Employee

Defined as employees who have successfully completed their initial appraisal process and are assigned a definite work schedule of at least 30 hours per week and their employment is expected to continue for an indefinite period of time. Full-time regular employees are eligible for employee benefits as described later in this handbook. Full-time employees that 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 if permitted by the benefit provider and if in accordance with the District's policies and procedures.

2. Part-Time Regular Employee

Defined as employees who have successfully completed their initial appraisal process and are assigned a work schedule of less than 30 hours per week and it is expected to continue for an indefinite period of time. Part-time regular employees are not eligible for vacation, sick leave, and holiday benefits as described later in this handbook.

3. Temporary Employees

Defined as an employee who is hired to perform a specific task or to be employed for a temporary period of time. Temporary employees are not eligible for benefits.

4. Non-Exempt/Hourly Employee

Defined as an employee who is paid wages for each hour of work performed and who is eligible to receive overtime pay according to federal mandates.

5. Exempt/Administrative/Professional

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 and are expected to work those hours necessary to complete their duties and responsibilities.

6. Exempt/Executive, Manager or Supervisory 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.

F. Rehired Employee Policy

Employees who are rehired following a break in service in excess of one (1) year, other than an approved leave of absence, must serve another initial appraisal process, whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their re-employment for all purposes, including the purposes of measuring benefits.

II. SAFETY AND SECURITY POLICIES

A. Injury and Illness Prevention Program (IIPP)

The 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 and Illness Prevention Program (IIPP). The General Manager is assigned primary 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.

1. 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 includes:

- All employees will be annually evaluated on their safety performance.
- Employees who exercise safe and healthful work practices will be recognized on their performance appraisal.
- Employees that do not exercise safe and healthful work practices will be trained or retrained.
- Any employee that continues not to comply with or ignores safe and healthful work practices will be disciplined. The District will not tolerate unsafe acts by its employees. If any employee violates safety and health policies and rules, or otherwise does not work in a safe and healthful manner, they will be subject to appropriate corrective action, up to and including termination.

2. Communication of Safety and Health Information

The District recognizes that open, two-way communication between management and staff on safety and health 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 questions and answers scheduled to coordinate with a Board of Direct regular meeting or committee meeting;
- Staff meetings;
- Posters in the break area; and
- The monthly Risk Control Bulletin provided by the District's insurance carrier and other training materials.

Safety and health information shall include:

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

The managers and supervisors may recommend topics or entire articles for distribution and consideration.

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 or take any type of corrective action against any employees who express their safety concerns. The suggestions may be also submitted anonymously.

The District shall comply with the California Division of Occupational Safety and Health (Cal/OSHA) and other safety and health rules and regulations that apply.

3. Safety and Healthful Work Practices

The 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 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 their manager. Managers shall investigate and take the necessary steps to correct the malfunction as soon as possible.
- Must wear appropriate personal protective equipment (PPE) 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's business.
- Report accidents, injuries, exposures, and incidents to their immediate manager and any other manager.

4. Hazard Assessment

Semi-annual inspections to identify and evaluate workplace hazards will be conducted by the General Manager or a designated employee with the assistance of a Risk Management Consultant. These inspections will also be conducted when:

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

Periodic inspections consist of identification and evaluation of workplace hazards utilizing the checklists provided by the Risk Management Consultant or the General Manager.

5. 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 be 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 and maintained in a file.

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;
- 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.

7. Record Keeping

The following procedures are taken to maintain the District 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 documented.
- Documentation of safety and health training for each employee, including the employee's name training dates, type of training will be recorded on the training database.

B. Security Policy

The District's policy is to not discuss the security of the District premises or services with any individual not employed by the District. Additionally, the District and its insurance carriers do not accept any liability for the employees' personal belongings.

The District retains the right to search its property or facilities at any time (including employee-assigned desks, files, and computer systems). Anything of a private nature subjected to discovery during such searches should be kept in a briefcase, backpack, purse, or lunch bag.

C. Alcohol, Marijuana and Drug Free Workplace Policy

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

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

It is expected that the employee shall not be at work, drive a vehicle on District business, or operate equipment with any amount of alcohol, marijuana, and/or illegal drugs in their system which would result in a confirmed positive test; shall not use alcohol or marijuana, possess open containers of alcohol, possess marijuana or use or possess illegal drugs while on duty; and shall not manufacture, distribute, dispense, sell, or provide alcohol, marijuana, or illegal drugs to any person while on duty. If the use of a prescription drug combined with the duties of the required job creates an unsafe working condition, this fact shall be reported to the General Manager prior to reporting to work.

Employees may be subject to drug and alcohol testing upon hiring or when there is reasonable suspicion that the employee has violated the District's policy. In addition, an employee who has already been found in violation of the policy will be required to submit to periodic substance testing as a condition of remaining in or returning to the District's employment.

D. Blood Borne Pathogens Policy

As part of its continuing commitment to employee safety and health the District has adopted a comprehensive policy for dealing with possible employee exposure to blood-borne pathogens. While possible employee exposure to blood-borne pathogens may have serious consequences, these measures are primarily intended to be precautionary.

An employee who renders first aid assistance in any situation involving the presence of blood or other potentially infectious materials will immediately be offered Hepatitis B vaccination. The District will pay for this vaccination. If rendering first aid results in an eye, mouth, or non-intact skin contact with blood or other potentially infectious materials, the District will document the circumstances of the exposure, identify the person from whom the potentially infectious material came, inform the first aid provider about the symptoms that might develop from exposure, collect and test the first aid provider's blood (with the employee's consent and at the District's expense) for Hepatitis B and HIV serum status, provide post exposure treatment, and provide employee counseling.

E. Bomb Threats and/or Threatening Call Procedure

Should an employee receive a threatening phone call, they should remain calm and try to write down the exact wording of the emergency/threat. Be sure to notify the General Manager immediately, and if appropriate, phone 9-1-1.

F. Emergency Evacuation Procedure

1. District Office

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 work area unattended. Time permitting, shut off computers, heaters, radios, coffee warmers, etc.
- Take personal items such as purses and briefcases, time permitting.
- Assemble at the predetermined safe location for an attendance check.
- An employee who is away from their work area at the sound of an alarm, should follow the instructions of the person in charge. They should not return to their work area after the evacuation process has begun.
- Do not re-enter the building until advised to do so by the person in charge or by the fire department.
- In the event of an earthquake, an employee is to get under their desk or the nearest table, (staying away from windows if possible) until further notice from the person in charge.
- In the event of a small fire, a conservative approach should be taken when deciding to use a fire extinguisher and/or calling 9-1-1.

2. Other District Facilities

Supervisors are responsible for the safety of those in their charge during an emergency evacuation, and they will be the last to leave the facility. Procedures should be followed that are appropriate for the particular facility to protect property and the safety and health of employees.

G. Employment Reference Check Procedure

All inquiries regarding a current or former District employee or Board Director must be referred to the General Manager. Should an employee receive a written request for a reference, they must refer the request to the General Manager for handling. Employees may not issue a reference letter to any current or former employee without the permission of the General Manager. Under no circumstances should an employee release any information about any current or former District employee or Board Director over the telephone. All telephone inquiries regarding any current or former employee of the District must be referred to the General Manager.

In response to an outside request for information regarding a current or former District employee, the General Manager will verify only an employee's name, dates of employment, and job title. No other data regarding any current or former District 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, an employee is contacted to give a personal reference regarding a current or former District employee, they 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 discipline up to and including termination.

H. Media/Outside Information Request Procedure

Employees are not permitted to give or report any information about the customers of the District, another employee, outside vendor, client or consultant to anyone outside of the District staff. They should forward any such request, whether verbal or written, to the General Manager for handling.

I. Personnel Records Policy and Procedure

Employee files are confidential and are to be treated as such. Access to an employee file is limited to the following:

1. Persons Other Than The Employee

Other employees of the District may have access to personnel files only for legitimate business purposes. Legitimate business purposes shall include:

- Administrative staff access as needed in the course of normal duties;
- General Manager considering an employee for promotion; and
- Others only specifically authorized by the General Manager.

Non-employees may not, except with specific authorization, have access to the files themselves. Generally, such access will be granted only upon advice of counsel. Access of non-employees to information in a file is governed by the District's policy on references.

2. The Employee

An employee may inspect his or her own personnel file in the presence of the General Manager.

III. EMPLOYEE CONDUCT POLICIES

A. Standards of Employee Conduct Policy

The following examples are given in order to provide guidance concerning unacceptable behavior. If the District chooses to discipline an employee who engages in unacceptable behavior, the employee may be subject to corrective action up to and including possible 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
- Using abusive or vulgar language, or causing disruption to the work place or to fellow employees or visitors
- Unavailability for work, i.e. absenteeism or tardiness
- Misuse of the District's moneys
- Conducting non-business activities during working hours
- Any action indicating a disrespect or disregard for the District suppliers or customers
- Release of confidential information about the District or its customers
- Falsification of forms, records, or reports including, but not limited to, time sheets, employment applications and customer records
- Possessing or bringing firearms, weapons, open containers of alcohol, marijuana, illegal drugs or chemicals on or to the District's property
- 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 the employee
- Smoking in restricted areas
- Destroying or willfully damaging the District's property 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 property without approval prior to the end of a scheduled workday
- Sexual harassment or other unlawful harassment of another employee or customer
- 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 or misleading information in accident or insurance reports
- Willful failure to report to a 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 and/or marijuana
- Threatening or intimidating other employees or customers
- Behavior unbecoming a District employee; that behavior or action which would adversely prejudice public opinion of the District
- 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 Department 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

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.

B. Dress and Grooming Standards Policy

While the District has no formal dress code, it is expected that an employee will dress in a manner consistent with good business practices. The Board of Directors and General Manager approved the following guidelines:

- Professional clothing for management and office personnel (suits, coats, ties, slacks, dress shirts, collared shirts, dresses, and skirts) is encouraged but not required.
- Professional clothing should be worn on days when professional contact is expected.

Employees should wear clothing that is appropriate for the tasks and responsibilities being performed and with safety in mind at all times. The following are not appropriate:

- Torn, cut-off, dirty or frayed clothing.
- Clothing with logos (except District logo), obscene messages or artwork.
- Hats or headgear (except those worn for acceptable religious reasons, for protection from the sun, or for safety reasons).

C. Driving Policy and Procedure

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.

The District obtains from the DMV a copy of the driving record of all employees that are authorized to operate District vehicles or personal vehicles for business reasons.

- As a public agency, the District is entitled to receive copies of driving records from the DMV without charge.
- A copy of an employee's driving record shall be obtained as soon as possible after they 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 were developed.

Occasionally other concerned employees or the general public may bring to the District's attention the fact that an employee may be jeopardizing the District'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 they have poor driving techniques and/or habits, the District's progressive disciplinary procedures may be followed. (Depending on the seriousness of the poor driving technique and/or habit, it may be desirable to enroll them 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 their duties require driving of either a District vehicle or a personal vehicle, they must maintain a driving record that will not cause the District's insurance rate to be increased or for them to become uninsurable. Any such actions could lead to disciplinary action.

An employee 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 their driving records reviewed. In addition, an employee is required to provide the District with proof of insurance coverage for their personal vehicle.

An employee is expected to practice good defensive driving techniques and operate the vehicle in a safe and responsible manner.

D. Off-duty Conduct Policy

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

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

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

- Employment that conflicts with an employee's work schedule, duties, and responsibilities.
- Employment that creates a conflict of interest or is incompatible with the employee's employment with the District.
- Employment that impairs or has a detrimental effect on the employee's work performance with the District.
- Employment that requires the employee to conduct work or related activities on District's property, facilities and/or equipment during working hours.
- Employment that directly or indirectly competes with the business or the interests of the District.

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

E. Personal Use of Office Equipment Policy

The District does not permit its employees to utilize office equipment or supplies for personal use. However if an employee requests a single copy of some personal item or to fax a personal item, the District management may give permission as a convenience to the employee. If this practice is misused it may be cancelled by management at any time.

F. Vehicle Use Policy

The District does not permit its employees to utilize its vehicles for personal use or for commuting to and from work to home or for transporting non-employees unless otherwise authorized by the General Manager. The District vehicles are to be parked overnight at locations that are approved by the General Manager. The single exception without prior approval is when an operator is assigned to standby duty. On those weeks, an employee may (but is not required to) park the vehicle in a secure manner overnight at their personal residence.

G. Smoking Policy

For health, safety, and legal considerations, all District facilities are considered non-smoking areas. All District vehicles are also considered to be non-smoking vehicles, unless specifically stated otherwise by the General Manager. Vehicles shared with non-smoking employees are also considered to be non-smoking vehicles.

H. Solicitation and Distribution Policy

Soliciting co-workers during work time being paid for by the District is prohibited, including the use of email. Distribution or posting of pamphlets, leaflets, or any other literature in the District's work areas is prohibited.

I. Staff Expense Reimbursement Guideline Procedure

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

1. Credit Card Use Procedure

District credit cards will be issued to specific employees who frequently purchase supplies or services. District 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 business credit card.
- All charges must be in line with guidelines or as approved by management.
- Receipts/invoices must be submitted to office on or before the last business day of the month. (To avoid loss of receipts, they should be submitted to the office as soon as possible.)

Personal credit cards should not be used unless there is no other option and/or the purchase is time sensitive. In this situation, or if a personal credit card is used accidentally to purchase supplies or services for the District, the employee must submit to the office as soon as possible and before the last business day of the month, the receipt/invoice along with an expense/reimbursement form.

2. Mileage Reimbursement Procedure

The mileage reimbursement rate to operate privately owned vehicles will be the allowable IRS rate in effect at the time the expense is incurred. The mileage distance should be calculated from the employee's home or the District's offices, whichever is shorter. The District may reimburse any employee incurring out-of-pocket expenses due to traffic accidents while on District business (i.e., deductibles).

J. Telephone Use Policy

The District expects its employee's cooperation in keeping incoming and outgoing personal calls to a minimal level to avoid tying up the phone lines unnecessarily and to avoid direct expense to the District and lost productivity.

K. Electronic Communications Policy

The District uses various forms of electronic communications including, but not limited to computers, email, telephones, cell phones, text messages, internet, PDAs, etc. All electronic communications are official District records and are the property of the District. The District reserves the right to access and disclose all messages sent through its system for any purpose.

Messages transmitted over the electronic communications system should be those involved in the District business activities for the accomplishment of business related tasks or any communication directly related to District business, administration, or practices. Incidental and occasional personal use of the system is permitted, but such messages are subject to the access and disclosure statement set forth in the policy above.

1. Personal Use of Electronics Communications Systems

Limited, occasional, or incidental use of the electronics communications systems (either furnished by the District or property of the employee) for personal, non-business purpose is permitted under the following circumstances:

- Personal use may not interfere with the productivity of the employee or with the productivity of co-workers.
- Personal use may not involve any prohibited activity described in this policy.
- Personal use may not disrupt or delay the performance of District business.
- Personal use may not consume District resources or otherwise deplete system resources available for District business purposes.
- Personal use may not be used for personal employee gain or commercial ventures.
- Personal use may not support or advocate non-District-related business purposes.

2. Retention of Email

The District's record retention program is regulated by various record retention laws.

No email messages shall be considered by the District to be retained in the ordinary course of business. However, the content of some email messages could be classified as a record pursuant to the guidelines established by management and to the following criteria:

- Content required by law to be retained.
- Content which is documentation of notice to a member of the public of an action or position taken on behalf of the District.
- Content which is documentation of a District policy, District regulation, or official decision made on behalf of the District.

- Content which is documentation of a transaction of business between the District and another party.

Employees should make themselves familiar with the provisions of the District's Records Retention Policy to determine if an email is required to be maintained as a printed and/or electronic document.

3. Access of Another Person's Electronic Communications

Employees may not intentionally intercept, eavesdrop on, record, read, alter, retrieve, receive, send, or use another person's electronic communications and/or electronic storage without proper authorization. Employees, including system administrators and supervisors, may not, without authorization, peruse electronic communications and/or electronic storage of other employees.

4. District World Wide Web Site Policy

The external (or public) District World Wide Web site, and all domains owned and maintained by the District represent a fundamental communication tool for providing critical District information. The goal of the collective web sites is to encourage increased participation in District activities. Towards this end, the development and use of the District's sites are guided by the web site policy.

The District's General Manager or a designated outside service provider is responsible for the implementation and maintenance of the District's sites, complying with the web policies, and maintaining and securing the web servers and web sites.

The District's web site is for "official use" only. All information disseminated through the web site must be related to the official duties and responsibilities of employees and departments.

The California Public Records Act applies to information processed, sent, and stored on the Internet. Confidential information should not be posted on the District's external web site. Management must approve all information that is posted on the web site.

No District employee or official may use any District web site for campaign-related purposes. Such campaign-related purposes include, but are not limited to, the following: statements in support or opposition to any candidate or ballot measure; requests for campaign funds or references to any solicitations of campaign funds; and references to the campaign schedule or activities of any candidate. No District official's web site may be linked to any private web site related to a candidate's campaign for elective office, but it may link directly to the home page of the election-related pages where general election and candidate information can be found.

5. Internet

Access to the Internet has been provided to employees for the benefit of the District and its members. It allows employees to connect to information resources around the world. Each employee has the responsibility to maintain and enhance the organizations' public image, and to use the Internet in a productive manner. Employees accessing the Internet are representing the District. Employees are responsible for seeing that the Internet is used in an effective, ethical, and lawful manner. To ensure that all employees are responsible, productive Internet users and are protecting the company's public image, the following guidelines have been established:

a. Unacceptable Use of the Internet

While it is not possible to provide an exhaustive list of every type of inappropriate use of the Internet, all users should be aware that appropriate use of the Internet includes, but is not limited to, the following rules:

- Never use an account assigned to another user.
- Never make an unauthorized attempt to enter any computer.
- Never post, send, or provide access to any confidential employer materials or information, unless authorized.
- Never post or send publications of discriminatory, offensive, harassing, defamatory, or confidential remarks about other employees.
- Never access or send sexually-suggestive material.
- No gambling.
- No trademark, copyright, and licensing stipulation infringements.
- No proprietary and confidential information.
- No solicitation, according to the District's policy.
- No personal sites.
- No threatening or inappropriate blogs.

b. Communications

Each employee is responsible for the content of all text, audio, or images that they place or send over the Internet. Fraudulent, harassing, or obscene messages are prohibited. All messages communicated over the Internet should have the employee's name attached. No messages should be transmitted under an assumed name. Employees may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane, or offensive language may be transmitted through the system.

c. Passwords

All passwords created by the user or issued to the user are for the purpose of communication and are not to be shared, given, or otherwise disclosed to any other person. Passwords must not be shared and will be changed periodically by the General Manager as needed to ensure security. All security features contained within the District's Electronic Communications Systems such as passwords, codes, or delete functions will not prevent the District from accessing employees' business or personal electronic communications, stored or otherwise, on the electronic communications systems.

d. No Right of Privacy

The District respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of District-provided equipment or supplies. Employees should be aware that the terms of this policy limit their privacy in the workplace.

The District's electronic communications systems, electronic communications, and electronic storage are the District's property and are intended for District business. All electronic communications and electronic storage within these systems are the property of the District, regardless of the content, including any personal communications. The District reserves the right to monitor the electronic communications systems for any reason, including the right to review, audit, and disclose all matters sent over and/or stored in the electronic communications systems.

As a result, employees should be aware that no electronic communications transmitted on the electronic communications systems, or electronic storage contained within the systems, is private or confidential. Employees should have no expectation of privacy with respect to any use, including storage, business or personal, of the District's electronic communications systems.

Employees should be aware that electronic communications and/or electronic storage can be copied, modified, and/or forwarded to others without the express permission of the original author. Therefore, employees must use caution in the storage, transmission, and dissemination of electronic communications outside of the District and must comply with all state and federal laws. Electronic communications and/or electronic storage of the District may be recognized as official records in need of protection/retention in accordance with the laws of California. All email and Internet messages are subject to state and federal laws, including but not limited to the California Public Records Act, open meeting laws, and the federal Electronic Communications Privacy Act.

The California Public Records Act (CPRA), Government Code Section 6520, et seq requires the District to make all public records available for inspection and to provide copies upon request. A public record is any writing (which includes electronic documents) related to the conduct of the public's business prepared, owned, used, or retained by the District. The CPRA includes a number of exceptions from the disclosure requirement. Any information on the District's information system may be subject to disclosure under the CPRA. If there is some doubt, the employee should contact the General Manager for advice as to whether the information is public record. All public records must be retained in accordance with the District's Record Retention Policy.

6. Social Networking

The District views social networks such as web based discussion or conversation pages and other forms of social networking such as Facebook, Twitter, YouTube, etc., as significant forms of public communication. As such, the District holds all employees who engage in social networking to the same standards held for 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, its partners, customers, suppliers, etc. Further, only the General Manager is authorized to publicly speak on behalf of the District unless approval is obtained in advance. 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.

Additionally, engaging in social networking during the workday can negatively impact productivity and work performance. Therefore, it is the employee's responsibility to regulate their social networking so that it does not negatively impact productivity or cause performance issues.

Identified below are general guidelines and examples of prohibited communications. Please note that this lists 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 General Manager if there is any uncertainty.

General Guidelines and Examples of Prohibited Communications:

- If posts on social media mention the District, its products or services, employees and/or customers, make clear that the posts are made by an employee of the District and that the views posted are the employee's and do not represent the views of the District.

- Do not mention District employees, member Districts, clients, customers, or partners without their express consent. Information published on social networks or blog(s) should comply with the District's confidentiality and disclosure of proprietary data policies.
- Employees may not use the District's logo on their posts unless given written consent by the General Manager. Respect copyright laws, and reference or cite sources appropriately.
- Employees are responsible for what they write or present on social media. Employees can be sued by other employees, competitors, members, and any individual that views their social media posts as defamatory, pornographic, proprietary, harassing, libelous, or creating a hostile work environment.
- Employees may not use District equipment or facilities for non-work related activities without permission.
- Do not link to the District's web site or post District material on a social media site without written permission.
- All District 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. Violation of this policy may lead to discipline up to and including termination.

7. Software

To prevent computer viruses from being transmitted through the system, there will be no unauthorized downloading of any software. All software downloads will be done by or under the supervision of the General Manager or his designated person.

8. Violations

Violations of any guidelines listed above may result in disciplinary action up to and including termination. If necessary, the company will advise appropriate legal officials of any illegal violations.

L. Anti-Fraud and Ethics Policy

The District and its employees must, at all times, comply with all applicable laws and regulations. Employees uncertain about the application or interpretation of any legal requirements should refer the matter to the General Manager.

The District expects its employees to conduct themselves in a businesslike manner and perform duties conscientiously, honestly, and in accordance with the best interests of the organization. Employees are expected to take great care when working with suppliers, contractors, and customers. Employees should respect the confidentiality of information acquired in the course of their work. Regardless of circumstances, if an employee senses that a course of action may involve a conflict of interest, fraud and/or dishonesty, they should immediately communicate all facts to the General Manager.

IV. PAYROLL POLICIES

A. Payroll Administration Policy and Procedure

1. Time Sheets

Employees are required to keep an accurate record of their time on the forms provided by the District. They must submit signed time sheets on a semi-monthly basis. Each time sheet covers one payroll period. The time sheet should be completed in a neat and orderly manner (so that all entries are easily read) and submitted before 9:00 AM on the first business day following the end of the payroll period.

Vacation, sick, holiday, and any other hours of paid time off must be entered on the time sheet. Vacation and/or sick time hours, combined with work/holiday hours, should not exceed 40 regular work hours in each week.

2. Payroll Periods and Paydays

The District's semi-monthly payroll periods for all employees are the first through the fifteenth and the sixteenth through the end of the month. Payroll should be processed and submitted on the first business day of the month following the end of the payroll period. Paychecks should be distributed or direct deposit made on the second business day of the month following the end of the payroll period, occurring no later than 4 business days after the end of the payroll period (on or before the 5th or 20th of the month respectively).

3. Direct Deposit Policy

Direct deposit of an employee paycheck is available (and processed by ADP®). To take advantage of this service, an employee must complete the Direct Deposit form and return it to the office. Direct Deposit is a voluntary participation policy.

B. Call Back Policy

If an employee is called back to work unscheduled overtime from their home, overtime is computed from the time the employee leaves home and ends upon the employees return home. The employee is paid according to the Overtime Policy and Procedures. Call back will be offered to personnel on the Standby rotation list and on seniority.

The District will pay all non-exempt employees overtime pay for hours worked in excess of forty (40) hours in one work week.* Although the District will endeavor to provide advance notice of an overtime request, this is not always possible. The General Manager, in advance of non-emergency overtime hours being worked, must approve overtime by non-exempt employees. The General Manager will always have the option to report to duty himself based on the circumstances.

* Fair Labor Standards Act

C. Compensation Review and Merit Increase Policy For Non-Exempt Employees

Reviews will occur when there has been a significant change in position, responsibilities, or job performance or at the discretion of the Board of Directors or General Manager. At a compensation review, the General Manager will evaluate an employee's performance and based on the outcome of the performance appraisal, an employee's position, salary and job responsibilities may be adjusted. 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. There is no automatic pay increase. It is the District's objective to adjust a salary level to best represent the performance level and responsibilities of each employee in accord with current business circumstances. Note: Any employee on written warning may be ineligible for merit pay increases or promotion.

1. Promotional Increase/Demotion

- A promotion occurs when an employee accepts a higher position. A salary increase is generally given to recognize increased job responsibilities.
- A demotion occurs when an employee has been assigned to a lower position. A salary decrease may be given depending on the circumstances.

2. Administrative Increase/Decrease (Adjustment)

- An administrative increase is an increase in salary within a salary range. It is given to recognize employees who accept a significant increase in responsibilities or have demonstrated significant "growth" in a position which supports a merit increase.

- Current salary level, increased responsibilities, and current business circumstances will be considered when determining a possible salary increase.
- An administrative decrease is a decrease in salary within a salary range if the responsibilities of the job have decreased or if required by the current economic conditions.

3. Pay Increases

- Minimum and maximum salary ranges have been established for each position. These ranges are reviewed and may be adjusted periodically for inflation or other circumstances with the approval of the Board of Directors.

D. Compensation Review and Merit Policy for Exempt Employees

Reviews will occur annually or at the discretion of the Board of Directors or General Manager. At a compensation review, the Board of Directors or General Manager will evaluate an employee's performance and based on the outcome of the performance appraisal, an employee's position, salary, and job responsibilities may be adjusted. This evaluation will be based on a set of goals determined by the exempt employee and the Board of Directors or the General Manager. The goals agreed upon will be evaluated for completeness and quality and an increase in compensation may be recommended based on the overall performance of the employee.

E. Employee Performance Evaluations Policy

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 meaningful information about their work. Employee performance evaluations also aid the General Manager or Board of Directors in making decisions related to such areas as training, merit pay increases, promotion, job assignments, retention, and long range planning. The process is intended to be participatory in nature, involving the employee and the General 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.

1. Overview

All new employees will be evaluated at the end of the initial evaluation period to provide management with the opportunity to review their job performance. It will also provide them with an opportunity to become comfortable with their job position. Major objectives will be outlined by the General Manager at this employee performance evaluation.

Thereafter, an employee will be evaluated periodically to review the objectives set at the prior evaluation with suggestions for improvement, as necessary. The overall performance will be used in consideration of any compensation changes. Job descriptions should be reviewed at each evaluation and updated accordingly.

An employee performance evaluation form may be used to inform an employee of their performance during a review period and support the appropriateness of a salary adjustment within the established guidelines for the current salary level and job classification.

2. Mechanics of the Employee Performance Evaluations

The Employee Performance Evaluation contains several areas of consideration such as the following criteria:

- Availability
- Adherence to Policy
- Behavior Patterns
- Creativity
- Dependability
- Independence
- Initiative
- Interpersonal Relationships
- Knowledge of Job
- Productivity
- Quality

3. Consequences of Substandard Performance

Employees with substandard performance in one or more categories 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 merit or performance based pay increase until the deficiency is corrected;
- 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 while maintaining the satisfactory performance in all other respects, the General Manager may recommend a pay increase and restoration of promotional consideration.

F. Compensatory Time Off Policy

Paid compensatory time-off may be given to non-exempt employees at a rate of one and one half (1-1/2) hours for each hour of overtime if an employee and the District agree to the time off from work in lieu of earned overtime pay. Employees must request in writing their desire for compensatory time off in lieu of overtime pay. If an employee wishes to take compensatory time-off, a written request for the time off must be submitted and approved by the General 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. Hours paid for hours not worked, e.g., holidays, sick days, and vacation days, do not count toward hours worked for overtime computation purposes.

Requests from exempt personnel for compensatory time off for a day or more with pay must be approved by the General Manager in advance of the time being taken.

G. Work Week and Work Hours

The District's work week is Monday through Sunday, beginning at 12:00 AM (0000:00 hours) on Monday and ending at 11:59:59 PM (2359:59 hours) on Sunday.

As a general rule, regular work hours for the District are 8:00 AM (0800 hours) to 5:00 PM (1700 hours), with a lunch break duration of one hour. Any variation from this schedule must be preapproved in writing by the General Manager and employee. Lunch breaks are to be staggered when possible to have the District office open and to have at least one field person available for service calls during normal office hours, which are 8:00 AM to 5:00 PM, Monday through Friday.

All staff members are required to attend weekly staff meetings on Monday at 9:00 AM (0900 hours). If Monday is a holiday, the meeting will be conducted on Tuesday. Attendance is required unless the employee is ill, on vacation, or is participating in a work-related or personal activity that cannot be scheduled to avoid the conflict.

In compliance with Labor Code 551 and 552, employees are entitled to a day of rest and shall not work more than six days in seven unless done so voluntarily. Therefore, if an employee works twelve calendar days in a row for any reason, such as call back or standby, they are entitled to a day of rest and may take the next calendar day off or they may volunteer to work the next calendar day.

H. Overtime Policy and Procedure

Overtime compensation is paid at a rate of one-and-one-half (1-1/2) times the normal hourly rate for all hours worked in excess of forty (40) hours in one work week.* Hours paid for hours not worked, e.g., holidays, sick days, and vacations, do not count toward hours worked for overtime computation purposes.

Tasks are to be scheduled to avoid overtime hours by limiting actual working hours to 40 hours in a week. In order to minimize non-emergency overtime, if an employee works 40 hours, or close to 40 hours Monday through Thursday, the employee may seek approval from the General Manager to leave work early on Friday of that work week.

Non-exempt employees who work on a District-recognized holiday shall be paid their straight-time rate of pay for hours actually worked on the holiday, plus the regular holiday pay for the day.

All non-emergency overtime must be approved in advance by the General Manager or in his absence by the Senior Facilities Operator.** Non-approved overtime will be paid, but may subject the employee to disciplinary procedures.

* Fair Labor Standards Act

** Kinneloa Irrigation District Resolution 2001-12-18

I. Standby Policy and Procedure

Non-exempt employees shall be paid thirty dollars (\$30.00) per day. The employee assigned to standby duty will be furnished with a pager so that they can be contacted in the event of an emergency. The employee, while on standby, must be either at home or readily available by pager. The District voice mail will advise the caller how to be transferred to the answering service in case of a water emergency or other urgent need. Instructions on notifying the standby personnel of an emergency will be given to the District answering service after receiving a call from a customer or other agency. The answering service will page the person on standby.

When a page from the answering service is received, the person on standby will call the answering service to get the caller's contact information and determine the purpose of the call. If the call is an emergency the person on standby will call back immediately and advise the person that they are on the way to investigate the situation.

District vehicles may be taken home while on standby duty but are to be used only for District business and only District personnel are to be in the vehicle, unless otherwise authorized by the General Manager. Standby duty will be one week in duration (7 days), commencing at 7:00 PM Friday and ending at 7:30 AM the following Friday. In the event a holiday falls on Friday, the next scheduled person will take over the standby at 4:30 PM Thursday.

If for some reason such as illness, injury, etc. the person cannot fulfill their standby duty or remain on standby, the next person in rotation will take over, unless other arrangements are made.

The standby employee must be able to respond to the location of an emergency within thirty (30) minutes of becoming informed about an emergency.

Employees on standby will do the facility check daily on Saturday, Sunday and recognized holidays or as designated by the General Manager.

Any emergency work performed by an employee on standby duty should first be cleared through the General Manager.

Non-exempt employees who work on a recognized holiday shall be paid their straight-time rate of pay for hours actually worked on the holiday, plus the regular holiday pay for the day unless other arrangements have been made. Work on Saturday and Sunday shall be paid at an over-time rate if the employee has already worked 40 hours on the previous Monday through Friday.*

* Kinneloa Irrigation District Resolution 2001-12-18

V. PAID/UNPAID LEAVE POLICIES

A. Attendance Policy

The District may utilize a system of progressive discipline, at its sole discretion, in cases of misconduct or unacceptable performance, including absenteeism. The use of such a system does not waive either the District's or employees' right to terminate employment at any time with or without cause. If the number of absences within the most recent 12 month period, regardless of the reason, is excessive, employees will be required to attend corrective interviews, at the discretion of the District, to make them aware of problems and to create an action plan to resolve issues.

The corrective process first takes the form of an informal discussion. If the problem persists, a written corrective action plan will then be issued confirming they have been made aware of any problem, that an interview took place and that they understood the actions necessary for satisfactory resolution. Certain instances of gross misconduct could lead to immediate dismissal.

B. Absent Without Leave Policy

Failure on the part of the employee absent without leave to return to duty within 24 hours after notice to return is delivered by certified mail or direct contact shall be cause for immediate discharge.

C. Bereavement Leave Policy

In the event of a death in an employee's immediate family, the District will grant up to four (4) days of paid time away from work if they are a regular full-time employee. The intent of this benefit is to allow them to make arrangements for and/or to attend the funeral. Additional unpaid time off in the form of a personal leave of absence may be granted for special circumstances with the General Manager's approval. Immediate family for the purpose of bereavement leave is defined as a mother, father, spouse, registered domestic partners, natural or adopted child, brother, sister, grandparent, grandchild, similar in-laws or step-relatives or any other relative who resides with the employee.

D. Family Leave Policy

The District will grant employees, with at least one year of continuous service or a minimum of 1250 hours, up to 12 weeks of unpaid leave in a 12-month period for family care responsibilities and for the employee's own serious medical condition in conjunction with Family and Medical Leave Act (FMLA) and California Family Relief Act (CFRA).

The twelve-month period begins on January 1 and ends December 31, coinciding with the District's fiscal year. The purpose of the family leave is to provide them with the right to take time off from work to bond with a child, to care for a family member or to recover from a serious illness without jeopardizing their job.

When possible, requested leave should be submitted in writing and be approved by the General Manager before the leave begins. The District will maintain coverage under the group health plan provided by the District for the duration of the leave (for a maximum of 12 weeks) and under the condition that coverage would have been provided had they been employed continuously during the leave. If they fail to return to work at the end of the leave, the District has the right to collect from the employee the cost of the health benefits premiums. An employee who returns to work for at least 30 days is considered to have "returned to work".

E. Holiday Policy

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

1. District Holidays Observed

- New Year's Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve

2. 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 and employees are informed at least 2 weeks in advance.
- Employees on leave of absence for any reason at the time of the holiday observance will be ineligible for holiday pay.
- If a holiday falls during employees' approved vacation period, they will be paid for the holiday and will not be charged with a vacation day for the day the holiday is observed.
- When computing overtime pay, employees do not receive credit for hours that are not actually worked on the holiday.
- In order to be paid for a holiday, employees must have worked both the business day before and the business day after a holiday, unless scheduled/planned time off was approved in advance (i.e., vacation). In the event of an emergency, the employee must contact the General Manager.
- Non-exempt employees who work, or are on call back, on a recognized holiday shall be paid the regular holiday pay for the day, plus their straight-time rate of pay for hours actually worked on the holiday or plus their overtime rate of pay for hours actually worked on the holiday if they have worked in excess of forty (40) hours in the work week.

F. Inclement Weather Policy

In the event the General Manager deems it necessary to close the office due to inclement weather, employees will be phoned. The employee should make the effort to come in to the office unless they are notified otherwise. If the employee is unable to do so, they need to touch base with the General Manager.

G. Jury Duty and Witness Duty Policy and Procedure

The employee should immediately notify the General Manager if they receive a notice for jury duty. If they are summoned for jury duty, they will be paid the difference between jury duty pay and their regular hourly rate for up to a maximum of ten working days per year.

If required by law to appear in court as a witness, they may be given paid time off up to a maximum of four (4) days per year for such purpose, provided that they provide the District with reasonable advance notice and proof of such court order.

H. Military Leave Policy

A military leave, in accordance with federal law, will be granted to those employees in a reserve component of the Armed Forces of the United States, Reserves or National Guard.

If regular full-time employees are called to active military duty training as members of the Armed Forces, Reserves, or National Guard, they will be assured full pay for military leaves for up to ten (10) working days per calendar year provided that they are regular full-time employees; ordered for purposes of military training, encampment, naval cruises, special exercises or like activity; they shall be entitled to receive the difference between their regular rate of pay and the military rate of pay for the first thirty (30) calendar days of any such absence.

If regular full-time employees are called to active duty during national or state emergencies, as members of the Armed Forces, Reserves, or National Guard, they shall be entitled to receive the difference between their regular rates of pay and their military rate of pay for the duration of their active duty calls.

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

Should they either voluntarily or involuntarily leave employment to serve in the armed services, they shall be entitled to reinstatement according to state and federal law in effect at the time of their release from active service. No one in this category should be denied re-employment without the District first consulting legal counsel.

I. Personal Leave of Absence Policy

Employees who have been continuously employed with the District for at least one (1) year, may, due to special circumstances, request a personal leave of absence without pay, for a reasonable period of time up to one hundred and eighty (180) days. Requests for leave of absence will be considered on the basis of length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave and the expected impact on the District.

1. 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 the employee fails to report to work on the day after the leave expires, the employee will be considered to have voluntarily resigned.

2. Employee Benefits During A Personal Leave

The District will not pay for group insurance premiums during any portion of a non-medical leave of absence beyond the end of the month in which the leave begins. Accordingly, the premiums beyond that point for such coverage are the employee's 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 and a ninety (90) day waiting period from the date of return from the leave for reinstatement of benefits. Additionally, the District's insurance carrier may require employees on leave to go on a COBRA plan during the leave of absence.

J. Rest and Break Time Policy

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 and field routine and tension. Non-exempt employees are encouraged to take at least a 30-minute lunch break.

K. Part-time or Temporary Employee Paid Sick Leave Policy

California (CA) Paid Sick Leave law (AB 1522) mandates that part-time or temporary employees have the right to accrue and take sick leave for the employee's own or a family member's illness, care, treatment, or preventative care.

If part-time or temporary employees work for the District on or after July 1, 2015, the employees are eligible to accrue sick leave when they work in CA for thirty (30) or more days within a year from the hire date. After thirty (30) days, accrual is one hour of paid leave for every thirty (30) hours worked, with a maximum accrual of 24 hours per year. Unused, accrued paid sick leave will be carried over to the following year, with a maximum accrual of 48 hours.

Part-time or temporary employees are eligible to take sick leave on the ninetieth (90th) day of employment. The employee may submit the sick leave request to the General Manager in writing or verbally. Sick leave is paid at the employee's current rate of pay.

L. Personal Time Off (PTO) Policy and Procedure

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 immediate family members, the District provides employee paid time off (PTO) benefits. These benefits are intended to be used for the out of the ordinary or unexpected emergency need to take time off and are not intended to be used in lieu of vacation.

Immediate family for PTO purposes is defined as a family member residing with the employee. Employees shall report by telephone to the District office as early as possible, their inability to report to work, and the reason therefore.

Employees are encouraged to use PTO for contagious illnesses that might endanger the health of fellow employees and for illnesses or conditions that might impair safety or performance on the job. The General Manager may send an employee home if these illnesses or conditions are observed.

PTO is earned and accrued from the first day of employment

For full-time employees, PTO accrues at 6.667 hours per month (80 hours per year) with a maximum accrual of 480 hours (60 days). PTO is available when work is missed for any reason other than vacation, holiday, bereavement, jury/witness duty, inclement weather, and time to vote, military leave or workers' compensation. PTO cannot be attached before or after a holiday and/or vacation unless approved by the General Manager.

Full-time employees are eligible to take PTO on the ninetieth (90th) day of employment.

The guidelines for planned and unplanned PTO are defined below.

1. Planned PTO

Employee shall submit a request to the General Manager at least eighteen (18) hours in advance of scheduled absence. Time used will be deducted from accrued PTO.

2. Unplanned PTO

Employee shall notify the General Manager as soon as possible when time is needed for out-of-the-ordinary, unexpected time away from work because of short-term illness, injury or personal emergencies. This time generally cannot be made up unless approved by the General Manager and will be deducted from accrued PTO.

M. Pregnancy Disability Leave (PDL) Policy

Any full or part-time regular female employee who is disabled by pregnancy, childbirth, or a related medical condition will, upon written request, be granted a pregnancy disability leave of absence (PDL) without pay not to exceed four (4) months. An employee who is granted a PDL may utilize any accrued sick leave benefits and earned vacation benefits during the period of her leave. Any portion of the leave that occurs after all sick and vacation benefits have been exhausted shall be without pay.

If permitted by the District's insurance carrier, group insurance benefits ordinarily provided by the District will remain in effect until the end of the month in which the leave terminates provided that the employee pays the full cost of this coverage. The insurance carrier might require employees on leave to go on a COBRA plan during the leave of absence. Employees are requested to notify the General Manager that arrangements have been made with the office to pay for the cost of coverage before the leave begins. If they require a PDL, they must notify the General Manager in writing as soon as possible. The written notice should specify the commencement date of the leave, the expected duration of the leave and be accompanied by a signed physician's statement.

Written extension requests of a 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 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.

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

N. School Activity Leave Policy

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 they choose to use vacation or compensatory time off for this purpose. They will be limited to no more than eight hours 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 they participated in the school activity. This request must be made in writing with as much advance notice as possible.

O. Time Off To Vote Policy

In accordance with California state law, if the District work hours do not allow sufficient time off to vote in California general, primary, or presidential elections, the District will offer two (2) hours paid time off for the employee to vote. To receive time off for voting, the employee must notify the General Manager and present a valid voter's registration card. When they return from voting, it will be necessary to present the voter's receipt to the General Manager. Time taken for the purpose of voting must be either at the beginning or end of the normal workday.

P. Vacation Policy and Procedure

Regular full-time employees are eligible for paid vacation according to months of service. Temporary and part-time employees are not covered under this policy. The General Manager shall schedule the times at which the employee may take their vacation. Length of service with the District, the needs of the District and the wishes of the employee will be considered in the scheduling of vacation time. Vacation must be approved in advance and any request for vacation in excess of ten days or vacation to be taken in advance of accrual needs the approval of the General Manager. Vacation is earned and accrued from the first day of employment with maximum accrual as follows:

KID Service Completion of:	Monthly Accrual	Annual Accrual	Maximum Accrual
Less than 1 year	3.334 hours	40 hours	40 hours
1 - 5 years	6.667 hours	80 hours	80 hours
Over 5 years	10.000 hours	120 hours	120 hours
Over 10 years	13.334 hours	160 hours	160 hours

Employees do not accrue vacation leave during any unpaid leave of absence. No vacation shall be granted during the first year of employment except in emergency situations, where the use of vacation credits is recommended and approved by the General Manager.

At termination or retirement, any unused accrued vacation not to exceed 160 hours or the maximum accrual in the above table will be paid in a lump sum to the employee at his or hers base rate and combined with the final check. In no event shall such payment for unused accrued vacation credit exceed that which is allowed under the terms and conditions of this policy.

Q. Unpaid Leave of Absence Policy

Several types of unpaid leave of absence are available to eligible employees under the District policies. The types of leave that are available include personal, family (includes medical), and military. A summary of the rules and restrictions applicable to leave of absence is provided below:

- All leaves of absence are provided on an unpaid basis.
- When returning from a leave of absence for pregnancy, disability, family or military leave, the District guarantees reinstatement to the same or similar job with the same or similar duties, pay, and location unless it would substantially undermine the District's authority to operate the business safely and efficiently.
- When returning from a personal leave of absence, an effort will be made to hold the employee's position open for the period of the approved leave. However, the District will not guarantee reinstatement after a personal leave of absence.
- The District will attempt to reasonably accommodate employees who are released for partial or modified duty by their treating physician.
- The period that the employee is on a leave of absence is not considered time worked for purposes of determining eligibility for or the amount of certain benefits such as vacation and sick benefits. When the employee returns from a leave of absence the eligibility and accrual dates will be adjusted forward to reflect the period of the leave.
- The employee will not be eligible for holiday pay if a paid holiday falls during the leave of absence.
- The employee will be required to pay for the entire cost of group health insurance for: (1) The period of any family leave of absence beyond the end of the third calendar month following the month in which the leave begins; and (2) The entire period of a non-medical leave beyond the end of the calendar month in which the leave begins. The employee is requested to notify the General Manager that they have arranged for all necessary payments with the office before their leave commences.
- Misrepresenting reasons for applying for a leave of absence may result in disciplinary action, including possible termination.

The District's insurance carrier may require employees on leave to go on a COBRA plan during the leave of absence.

R. Return-to-Work Program (RTW) Policy

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 a Return-to-Work (RTW) program.

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

Managers will assist by directing the employee to appropriate care and assisting in proper reporting of the injury or illness while maintaining a positive and constant flow of communication with the injured worker. Managers will also assist in arranging work which meets "light duty" restrictions, as needed, to reduce lost time. The management staff will work with the workers' compensation carrier (if applicable) and 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.

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.

VI. EDUCATIONAL ASSISTANCE POLICY

Recognizing the mutual benefits derived from personal growth and increased work competence, it is the policy of the District to provide financial assistance to regular full-time employees interested in furthering their formal education. To be eligible, an employee must submit an Application for Educational Assistance for approval. All requests must be approved in advance by the General Manager and the Board of Directors and a limit to the amount of the assistance may be set by the Board of Directors. This assistance is provided through the Educational Assistance Program and outlined below.

A. Degree/Certification/Professional Designation Programs

The District will pre-pay the expense of tuition and required text for all courses leading to a job-related degree or certificate. Expenses for tuition and required text to obtain professional designations will be pre-paid/reimbursed at actual cost. The application must be complete with a description of the entire program, listing of classes required, explanation of job-relatedness to the District, targeted career path with the District and defined timelines for completion of courses. A copy of the course description and necessary classes from the school catalog should be included.

B. Professional Courses and Specific Job-related Courses

Professional and job-related course tuition, required text, and exam fee expenses will be pre-paid upon approval.

C. Additional Requirements

The employee is responsible for registration and ordering of any necessary text. It is the employee's responsibility to provide the General Manager with transcripts after completion of the course. If the employee does not complete or fails a course, he/she will be expected to repeat the course at their own expense or reimburse the District within one year if they decide not to continue pursuit of the program. In general, no future approval will be given until this expense/reimbursement is cleared from the files. Each application must include a two-year history of the educational courses the employee has taken while employed at the District. If the employee fails to meet the timelines outlined, the District will have the discretion to discontinue the financing of the program.

VII. EMPLOYEE BENEFITS

A. Introduction

The District has employee benefit programs for full-time employees. These employee benefit programs consist of two categories: uninsured and insured. Uninsured benefits are provided by and/or paid for by the District. Examples are vacation, personal time off and holidays as described in section Paid/Unpaid Leave Policies. Insured benefits are those that are provided through an outside source such as medical, dental and vision care. The District currently provides the benefits as described below. However, the benefits may be changed in the future upon approval of the Board of Directors.

B. Group Insurance Plans

1. Medical Plan

- Eligibility: Regular full-time employees and their eligible family members
- Waiting Period: First day of the month following 60 days of continuous full-time employment
- Employee Contribution: 30% of dependent cost
- Employer Contribution: 100% of employee cost and 70% of dependent cost
- Providers: Anthem Blue Cross of California, Prudent Buyer Plan, a preferred provider organization (PPO) plan, Classic PPO Plan; or Anthem Blue Cross of California, Prudent Buyer Plan, a preferred provider organization (PPO) plan, Consumer Driven Health Plan
- Benefits Provided: Current information provided upon request

2. Dental Plan

- Eligibility: Regular full-time employees and their eligible family members
- Waiting Period: First day of the month following 90 days of continuous full-time employment
- Employee Contribution: 30% of dependent cost
- Employer Contribution: 100% of employee cost and 70% of dependent cost
- Provider: Delta Dental of California
- Benefits Provided: Current information provided upon request

3. Vision Care

- Eligibility: Regular full-time employees and their eligible family members
- Waiting Period: First day of the month following 90 days of continuous full-time employment
- Employee Contribution: None
- Employer Contribution: 100% of employee and dependents cost
- Provider: Vision Service Plan
- Benefits Provided: Current information provided upon request
- Where To File Claims: All participating vision care providers have claim forms and will file directly with Vision Service Plan.

C. Workers' Compensation Program

The District provides workers' compensation coverage. This coverage protects the employee 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 hospitalization or after the third day following the injury if not hospitalized. The cost of this coverage is completely paid for by the District. "Sick/Paid Time Off" may be used for the three-day waiting period, but may not be used to supplement workers' compensation benefits for time lost from work due to an industrial injury or illness.

If injured while working, the employee must immediately report such injuries to the General Manager, regardless of how minor the injury might be. If employees have any questions regarding this workers' compensation coverage, they should contact the General Manager.

D. California Public Employees' Retirement System (CalPERS)

Along with Social Security, the District offers to its eligible employees, a retirement plan under the California Public Employees' Retirement System (CalPERS).

Public Employees' Pension Reform Act of 2013 (PEPRA) defines a new member as any of the following:

- A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who has no prior membership in any California Public Retirement System.
- A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who was a member with another California Public Retirement System prior to that date, but who is not subject to reciprocity upon joining CalPERS.
- A member who first established CalPERS membership prior to January 1, 2013, and who is rehired by a different CalPERS employer after a break in service of greater than six months.

CalPERS refers to all members that do not fit within the definition of a new member as “classic members.” All existing CalPERS members as of December 31, 2012, retain their existing retirement benefit formula(s) for future service with the same employer.

Employees should refer to the member benefit publication for more information on new member benefit formulas mandated by PEPRA.

1. Eligibility

Employees eligible for immediate membership and enrolled into CalPERS on the date of hire are:

- Employees hired to work full-time for more than six months.
- Employees working “regular, part-time service,” who work “at least an average of 20 hours a week” for one year or longer.
- Employees already a CalPERS member, unless working in a position excluded by law or contract exclusion. A person currently a member of CalPERS cannot be excluded from membership due to their time base (e.g. working less than 20 hours per week) or appointment length (e.g., 90 days).

Employees must otherwise be monitored to determine when and if they qualify for membership. Qualification for membership is reached when:

- No term (length) of appointment is specified in the appointment/employment, but full-time employment exceeds six months.
- The employee works more than 125 days in a fiscal year if paid on a “per diem” basis (i.e., “per day”). For this purpose, “day” means each 8 hours of compensated service.
- The person works 1,000 hours in a fiscal year if paid on other than a per diem basis. (All hours the employee is compensated counts toward membership qualifications, even if the compensation would not be reportable to CalPERS if the person was a member (e.g. Any overtime hours worked are counted as qualifying time, even though compensation for overtime hours would not be reportable if the person was a member.)

2. Employee Contribution

PEPRA New Members – Miscellaneous member contribution rate is 6.25% of regular semi-monthly compensation. (Overtime compensation is not reportable to CalPERS and is not included.)

Classic First Level – Miscellaneous member contribution rate is 7.0% of regular semi-monthly compensation. (Overtime compensation is not reportable to CalPERS and is not included.)

3. Employer Contribution

Varies according to experience rating

4. Vesting Provisions

An employee becomes vested after completion of five years of public service, 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 employee contributions, a refund may be requested from CalPERS. The employer contributions are only paid upon retirement.

5. Benefits Provided and Retirement

A PEPRA member may apply for retirement at age 52 and after earning at least five years of service credit. A Classic member may apply for retirement at age 50 and after earning at least five years of service credit. The retirement date can be any date; however, the amount of the monthly allowance can be affected. Age influences the benefit factor used in the retirement benefit formula. So, an employee may decide to retire on a birthday or at a completed quarter year of age to increase the benefit factor. The PEPRA member benefit formula for the District is 2% at age 62. The Classic member benefit formula for the District is 2% at age 60. There is no mandatory retirement age.

CalPERS will calculate the retirement benefits based on three factors: (1) years of service; (2) a percentage factor determined by age at retirement and benefit formula; and (3) the final average monthly pay rate for the highest 36 consecutive months of work.

To be eligible for retirement a member must terminate, i.e., “separate from”, all employment with all CalPERS employers. If the member does not terminate all CalPERS employment before the retirement date the retirement will either be cancelled or an automatic change of the retirement date will be processed when this violation is discovered.

CalPERS members are encouraged to take a CalPERS retirement planning class prior to submitting their application for retirement. CalPERS offers classes designed to educate and inform CalPERS members at any stage of their careers. These classes are available both online and in a classroom with an instructor.

CalPERS members may apply for retirement online through their personal my|CalPERS account at my.calpers.ca.gov or they can submit and mail a hardcopy retirement application available in Forms & Publications area at www.calpers.ca.gov. Members can also print an application and bring it to a Regional Office. The application for retirement should be submitted no more than 120 days prior to the desired effective retirement date. The application must be received within nine months after discontinuance of employment to be eligible for the earliest possible retirement date, which is the day following the last day on payroll. If not, the retirement date can be no earlier than the first of the month in which CalPERS receives the application. CalPERS retirement planning checklist recommends submitting your application three to four months before the planned retirement date. (Social Security recommends applying for retirement benefits four months in advance.) However, the District strongly urges employees anticipating retirement to make their inquiries at least six months to one year in advance to avoid any unnecessary delays.

The General Manager can provide more detailed information as well as the phone numbers of personnel at CalPERS who can assist in retirement planning.

VIII. EMPLOYEE GRIEVANCE OR CONCERN PROCEDURE

The District defines a grievance or concern as an expressed dissatisfaction by employees to conditions of their employment. The District encourages its employees who may be experiencing work performance problems, employee-supervisory concerns, peer disturbances or other concerns to bring them to the attention of the General Manager.

In matters relating to the General Manager's job demotion, reduction in salary, or employment termination, the General Manager may present concerns to the Board of Directors in a closed session or at its next regularly scheduled meeting.

IX. DISCIPLINARY POLICY AND PROCEDURE

Employees whose conduct is detrimental to the District's service or whose performance falls below standard may be subject to disciplinary action. Prior to termination, suspension or reduction in salary or rate of pay imposed as a disciplinary action, an employee is entitled to receive notice, in writing, of the proposed discipline, the reason therefor and the basis of the charges. The employee shall have an opportunity to respond to the charges orally or in writing before the discipline is imposed. The penalty may vary with each case but, shall usually be one of the following:

- Oral reprimand
- Written reprimand
- Suspension without pay
- Demotion
- Dismissal

Employees are expected to perform their duties and conduct themselves in such manner that discipline is not necessary. The General Manager shall warn an employee who is performing poorly or behaving improperly. Only when the warning is not heeded, shall disciplinary action ordinarily be taken.

X. RESIGNATION/DISMISSAL PROCEDURE

A. Resignation

When an employee decides to leave for any reason, the General Manager would like an opportunity to discuss the resignation with the employee before final action is taken. Management would appreciate it if the employee would provide a written two-week advance notice. If, as it sometimes happens, management believes it advisable for the employee to leave prior to the end of the two weeks' notice, the employee may be paid for the remainder of that period.

B. Dismissal

District employees have the status of "employee-at-will", meaning that employees have no contractual right, expressed or implied, to remain in the District's employ. The District may terminate employment, or the employee may terminate employment, with or without cause, and with or without notice, at any time. No person 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. All such agreements must be in writing. All of the District's property including but not limited to keys, reports, records, proprietary information or any other job related materials must be returned prior to departure.

C. Exit Interview

The General Manager is responsible for scheduling an exit interview with the employee on the last date of employment and for arranging the return of the District's property.

D. Benefits

Medical, dental and vision benefits end on the last day of the month of employment. COBRA notification will be sent directly to the employee's home address.

E. Final Paycheck

A terminated employee will receive a final paycheck on the next regularly scheduled payday, or earlier if law requires it. Unused vacation will be paid and calculated in accordance with the District's vacation policy.

F. California Public Employee's Retirement System (CalPERS)

A terminated employee will be notified directly by CalPERS regarding benefit options.

XI. MODIFICATION POLICY

These policies and procedures are subject to change, from time to time, by the District.

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XII. ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE POLICIES AND PROCEDURES AND AT-WILL AGREEMENT (EMPLOYEE COPY)

After you have read this Policies and Procedures manual and have clarified any issues with the General Manager, please complete and sign both copies of the following statement. Two copies are provided, one for your records (Employee Copy) and one for Kinneloa Irrigation District records (District Copy). Return the signed District Copy to the General Manager within five days.

KID Employee Policies and Procedures Receipt

I have received my copy of the District's Employee Policy and Procedures manual. I understand and agree that it is my responsibility to read and familiarize myself with and follow the policies and procedures contained in the manual.

I understand that, except for employment at-will status, the District can change any and all policies or practices at any time. I understand and agree that, other than the General Manager of the District, no 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 the District and me concerning the duration of my employment. It supersedes all prior agreements, understandings and representations concerning the duration of my employment.

Employee's Signature: _____ Date: _____

Sign, date and keep this copy for your records.

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Employee's Signature: _____ Date: _____

Sign, date and return this copy to the General Manager.

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Style Definition: Level C Body Paragraph: Indent: Left: 0.63", Space After: 0 pt, Keep lines together, Tab stops: 1", Left + Not at 1.2"

Style Definition: TOC Heading: Font: Bold, Font color: Auto, Centered, Tab stops: 0.38", Left

Style Definition: TOC 1: Font: Bold, Do not check spelling or grammar, Indent: Left: 0.25", Hanging: 0.38", Right: 0.25", Keep with next, Tab stops: 1.25", Left + 6.5", Right, Leader: ...

Style Definition: TOC 2: Do not check spelling or grammar, Indent: Left: 0.63", Hanging: 0.38", Right: 0.25", Tab stops: 1", Left + 6.5", Right, Leader: ...

~~**Kinneolo Irrigation District**~~
~~**Employee**~~
~~**Policies and Procedures**~~
~~**January**~~
~~**for the**~~
~~**Kinneolo Irrigation**~~
~~**2012**~~
~~**District**~~

Employee Policies and Procedures

KINNELOA IRRIGATION DISTRICT

EMPLOYEE POLICIES AND PROCEDURES

Adopted
February 15, 2000

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~~Resolution 2001-18-12~~
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~~Spelling and Grammar Corrections
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Employee Benefits Section Added
Holiday and Vacation Policies Revised
Electronic Communication, Return To Work and Anti-Fraud Policies Added
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I. GENERAL EMPLOYMENT POLICIES

A. Equal Employment Policy

State and Federal employment laws prohibit discrimination because of race, color, religion, sex, sexual orientation, age, physical or mental disability, veteran's status, marital status, national origin, ancestry, pregnancy, citizenship, or medical condition in all employment practices, including conditions of employment. Job applicants and current employees will be evaluated solely on their ability and experience as it relates to the requirements of the position.

The Kinnelea Irrigation District (~~the District~~) will not tolerate acts of discrimination, including harassment, by either ~~board directors, managers, supervisors, or employees, or members of the public.~~

The ~~Kinnelea Irrigation~~ District will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified applicant for employment, unless undue hardship would result. Any applicant or employee who requires accommodation ~~in order~~ to perform the essential functions of a job should contact the General Manager. The applicant or employee should advise the ~~Kinnelea Irrigation~~ District what accommodations ~~he or she believes~~ are needed ~~in order~~ to perform the job. The ~~Kinnelea Irrigation~~ District will determine possible accommodations, if any. If accommodation is reasonable and will not impose undue hardship upon the ~~Kinnelea Irrigation~~ District, the accommodation will be made.

When job openings occur, ~~the District is we are~~ interested in obtaining the best-qualified personnel available, consistent with the requirements of the job.

Federal and State Child Labor Laws prohibit ~~the Districtus~~ from employing anyone less than 18 years of age, except in jobs not prohibited by these laws.

If an employee believes that they have been subjected to any form of unlawful discrimination, they should promptly report the facts of the incident or incidents, and names of the individuals involved, to the General Manager. The ~~Kinnelea Irrigation~~ District will promptly investigate all claims of discrimination and ~~insure ensure~~ that appropriate action will be taken. The ~~Kinnelea Irrigation~~ District will also take action to deter any future discrimination. The ~~Kinnelea Irrigation~~ District's determination and related ~~Kinnelea Irrigation~~ District action will be communicated to the reporting employee.

~~B.~~

~~C.B.~~ Harassment or Discrimination or Harassment Policy

1. Discrimination or Harassment

~~The Kinnelea Irrigation District strictly prohibits unlawful discrimination or harassment on the basis~~
~~of an employee's race, sex, religious creed, color, national origin, ancestry, age,~~
~~marital status, sexual orientation, or physical or mental disability.~~
~~Discrimination~~
~~of anyone in or from the Kinnelea Irrigation District, on any of these bases, is~~
~~strictly prohibited. This policy prohibits discrimination in any form, including:~~
~~• Verbal harassment such as epithets, jokes, derogatory comments, or slurs~~
~~based on the person's race, sex, religious creed, color, national origin,~~
~~ancestry, age (over 40), marital status, sexual orientation, or physical or~~
~~mental disability;~~
~~• Physical harassment such as assault, impeding or blocking movement, or~~
~~any physical interference with normal work or movement when directed at an~~
~~individual based on one of the categories above; and~~
~~• Visual harassment such as derogatory posters, cartoons or drawings based~~
~~on one of the categories above.~~

~~If an employee believes they have been or are being subjected to this kind of discrimination, and are unable to resolve (or uncomfortable attempting to address) the problem with the individual, they should promptly report it to the General Manager. All such claims will be investigated in a manner designed to protect the privacy and confidentiality of all involved and appropriate action will be taken. When appropriate, the Kinnelea Irrigation District may seek to resolve the matter informally. Any employee found to have discriminated against anyone in or from the agency, based on one of the categories above will be disciplined, from verbal reprimand to dismissal, based on the circumstances. If they have any questions about this policy, or want more information about it, please contact the General Manager.~~

1.2. Sexual Harassment

~~Sexual harassment of the Kinnelea Irrigation District employees, by any~~

person includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

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

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

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

3. Anti-Harassment Training

In compliance with CA Government Code §12950 and §12950.1, the District will provide:

- At least two hours of classroom or other effective training and education regarding sexual harassment prevention to supervisory employees (CA SB1343/AB1825). Thereafter, anti-harassment training will be provided once every two years.

- One hour of sexual harassment prevention training and education to nonsupervisory employees (SB1343). Thereafter, anti-harassment training will be provided once every two years.
- New employees will be trained within thirty calendar days after hire date or within 100 hours, whichever is first. Thereafter, anti-harassment training will be provided once every two years.
- Temporary employees must be trained within thirty calendar days after the hire date or within 100 hours worked if the employee is expected to work for less than six months.

4. —Guidelines for the Employee

—If an employee thinks they are being sexually harassed they should be advised

— to:

- —Say NO! Make it clear to the offender that the behavior is unacceptable to
- —them. —The person may not realize the advances or behavior are
- —offensive. —Sometimes a simple confrontation will end the situation.
- —~~Don't~~Not let confusion and/or self-doubt stop them from speaking out.
- —Keep a record of dates, times, places, witnesses, and nature of harassment.
- —Such records will be very helpful if they find it necessary to pursue a formal
- —grievance.

—If an employee feels that they have been or are being sexually harassed or are

—aware of or suspect the occurrence of sexual harassment, or they desire
—counseling on coping with sexual harassment, they should be encouraged to
—immediately contact the General Manager.

5. —Disciplinary and/or Corrective Action

—Any employee found to have sexually harassed anyone in or from the

~~Kinnelea~~

—~~Irrigation~~ District will be disciplined, from verbal reprimand to dismissal,

based

—on the circumstances.

~~D.~~

E.C. Immigration Reform and Control Act Policy

The ~~Kinnelea Irrigation~~ District is committed to full compliance with the Immigration Reform and Control Act. This law requires all individuals pass a verification procedure, including the completion of an "Employment Verification Form," before they are permitted to work. This verification procedure requires every potential new employee to provide satisfactory evidence of identity and legal authority to work in this country, which comply with the requirements of the Immigration law. All new employees are required to pass this verification process.

~~F.~~

G.D. Nepotism Policy

~~—~~A spouse of a ~~Kinnelea Irrigation~~ District employee may not be precluded from ~~—~~ employment unless there is a supervision, safety or morale problem involved ~~—~~ in placement of the employee in the same department as the spouse, creating ~~—~~ potential conflict of interest or other hazard greater for married couples than for ~~—~~ other persons.

~~—~~A closely related person of any present elected or appointed officer or ~~—~~ employee may not be hired by the ~~Kinnelea Irrigation~~ District so long as such ~~—~~ elected or appointed officer or employee remains as such, except as may be ~~—~~ approved by the General Manager or the Board of Directors. For the purpose ~~—~~ of this rule, a closely related person shall be defined as any of the following:

~~spouse, registered domestic partner, child, — Son — Mother-in-law~~
~~— Adopted Child, — stepchild, son-in-law, daughter-in-law, parent, stepparent,~~
~~father-in-law, mother-in-law, sibling, stepsibling, brother-in-law, sister-in-law,~~
~~grandparent, or grandchild. Stepmother~~
~~— Grandmother Husband — Wife — Grandfather~~
~~— Daughter — Father-in-law Mother — Father~~
~~— Son in law — Sister in law — Stepfather — Brother in law~~
~~— Stepson — Stepsister — Daughter in law — Stepdaughter~~

H.E. Employee Classifications Policy

Upon successfully completing an initial appraisal process, the employee will then be classified into one of the following ~~categories~~ classifications.

1. Full-Time Regular Employee

Defined as employees who have successfully completed their initial appraisal process and are assigned a definite work schedule of at least 30 hours per week and their employment is expected to continue for an indefinite period of time. Full-time regular employees are eligible for employee benefits as described later in this handbook. Full-time employees that 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 if permitted by the benefit provider and if in accordance with ~~KID's~~ the District's policies and procedures.

2. Part-Time Regular Employee

Defined as employees who have successfully completed their initial appraisal process and are assigned a work schedule of less than 30 hours per week and it is expected to continue for an indefinite period of time. Part-time regular employees are not eligible for vacation, sick leave, and holiday benefits as described later in this handbook.

3. Temporary Employees

Defined as an employee who is hired to perform a specific task or to be employed for a temporary period of time. Temporary employees are not eligible for benefits.

~~In addition, employees are also classified as Non-Exempt/Hourly, Exempt/Administrative, and Exempt/Executive.~~

4. Non-Exempt/Hourly Employee

Defined as an employee who is paid wages for each hour of work performed and who is eligible to receive overtime pay according to federal mandates.

5. Exempt/Administrative/Professional

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 and are expected to work those hours necessary to complete their duties and responsibilities.

6. Exempt/Executive, Manager or Supervisory 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.

F. Rehired Employees Policy

Employees who are rehired following a break in service in excess of one (1) year, other than an approved leave of absence, must serve another initial appraisal process, whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their re-employment for all purposes, including the purposes of measuring benefits.

~~II.~~

III.II. SAFETY and AND SECURITY POLICIES

A. Injury and Illness Prevention Program (IIPP)

The ~~KID-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 ~~and~~ Illness Prevention Program (IIPP). The General Manager is assigned primary 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.

1. 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~~KID's system of ensuring that all employees comply with the rules and maintain a safe work environment includes:

- ~~□~~ All employees will be annually evaluated on their safety performance.
- ~~□~~ Employees who exercise safe and healthful work practices will be recognized on their performance appraisal.
- ~~□~~ Employees that do not exercise safe and healthful work practices, will be trained or retrained.
- ~~□~~ Any employee that continues not to comply with or ignores safe and healthful work practices will be disciplined. The ~~KID-District~~ will not tolerate unsafe acts by its employees. If any employee violates safety and health policies and rules, or otherwise does not perform work their job in a safe and healthful manner, they will be subject to appropriate corrective action, up to and including termination.

2. Communication of Safety and Health Information

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

The ~~KID~~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 ~~are~~questions and answers scheduled to coordinate with ~~a~~ Board of Direct regular meeting or ~~C~~committee meetings;
- ~~☐~~-During department Staff meetings ~~by the department manager~~;
- ~~☐~~-Posters in the break ~~room~~area; and
- ~~☐~~-The monthly Risk Control Bulletin provided by ~~our~~the District's insurance carrier and other training materials.

~~This~~Safety and health information shall include:

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

The managers and supervisors may recommend topics or entire articles for distribution and consideration.

Employees are encouraged to share safety and health ideas, information, and concerns with the ~~KID~~District's management. The ~~KID~~District will give these communications prompt and serious attention. As part of this commitment, the ~~KID~~District pledges not to discriminate or take any type of corrective action against any employees who express their safety concerns. The suggestions may be also submitted anonymously.

The ~~KID~~District shall comply with ~~the California Division of Occupational Safety and Health (Cal/OSHA)~~CAL-OSHA and other safety and health rules and regulations that apply.

3. Safety and Healthful Work Practices

The ~~KID~~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 KID's~~equipment, tools, machinery, vehicles, or other ~~KID~~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 ~~you~~their manager. Managers shall investigate and take the necessary steps to correct the malfunction as soon as possible.
- ~~☞~~ Must wear appropriate personal protective equipment (PPE) when required. This personal protective equipment shall be provided and maintained by the ~~KID~~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 ~~KID~~District while driving on the ~~KID~~District's business.
- ~~☞~~ Report accidents, injuries, exposures, and incidents to their immediate manager and any other manager.

4. Hazard Assessment

Semi-annual inspections to identify and evaluate workplace hazards will be conducted by the General Manager or a designated employee with the assistance of a Risk Management Consultant. These inspections will also be conducted when:

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

Periodic inspections consist of identification and evaluation of workplace hazards utilizing the checklists provided by the Risk Management Consultant or the General Manager.

5. 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 be 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 and maintained in a file.

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;
- ~~☐~~-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.

7. Record Keeping

The following procedures are taken to maintain the ~~KID-District~~ 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 documented.
- ~~☐~~-Documentation of safety and health training for each employee, including the employee's name training dates, type of training will be recorded on the training database.

~~B.~~ **C.B. Security Policy**

~~The Kinnelea Irrigation District's policy is to not discuss the security of the Kinnelea Irrigation District premises or services with any individual not employed by the Kinnelea Irrigation District. Additionally, the Kinnelea Irrigation District and its insurance carriers do not accept any liability for the employees' personal belongings.~~

~~The Kinnelea Irrigation District retains the right to search its property or facilities at any time (including employee-assigned desks, files, and computer systems). Anything of a private nature subjected to discovery during such searches should be kept in a briefcase, backpack, purse, or lunch bag.~~

D.C. Alcohol, Marijuana and Drug Free Workplace Policy

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

In recognition of the ~~Kinnelea Irrigation~~ District's responsibility to maintain a safe work environment, and the employees' responsibility to perform safely, the ~~Kinnelea Irrigation~~ District will act to eliminate any substance abuse which increases the risk of injuries, accidents, or substandard performance. For the purpose of this policy, substance abuse includes the employee's use or possession of illegal drugs, alcohol, marijuana, sharing of prescription drugs, or abuse of prescription drugs, which could impair ~~their~~ work performance and/or impair the ability to perform their job safely.

It is expected that the employee shall not be at work, drive a vehicle on ~~Kinnelea Irrigation~~ District business, or operate equipment with any amount of alcohol-, marijuana, and/or illegal drugs in their system which would result in a confirmed positive test; shall not use alcohol or marijuana, possess open containers of alcohol, possess marijuana or use or possess illegal drugs while on duty; and shall not manufacture, distribute, dispense, sell, or provide alcohol, marijuana, or illegal drugs to any person while on duty. If the use of a prescription drug combined with the duties of the required job creates an unsafe working condition, this fact shall be reported to the General Manager prior to reporting to work.

Employees may be subject to drug and alcohol testing upon hiring or when there is reasonable suspicion that the employee has violated the ~~KID~~ District's policy. In addition, an employee who has already been found in violation of the policy will be required to submit to periodic substance testing as a condition of remaining in or returning to the District's employment.

E.D. Blood Borne Pathogens Policy

As part of its continuing commitment to employee safety and health the ~~Kinnelea Irrigation~~ District has adopted a comprehensive policy for dealing with possible employee exposure to blood-borne pathogens. While possible

employee exposure to blood-borne pathogens may have serious consequences, these measures are primarily intended to be precautionary.

An employee who renders first aid assistance in any situation involving the presence of blood or other potentially infectious materials will immediately be

offered Hepatitis B vaccination. The ~~Kinnelea Irrigation~~ District will pay for this vaccination. If rendering first aid results in an eye, mouth, or non-intact

skin contact with blood or other potentially infectious materials, the ~~Kinnelea~~

~~Irrigation~~ District will document the circumstances of the exposure, identify the person from whom the potentially infectious material came, inform the first aid provider about the symptoms that might develop from exposure,

collect and test the first aid provider's blood (with the employee's consent and

at the ~~Kinnelea Irrigation~~ District's expense) for Hepatitis B and HIV serum status, provide post exposure treatment, and provide employee counseling.

F.E. Bomb Threats and/or Threatening Call Procedures

Should an employee receive a threatening phone call, they should remain calm and try to write down the exact wording of the emergency/threat. Be sure to notify the General Manager immediately, and if appropriate, phone 9-1-1.

G.F. Emergency Evacuation Procedures

1. ~~KID~~ District Office

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 work area unattended. Time permitting, shut off computers, heaters, radios, coffee warmers, etc.
- Take personal items such as purses and briefcases, time permitting.
- Assemble at the predetermined safe location for an attendance check.
- An employee, who finds himself away from their work area at the sound of an alarm, should follow the instructions of the person in charge. They should not return to their work area after the evacuation process has begun.
- Do not re-enter the building until advised to do so by the person in charge or by the Fire Department.

- ~~—~~In the event of an earthquake, an employee is to get under their desk or the nearest table, (staying away from windows if possible) until further notice from the person in charge.
- ~~_____~~In the event of a small fire, a conservative approach should be taken when deciding to use a fire extinguisher and/or calling 9-1-1.

2. 2. Other KID-District Facilities

~~_____~~Supervisors are responsible for the safety of those in their charge during an emergency evacuation, and they will be the last to leave the facility. Procedures should be followed that are appropriate for the particular facility to protect property and the ~~health and safety~~safety and health of employees.

H.G. Employment Reference Checks Procedures

—All inquiries regarding a current or former ~~Kinnelea Irrigation~~-District employee or Board ~~Member-Director~~ must be referred to the General Manager.

Should an

—employee receive a written request for a reference, they must refer the request to the General Manager for handling. -Employees may not issue a reference letter to any current or former employee without the permission of the ~~General M~~anager.

—Under no circumstances should an employee release any information about any current or former ~~Kinnelea Irrigation~~-District employee or Board ~~Member-Director~~ over the telephone. -All telephone inquiries regarding any current or former employee of the ~~Kinnelea Irrigation~~-District must be referred to the General Manager.

—In response to an outside request for information regarding a current or former ~~Kinnelea Irrigation~~-District employee, the General Manager will verify only an employee's name, dates of employment, and job title. -No other data regarding any current or former ~~Kinnelea Irrigation~~-District employee will be released unless the employee authorizes the ~~Kinnelea Irrigation~~-District to release such information in writing or the ~~Kinnelea Irrigation~~-District is required by law to furnish any information.

—If, however, an employee is contacted to give a personal reference regarding a current or former ~~Kinnelea Irrigation~~-District employee, they are permitted to do so and should emphasize to the inquirer that the reference is personal only and not on behalf of the ~~Kinnelea Irrigation~~-District.

—Failure to follow these directions may be cause for discipline up to and including termination.

H.H. Media/Outside Information Requests Procedure

—Employees are not permitted to give or report any information about the ~~members-customers~~ of the ~~Kinnelea Irrigation~~-District, another employee, outside vendor, client or consultant to anyone outside of the ~~Kinnelea Irrigation~~-District ~~staff~~. -They should forward any such request, whether verbal or written, to the General Manager for handling.

J.I. Personnel Records Policy and Procedures

—Employee files are confidential and are to be treated as such. -Access to —an employee file is limited to the following:

1. ~~Persons Other Than The Employee~~

~~Other employees of the Kinnelea Irrigation District may have access to personnel files only for legitimate business purposes. Legitimate business~~

~~purposes shall include:~~

~~Administrative work area staff as they need access as needed in the course of~~

~~their normal duties;~~

~~General Manager considering an employee for promotion; and~~

~~Others only~~

~~specifically authorized by the General Manager.~~

~~Non-employees may not, except with specific authorization, have access to~~

~~the files themselves. Generally, such access will be granted only upon~~

~~advice of counsel. Access of non-employees to information in a file is~~

~~governed by the Kinnelea Irrigation District's policy on references.~~

2. ~~The Employee~~

~~An employee may inspect his or her own personnel file in the presence of~~

~~the General Manager.~~

IV. III. EMPLOYEE CONDUCT POLICIES

A. Standards of Employee Conduct Policy

~~The following examples are given in order to provide them some guidance concerning unacceptable behavior. If the Kinnelea Irrigation District chooses to~~

~~discipline an employee who engages in unacceptable behavior, the employee may be subject to corrective action up to and including possible 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~~

~~Using abusive or vulgar language, or causing disruption to the work place~~

~~or to fellow employees or visitors~~

~~Unavailability for work, i.e. absenteeism or tardiness~~

~~Misuse of the Kinnelea Irrigation District's moneys~~

~~Conducting non-business activities during working hours~~

~~Any action indicating a disrespect or disregard for the Kinnelea Irrigation~~

~~District suppliers or clients customers~~

- ◆ ~~_____~~ Release of confidential information about the ~~Kinnelea Irrigation~~-District
or
- ~~_____~~ its ~~members-customers~~
- ◆ ~~_____~~ Falsification of forms, records, or reports including, but not limited to,
- ~~_____~~ time sheets, employment applications and ~~member-customer~~ records-
- ◆ ~~_____~~ Possessing or bringing firearms, weapons, open containers of alcohol,
- ~~_____~~ ~~marijuana~~, illegal drugs or chemicals on or to the ~~Kinnelea Irrigation~~
District's property-
- ◆ ~~_____~~ 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 ~~them-the employee~~
- ~~_____~~ Smoking in restricted areas-
- ◆ ~~_____~~ Destroying or willfully damaging the ~~Kinnelea Irrigation~~-District's ~~property~~
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 ~~Kinnelea Irrigation~~-District property without approval prior to
- ~~_____~~ the end of a scheduled workday
- ~~_____~~ Sexual harassment or other unlawful harassment of another employee ~~or~~
~~customer-~~
- ◆ ~~_____~~ Giving false or misleading information during the application and/or
- ~~_____~~ selection process-
- ◆ ~~_____~~ Failure to report involvement in an accident occurring on the ~~Kinnelea~~
~~Irrigation~~-District's premises or involving the ~~Kinnelea Irrigation~~-District's
- ◆ ~~_____~~ equipment, or giving false or misleading information in accident or
- ~~_____~~ insurance reports-
- ◆ ~~_____~~ Willful failure to report to a 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 ~~and/or~~
~~marijuana-~~
- ~~_____~~ Threatening or intimidating other employees or ~~supervisors-customers~~
- ◆ ~~_____~~ Behavior unbecoming a ~~Kinnelea Irrigation~~-District employee; that
behavior
- ◆ ~~_____~~ or action which would adversely prejudice public opinion of the
~~Kinnelea~~
~~Irrigation~~-District-
- ◆ ~~_____~~ 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 Department 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 ~~Kinnelea Irrigation~~ District's
- ~~_____~~ computer system.

~~_____~~ Since all employees are "at will" employees, the employment relationship ~~_____~~ may be terminated at any time by either the ~~Kinnelea Irrigation~~ District or ~~_____~~ the employee with or without cause.

B. Dress ~~and~~ Grooming Standards Policy

~~_____~~ While the ~~Kinnelea Irrigation~~ District has no formal dress code, it is expected that an employee will dress in a manner consistent with good business practices. The Board ~~of Directors~~ and General Manager approved the following guidelines:

- ~~_____~~ Professional clothing for management and office personnel (suits, coats, ties, ~~slacks, dress shirts, collared shirts,~~ dresses, and skirts) is encouraged but not required ~~on a daily basis~~.
- ~~_____~~ Professional clothing should be worn on days when professional contact is
- ~~_____~~ expected.

~~_____~~ Employees should wear clothing that is appropriate for the ~~function tasks and responsibilities~~ being performed and with safety in mind at all times. -The following are not appropriate:

- ~~_____~~ 1. Torn, cut-off, dirty or frayed clothing.
- ~~_____~~ 2. Clothing with logos (except ~~District~~KID logo), obscene messages or artwork.
- ~~_____~~ 3. Hats or headgear (except those worn for acceptable religious reasons, ~~for or~~ protection from the sun, or for safety reasons).

C. Driving ~~Record Review~~ Policy and Procedures

~~_____~~ The ~~Kinnelea Irrigation~~ 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. ~~_____~~

~~_____~~ Procedures

~~_____~~ The ~~Kinnelea Irrigation~~ District obtains from the DMV a copy of the driving ~~_____~~ record of all ~~of its~~ employees that are authorized to operate ~~District~~ vehicles ~~_____~~ (~~Kinnelea Irrigation District~~ or personal ~~vehicles~~) for business reasons.

- ~~_____~~ As a public agency, the ~~Kinnelea Irrigation~~ District is entitled to receive
- ~~_____~~ copies of driving records from the DMV without charge.
- ~~_____~~ A copy of an employee's driving record shall be obtained as soon as

- possible after they are hired and annually thereafter.
- The ~~Kinnelea Irrigation~~ 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 were developed.

Occasionally other concerned employees or the general public may bring to the ~~Kinnelea Irrigation~~ District's attention the fact that an employee may be jeopardizing the ~~Kinnelea Irrigation~~ District'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 they have poor driving techniques and/or habits, the ~~Kinnelea Irrigation~~ District's progressive disciplinary procedures may be followed. (Depending on the seriousness of the poor driving technique and/or habit, it may be desirable to enroll them 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 their duties require driving of either a ~~Kinnelea Irrigation~~ District vehicle or a personal vehicle, they must maintain a driving record that will not cause the ~~Kinnelea Irrigation~~ District's insurance rate to be increased or for them to become uninsurable. Any such actions could lead to disciplinary action.

An employee driving private vehicles on ~~Kinnelea Irrigation~~ District business will be required to attend a defensive driving class every four years and from time to time, to have their driving records reviewed. In addition, an employee is required to provide the ~~Kinnelea Irrigation~~ District with proof of insurance coverage for their personal vehicle.

An employee is expected to practice good defensive driving techniques and operate the vehicle in a safe and responsible manner.

~~Employees are required to take the defensive driving course offered by the District's insurance company on a periodic basis.~~

|
| **D. Off-duty Conduct Policy**
|

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

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

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

- Employment that conflicts with an employee's work schedule, duties, and responsibilities;
- Employment that creates a conflict of interest or is incompatible with the employee's employment with the ~~Kinnelea Irrigation~~ District.
- Employment that impairs or has a detrimental effect on the employee's work performance with the ~~Kinnelea Irrigation~~ District.
- Employment that requires the employee to conduct work or related activities on ~~Kinnelea Irrigation~~ District's property, facilities and/or equipment during working hours.
- Employment that directly or indirectly competes with the business or the interests of the ~~Kinnelea Irrigation~~ District.

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

D.E. Personal Use of Office Equipment Policy

-The ~~Kinnelea Irrigation~~ District does not permit its employees to utilize office equipment or supplies for personal use. However if an employee requests a single copy of some personal item or to fax a personal item, the ~~Kinnelea Irrigation~~ District management may give permission as a convenience to the employee. If this practice is misused it may be cancelled by management at any time.

~~E.~~

F. Vehicle Use Policy

The ~~Kinnelea Irrigation~~ District does not permit its employees to utilize its vehicles for personal use or for commuting to and from work to home or for transporting non-employees unless otherwise authorized by the General Manager. ~~The District KID~~ vehicles are to be parked overnight at locations that are approved by the General Manager. ~~The single exception without prior approval is when an operator is assigned to standby duty. On those weeks, an employee may (but is not required to) park the vehicle in a secure manner overnight at theirhis personal residence.~~

G. Smoking Policy

~~For health, safety, and legal considerations, all District facilities are considered non-smoking areas. All District vehicles are also considered to be non-smoking vehicles, unless specifically stated otherwise by the General Manager. For health, safety, and legal considerations, the entire Kinnelea Office District office building is considered a non-smoking area.~~ Vehicles shared with non-smoking employees are also considered to be non-smoking vehicles. ~~Other facilities may also be designated by the General Manager or Board of Directors as non-smoking areas.~~

H. Solicitation and Distribution Policy

~~Soliciting co-workers during work time, being paid for by the Kinnelea Irrigation District is prohibited, including the use of e-mail. Distribution or posting of pamphlets, leaflets, or any other literature in the Kinnelea Irrigation District's work areas is prohibited.~~

H.I. Staff Expense Reimbursement Guideline Procedures

~~The Kinnelea Irrigation District will fully compensate employees for all reasonable and prudent expenses incurred in the course of business, as described below:~~

1. Credit Card Use Procedures

~~District C~~redit cards will be issued to specific employees who frequently purchase supplies or services. ~~District G~~redit cards shall be used only for legitimate, approved business of the ~~Kinnelea Irrigation~~ 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 business credit card.~~

- ~~_____~~All charges must be in line with guidelines or as approved by management.;
- ~~_____~~Receipts/invoices must be submitted to office ~~with the approved expense~~
- ~~_____~~report, expense claims reimbursement form or the charge card
- ~~_____~~request/authorization form on or before the last business day of the month. (To avoid loss of receipts, they should be submitted to the office as soon as possible.)~~within one week of making the charge.~~

Personal credit cards should not be used unless there is no other option and/or the purchase is time sensitive. In this situation, or if a personal credit card is used accidentally to purchase supplies or services for the District, the employee must submit to the office as soon as possible and before the last business day of the month, the receipt/invoice along with an expense/reimbursement form.

2. Mileage Reimbursement Procedures

~~_____~~The mileage reimbursement rate to operate privately owned vehicles will be the ~~allowable~~ IRS rate in effect at the time the expense is incurred. ~~The~~ mileage distance should be calculated from ~~their~~ the employee's home or the ~~Kinnelea Irrigation~~ District's offices, whichever is shorter. ~~The Kinnelea Irrigation~~ District may reimburse any employee incurring out-of-pocket expenses due to traffic accidents while on ~~Kinnelea Irrigation~~ District business (i.e., deductibles).

~~An employee driving private vehicles on Kinnelea Irrigation District business will be required to attend a defensive driving class every four years and from time to time, to have their driving records reviewed. In addition, an employee is required to provide the Kinnelea Irrigation District with proof of insurance coverage for their personal vehicle.~~

~~An employee is expected to practice good defensive driving techniques and operate the vehicle in a safe and responsible manner.~~

4.J. Telephone Use Policy

The ~~Kinnelea Irrigation~~ District expects its employee's cooperation in keeping incoming and outgoing personal calls to a minimal level to avoid tying up the phone lines unnecessarily and to avoid direct expense to the District and lost productivity.

K. Electronic Communications Policy

The KID-District uses various forms of electronic communications including, but not limited to computers, email, telephones, cell phones, text messages, internet, PDAs, etc. All electronic communications are official KID-District records and are the property of the KID-District. The KID-District reserves the right to access and disclose all messages sent through its system for any purpose.

Messages transmitted over the electronic communications system should be those involved in the KID-District business activities for the accomplishment of business related tasks or any communication directly related to KID-District business, administration, or practices. Incidental and occasional personal use of the system is permitted, but such messages are subject to the access and disclosure statement set forth in the policy above.

1. Personal Use of Electronics Communications Systems

Limited, occasional, or incidental use of the electronics communications systems (either furnished by the KID-District or property of the employee) for personal, non-business purpose is permitted under the following circumstances:

- Personal use may not interfere with the productivity of the employee or with his/her the productivity of co-workers.
- Personal use may not involve any prohibited activity described in this Pp policy.
- Personal use may not disrupt or delay the performance of KID-District business.
- Personal use may not consume KID-District resources or otherwise deplete system resources available for KID-District business purposes.
- Personal use may not be used for personal employee gain or commercial ventures.
- Personal use may not support or advocate non-KID-District-related business purposes.
- ~~The KID's record retention program is regulated by various record retention laws.~~

2. Retention of E-mail

The District's record retention program is regulated by various record retention laws.

No e-mail messages shall be considered by the KID-District to be retained in the ordinary course of business. However, the content of some e-mail messages could be classified as a record pursuant to the guidelines established by management and to the following criteria:

- Content required by law to be retained.

- Content which is documentation of notice to a member of the public of an action or position taken on behalf of the KID District.
- Content which is documentation of a KID District policy, KID District regulation, or official decision made on behalf of the KID District.
- Content which is documentation of a transaction of business between the KID District and another party.

— Employees should make themselves familiar with the provisions of the KID's District's Records Retention Policy to determine if an email is required to be maintained as a printed and/or electronic document.

3. Access of Another Person's Electronic Communications

Employees may not intentionally intercept, eavesdrop on, record, read, alter, retrieve, receive, send, or use another person's Electronic Communications and/or Electronic Storage without proper authorization. Employees, including system administrators and Supervisors, may not, without authorization, peruse Electronic Communications and/or Electronic Storage of other employees.

4. KID District World -Wide Web Site Policies Policy

The external (or public) KID District World Wide Web site, and all domains owned and maintained by the KID District represent a fundamental communication tool for providing critical KID District information. The goal of the collective web sites is to encourage increased participation in KID District activities. Towards this end, the development and use of the KID's District's sites are guided by the web site policy.

The KID's District's General Manager or a designated outside service provider is responsible for the implementation and maintenance of the KID's District's sites, ~~and helping to comply~~ complying with the web policies, and maintaining and securing the web servers and web sites.

- The KID's District's web site is for "official use" only. All information disseminated through the web site must be related to the official duties and responsibilities of employees and departments.
- The California Public Records Act applies to information processed, sent, and stored on the Internet. Confidential information should not be posted on the KID's District's external web site. Management must approve all information that is posted on the web site.

•—No ~~KID-District~~ employee or official may use any ~~KID-District~~ web site for campaign-related purposes. Such campaign-related purposes include, but are not limited to, the following: statements in support or opposition to any candidate or ballot measure; requests for campaign funds or references to any solicitations of campaign funds; and references to the campaign schedule or activities of any candidate. No ~~KID-District~~ official's web site may be linked to any private web site related to a candidate's campaign for elective office, but it may link directly to the home page of the election-related pages where general election and candidate information can be found.

5. Internet

Access to the Internet has been provided to ~~staff member~~employees for the benefit of the ~~KID-District~~ and its members. It allows employees to connect to information resources around the world. ~~Every staff member~~Each employee has the responsibility to maintain and enhance the organizations' public image, and to use the Internet in a productive manner. Employees accessing the Internet are representing the ~~KID~~District. Employees are responsible for seeing that the Internet is used in an effective, ethical, and lawful manner. To ensure that all employees are responsible, productive Internet users and are protecting the company's public image, the following guidelines have been established:

a. Unacceptable Use of the Internet

—While it is not possible to provide an exhaustive list of every type of inappropriate use of the Internet, all users should be aware that appropriate use of the Internet includes, but is not limited to, the following rules:

- Never use an account assigned to another user.
- Never make an unauthorized attempt to enter any computer.
- Never post, send, or provide access to any confidential ~~Ee~~employer materials or information, unless authorized.
- Never post or send publications of discriminatory, offensive, harassing, defamatory, or confidential remarks about other employees.
- Never access or send sexually-suggestive material.
- No gambling.
- No trademark, copyright, and licensing stipulation infringements.
- No proprietary and confidential information.
- No solicitation, according to the ~~KID's~~District's policy.
- No personal sites.
- No threatening or inappropriate blogs.

b. Communications

—Each employee is responsible for the content of all text, audio, or images that they place or send over the Internet. Fraudulent, harassing, or obscene messages are prohibited. All messages communicated over the Internet should have ~~your~~ the employee's name attached. No messages should be transmitted under an assumed name. Employees may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane, or offensive language ~~is~~ may be transmitted through the system.

c. Passwords

—All passwords created by the user or issued to the user are for the purpose of communication and are not to be shared, given, or otherwise disclosed to any other person. Passwords must not be shared and will be changed periodically by the General Manager as needed to ensure security. All security features contained within the ~~KID's-District's~~ Electronic Communications Systems such as passwords, codes, or delete functions will not prevent the ~~KID-District~~ from accessing employees' business or personal ~~Ee~~lectronic ~~Cc~~ommunications, stored or otherwise, on the ~~Ee~~lectronic ~~Cc~~ommunications ~~Ss~~ystems.

d. No Right of Privacy

—The ~~KID-District~~ respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of ~~KIDDistrict~~-provided equipment or supplies. Employees should be aware that the terms of this ~~Pp~~olicy limit their privacy in the workplace.

—The ~~KID's-District's~~ ~~Ee~~lectronic ~~Cc~~ommunications ~~Ss~~ystems, ~~Ee~~lectronic ~~Cc~~ommunications, and ~~Ee~~lectronic ~~Ss~~torage are the ~~KID's-District's~~ property and are intended for ~~KID-District~~ business. All ~~Ee~~lectronic ~~Cc~~ommunications and ~~Ee~~lectronic ~~Ss~~torage within these systems are the property of the ~~KIDDistrict~~, regardless of the content, including any personal communications. The ~~KID-District~~ reserves the right to monitor the ~~Ee~~lectronic ~~Cc~~ommunications ~~Ss~~ystems for any reason, including the right to review, audit, and disclose all matters sent over and/or stored in the ~~Ee~~lectronic ~~Cc~~ommunications ~~Ss~~ystems.

—As a result, employees should be aware that no Electronic Communications transmitted on the Electronic Communications Systems, or Electronic Storage contained within the systems, is private or confidential. Employees should have no expectation of privacy with respect to any use, including storage, business or personal, of the KID's District's Electronic Communications Systems.

—Employees should be aware that Electronic Communications and/or Electronic Storage can be copied, modified, and/or forwarded to others without the express permission of the original author. Therefore, employees must use caution in the storage, transmission, and dissemination of Electronic Communications outside of the KID-District and must comply with all state and federal laws. Electronic Communications and/or Electronic Storage of the KID-District may be recognized as official records in need of protection/retention in accordance with the laws of California. All e-mail and Internet messages are subject to state and federal laws, including but not limited to the California Public Records Act, open meeting laws, and the federal Electronic Communications Privacy Act.

—The California Public Records Act (CPRA), Government Code Section 6520, et seq requires the KID-District to make all public records available for inspection and to provide copies upon request. A public record is any writing (which includes electronic documents) related to the conduct of the public's business prepared, owned, used, or retained by the KIDDistrict. The CPRA includes a number of exceptions from the disclosure requirement. Any information on the KID's-District's information system may be subject to disclosure under the CPRA. If there is some doubt, the employee should contact the General Manager for advice as to whether the information is public record. All public records must be retained in accordance with the KID's-District's Record Retention Policy.

6. Social Networking

The KID-District views social networks such as web based discussion or conversation pages and other forms of social networking such as Facebook, Twitter, You-Tube, etc., as significant new forms of public communication. As such, we the District holds all-of-our employees who engage in social networking to the same standards we held-held for any public communications. Therefore, all employees have an obligation to the KID-District to ensure that any public communication they make, including social networking communications, must not negatively impact the reputation of the KID-District or bring disrepute in any way to the KIDDistrict, its partners, customers, suppliers, etc. Further, only the General Manager is authorized to publicly speak on behalf of the KID-District unless approval is obtained in advance. Violations of this policy will result in discipline which may include termination, depending on the severity of the situation and its impact on the KIDDistrict.

Additionally, engaging in social networking during ~~your-the~~ workday can negatively impact ~~your~~ productivity and work performance. Therefore, it is ~~your~~ the employee's responsibility to regulate ~~your-their~~ social networking so that it does not negatively impact ~~your~~ productivity or cause performance issues.

Identified below are general guidelines and examples of prohibited communications. Please note that this lists 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 ~~your-the General mManager or supervisor if you are uncertain if there is any uncertainty.~~

General Guidelines and Examples of Prohibited Communications:

- ~~If your~~ posts on social media mention the ~~KID District~~, its products or services, employees and/or customers, make clear that ~~you are the posts are made by~~ an employee of the ~~KID District~~ and that the views posted are ~~your-the employee's~~ and do not represent the views of the ~~KID District~~.
- ~~Do not mention KID District~~ employees, member Districts, clients, customers, or partners without their express consent. Information published on social networks or blog(s) should comply with the ~~KID District's~~ confidentiality and disclosure of proprietary data policies.
- ~~You Employees~~ may not use the ~~KID's District's~~ logo on ~~your-their~~ posts unless given written consent by the General Manager. Respect copyright laws, and reference or cite sources appropriately.
- ~~You Employees~~ are responsible for what ~~you-they~~ write or present on social media. ~~You Employees~~ can be sued by other employees, competitors, members, and any individual that views ~~your-their~~ social media posts as defamatory, pornographic, proprietary, harassing, libelous, or creating a hostile work environment.
- ~~Employees may not use KID District~~ equipment or facilities for non-work related activities without permission.
- ~~Do not link to the KID's District's~~ web site or post ~~KID District~~ material on a social media site without written permission.
- ~~All KID District~~ 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. Violation of this policy may lead to discipline up to and including termination.

7. Software

To prevent computer viruses from being transmitted through the system, there will be no unauthorized downloading of any software. All software downloads will be done by or under the supervision of the General Manager or his designated person.

8. Violations

Violations of any guidelines listed above may result in disciplinary action up to and including terminations. If necessary, the company will advise appropriate legal officials of any illegal violations.

L. Anti-Fraud and Ethics Policy

The ~~KID-District~~ and its employees must, at all times, comply with all applicable laws and regulations. Employees uncertain about the application or interpretation of any legal requirements should refer the matter to the ~~# General #~~ Manager.

The ~~KID-District~~ expects its employees to conduct themselves in a businesslike manner and perform duties conscientiously, honestly, and in accordance with the best interests of the organization. Employees are expected to take great care when working with suppliers, contractors, and customers. Employees should respect the confidentiality of information acquired in the course of their work. Regardless of circumstances, if an employee senses that a course of action may involve a conflict of interest, fraud and/or dishonesty, they should immediately communicate all facts to the General Manager.

V.IV. PAYROLL POLICIES

A. Payroll Administration Policy and Procedures

1. Time Sheets

Employees are required to keep an accurate record of their time on the forms provided by the ~~KID~~District. ~~Exempt and non-exempt employees fill out separate forms.~~ They must submit signed time sheets on a semi-monthly basis. Each time sheet covers one payroll period. -The time sheet should be completed in a neat and orderly manner (so that all entries are easily read) and submitted before 9:00 AM on the afternoon of the the first business day following the end of the payroll last working day of the pay period.

Vacation, sick, ~~and holiday~~, ~~and any other hours of paid time off-time~~ must be entered on the time sheet. Vacation and/or sick time hours, combined with work/holiday hours, should not exceed 40 regular work hours in each week.

2. Payroll Periods and Paydays

—The District’s semi-monthly payroll periods for all employees are the first through the fifteenth and the sixteenth through the end of the month. Payroll should be processed and submitted on the first business day of the month following the end of the payroll period.
—Paychecks should be distributed or direct deposit made on the second business day of the month following the end of the payroll period, occurring no later than 4 business days after the end of the payroll period (on or before the 5th or 20th of the month respectively). ~~if, however, such fourth day falls on Saturday, Sunday, or a holiday, paychecks will be distributed on the workday preceding the scheduled date.~~

3. Direct Deposit Policy

Direct deposit of an employee paycheck is available ~~(and processed by ADP®)~~. To take advantage of this service, an employee~~they~~ must complete the “Direct Deposit” form, and return ~~them~~ it to the office. This Direct Deposit is a voluntary participation policy.

B. Call Back Policy

If an employee is called back to work unscheduled overtime from their home, overtime is computed from the time the employee leaves home and ends upon the employees return home. ~~The~~ employee is paid according to the Overtime Policy and Procedures. ~~Call back will be offered to personnel on the Stand-by rotation list and~~ on seniority.

The ~~Kinneloa Irrigation~~ District will pay all non-exempt employees overtime pay for hours worked in excess of forty (40) hours in one work week.~~*~~ Although the ~~Kinneloa Irrigation~~ District will endeavor to provide advance notice of an overtime request, this is not always possible. The ~~General m~~ Manager ~~or Facility Supervisor~~, in advance of non-emergency overtime hours being worked, must approve overtime work by non-exempt employees. ~~The~~ General Manager will always have the option to report to duty himself based on the circumstances.

* [Fair Labor Standards Act](#)

C. Compensation Review and Merit Increase Policy For Non-Exempt Employees

Reviews will occur when there has been a significant change in position, responsibilities, or job performance or at the discretion of the Board of Directors or General Manager. -At a compensation review, the ~~General Manager or supervisor~~ will evaluate an employee's performance and based on the outcome of the performance appraisal, an employee's position, salary and job responsibilities may be adjusted. -Merit increases, if any, are given based on performance and in accord with current business circumstances of the ~~Kinnelea Irrigation~~ District. -All these factors determine salary changes within the pay range. -There is no automatic pay increase. -It is the ~~Kinnelea Irrigation~~ District's objective to adjust a salary level to best represent the performance level and responsibilities of each employee in accord with current business circumstances.

Note: -Any employee on written warning may be ineligible for merit pay increases or promotion.

1. Promotional Increase/Demotion

- -A promotion occurs when an employee accepts a higher position. -A salary increase is generally given to recognize increased job responsibilities.
- -A demotion occurs when an employee has been assigned to a lower position. -A salary decrease may be given depending on the circumstances.

2. Administrative Increase/Decrease (Adjustment)

- -An administrative increase is an increase in salary within a salary range. It is given to recognize employees who accept a significant increase in responsibilities or have demonstrated significant "growth" in a position which supports a merit increase.
 - -Current salary level, increased responsibilities, and current business circumstances will be considered when determining a possible salary increase.
- -An administrative decrease is a decrease in salary within a salary range if the responsibilities of the job ~~has~~ have decreased or if required by the current economic conditions.

3. Pay Increases

- ~~_____~~ Minimum and maximum salary ranges have been established for each position. -These ranges are reviewed and may be adjusted periodically for inflation or other circumstances with the approval of the Board of Directors.

D. Compensation Review and Merit Policy for Exempt Employees

Reviews will occur annually or at the discretion of the Board of Directors or General Manager. -At a compensation review, the Board of Directors or General Manager will evaluate an employee's performance and based on the outcome of the performance appraisal, an employee's position, salary, and job responsibilities may be adjusted. -This evaluation will be based on a set of goals determined by the exempt employee and the Board of Directors or the General Manager. The goals agreed upon will be evaluated for completeness and quality and an increase in compensation may be recommended based on the overall performance of the employee.

E. Employee Performance Evaluations Policy

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

~~4. _____~~

1. -Overview

~~_____~~ All new employees will be evaluated at the end of the initial evaluation period to provide management with the opportunity to review their job performance. - It will also provide them with an opportunity to become comfortable with their job position. -Major objectives will be outlined by the General ~~M~~anager at this employee performance evaluation.

—Thereafter, an employee will be evaluated periodically to review the objectives set at the prior evaluation with suggestions for improvement, as necessary. The overall performance will be used in consideration of any compensation changes. Job descriptions should be reviewed at each evaluation and updated accordingly.

—An ~~E~~mployee ~~P~~erformance ~~E~~valuation ~~F~~orm ~~can~~ may be used to inform an ~~_____~~ employee of their performance during a review period and support the appropriateness of a salary adjustment within the established guidelines for the current salary level and job classification.

2. Mechanics of the Employee Performance Evaluations

The Employee Performance Evaluation contains several areas of consideration such as the following criteria:

- Availability
- Adherence to Policy
- Behavior Patterns
- Creativity
- Dependability
- Independence
- Initiative
- Interpersonal Relationships
- Knowledge of Job
- Productivity
- Quality

3. Consequences of Substandard Performance

Employees with substandard performance in one or more categories 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 merit or performance based pay increase until the deficiency is corrected;
- 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 while maintaining the satisfactory performance in all other respects, the General Manager may recommend a pay increase and restoration of promotional consideration.

F. Compensatory Time Off Policy

Paid compensatory time-off may be given to non-exempt employees at a rate of one and one half (1-1/2) hours for each hour of overtime if an employee and the Kinnelea Irrigation District agree to the time off from work in lieu of earned overtime pay. Employees must request in writing their desire for compensatory time off in lieu of overtime pay. -If an employee wishes to take compensatory time-off, a written request for the time off must be submitted and approved by the General 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. Hours paid for hours not worked, e.g., holidays, sick days, and vacations days, do not count toward hours worked for overtime computation purposes.

Requests from exempt personnel for compensatory time off for a day or more with pay must be approved by the General Manager in advance of the time being taken.

G. Work Week and Work Hours

The District's work week is Monday through Sunday, beginning at 12:00 AM (0000:00 hours) on Monday and ending at 11:59:59 PM (2359:59 hours) on Sunday.

As a general rule, regular work hours for the District are 8:00 AM (0800 hours) to 5:00 PM (1700 hours), with a lunch break duration of one hour. Any variation from this schedule must be preapproved in writing by the General Manager and employee. Lunch breaks are to be staggered when possible to have the District office open and to have at least one field person available for service calls during normal office hours, which are 8:00 AM to 5:00 PM, Monday through Friday.

All staff members are required to attend weekly staff meetings on Monday at 9:00 AM (0900 hours). If Monday is a holiday, the meeting will be conducted on Tuesday. Attendance is required unless the employee is ill, on vacation, or is participating in a work-related or personal activity that cannot be scheduled to avoid the conflict.

In compliance with Labor Code 551 and 552, employees are entitled to a day of rest and shall not work more than six days in seven unless done so voluntarily. Therefore, if an employee works twelve calendar days in a row for any reason, such as call back or standby, they are entitled to a day of rest and may take the next calendar day off or they may volunteer to work the next calendar day.

G.H. Overtime Policy and Procedures

Overtime compensation is paid at a rate of one-and-one-half (1-1/2) times the normal hourly rate for all hours worked in excess of forty (40) hours in one work week.* Hours paid for hours not worked, e.g., holidays, sick days, and vacations, do not count toward hours worked for overtime computation purposes.

Tasks are to be scheduled to avoid overtime hours by limiting actual working hours to 40 hours in a week. In order to minimize non-emergency overtime, if an employee works 40 hours, or close to 40 hours Monday through Thursday, the employee may seek approval from the General Manager to leave work early on Friday of that work week.

Non-exempt employees who work on a KID District-recognized holiday shall be paid their straight-time rate of pay for hours actually worked on the holiday, plus the regular holiday pay for the day.

All non-emergency overtime must be approved in advance by the General Manager or in his absence by the ~~Facilities Supervisor~~ Senior Facilities Operator.** Non-approved overtime will be paid, but may subject the employee to disciplinary procedures.

* ~~_____~~ _____ Fair Labor Standards Act
** ~~_____~~ _____ Kinneloa Irrigation District—Resolution 2001-12-18

H.I. Stand-by Policy and Procedures

Non-~~E~~exempt employees shall be paid thirty dollars (\$30.00) per day. -The employee assigned to stand-by duty will be furnished with a pager ~~and cell phone~~ so that they can be contacted in the event of an emergency. -The employee, while on stand-by, must be either at home or readily available by pager. -The ~~KID-District~~ voice mail ~~will advise~~ the caller ~~to dial 03how~~ to be transferred to the answering service in case of a ~~water~~ emergency or other urgent need. -Instructions on notifying the stand-by personnel of an emergency will be given to the ~~KID-District~~ answering service after receiving a call from a customer or other agency. -The answering service will page the person on stand-by.

When a page from the answering service is received, the person on stand-by will call the answering service to get the caller's contact information and determine the purpose of the call. If the call is an emergency the person on stand-by will call back immediately and advise the person that they are on the way to investigate the ~~problemsituation~~.

District vehicles may be taken home while on standby duty, but are to be used ~~only~~ for District business and only District personnel are to be in the vehicle, unless otherwise authorized by the General Manager. -Standby ~~duty~~ will be one week in duration ~~{(7 days)}~~, commencing at 7:00 PM Friday and ~~endings at~~ 7:30 AM the following Friday. In the event a holiday falls on Friday, the next scheduled person will take over the stand-by at 4:30 P-M, Thursday.

If for some reason such as illness, injury, etc. the person cannot fulfill their ~~standby~~ duty or remain on ~~dutystandby~~, the ~~next~~ person in rotation will take over, unless other arrangements are made.

— The stand-by employee must be able to respond to the location of an emergency within thirty ~~{(30)}~~ minutes of becoming informed about an emergency.

Employees on stand-by will do the facility check daily on Saturday, Sunday and recognized holidays or as designated by the ~~Facility Supervisor or~~ General Manager.

Any emergency work performed by an employee on stand-by duty should first be cleared through the ~~Facility Supervisor or~~ General Manager.

Non-exempt employees who work on a recognized holiday shall be paid their straight-time rate of pay for hours actually worked on the holiday, plus the regular holiday pay for the day unless other arrangements have been made. - Work on Saturday and Sunday shall be paid at an over-time rate if the employee has already worked 40 hours on the previous Monday through Friday.*

— * ~~Kinneloa Irrigation District See~~ Resolution 2001-12-18

VI.V. PAID/UNPAID LEAVE POLICIES

A. Attendance Policy

The ~~Kinnelea Irrigation~~ District may utilize a system of progressive discipline, at its sole discretion, in cases of misconduct or unacceptable performance, including absenteeism. ~~The use of such a system does not waive either the Kinnelea Irrigation District's or their employees' right to terminate employment at any time with or without cause. -If -the number of absences within the most recent 12 month period, regardless of the reason, is excessive, ethey mployees will be required to attend corrective interviews, at the discretion of the Kinnelea Irrigation District, to make them aware of problems and to create an action plan to resolve issues.~~

The corrective process first takes the form of an informal discussion. ~~-If the problem persists, a written corrective action plan will then be issued confirming they have been made aware of any problem, that an interview has takentook place and that they understand understood what must take placethe actions necessary for satisfactory resolution. -Certain instances of gross misconduct could lead to immediate dismissal.~~

B. Absent Without Leave Policy

Failure on the part of the employee absent without leave to return to duty within 24 hours after notice to return is delivered by certified mail or direct contact shall be cause for immediate discharge.

C. Bereavement Leave Policy

In the event of a death in an employee's immediate family, the ~~Kinnelea Irrigation~~ District will grant up to four (4) days ~~-of paid time away from work if they are a regular full-time employee. -The intent of this benefit is to allow them to make arrangements for and/or to attend the funeral. Additional unpaid time off in the form of a personal leave of absence may be granted for special circumstances with the General Manager's approval. -Immediate family for the purpose of bereavement leave is defined as a mother, father, wife, husbandspouse, registered domestic partners, natural or adopted child, brother, sister, grandparent, grandchild, similar in-laws or step-relatives or any other relative who resides with the employee.~~

~~D.~~

~~E. Educational Assistance Policy~~

~~Recognizing the mutual benefits derived from personal growth and increased work competence, it is the policy of the Kinnelea Irrigation District to provide financial assistance to regular full-time employees interested in furthering their formal education. To be eligible, an employee must submit an Application for Educational Assistance for approval. All requests must be approved in advance by the employee's manager and the Board of Directors and a limit to the amount of the assistance may be set by the Board. This assistance is provided through the Educational Assistance Program and outlined below.~~

~~1. Degree/Certification/Professional Designation Programs~~

~~The Kinnelea Irrigation District will pre-pay the expense of tuition and required text for all courses leading to a job-related degree or certificate. Expenses for tuition and required text to obtain professional designations will be pre-paid/reimbursed at actual cost. The application must be complete with a description of the entire program, listing of classes required, explanation of job-relatedness to the Kinnelea Irrigation District, targeted career path with the Kinnelea Irrigation District and defined timelines for completion of courses. A copy of the course description and necessary classes from the school catalog should be included.~~

~~2. Professional Courses and Specific Job-Related Courses~~

~~Professional and job-related course tuition, required text, and exam fee expenses will be pre-paid upon approval.~~

~~3. Additional Requirements~~

~~The employee is responsible for registration and ordering of any necessary text. It is the employee's responsibility to provide the manager with transcripts after completion of the course. If the employee does not complete or fails a course, he/she will be expected to repeat the course at their own expense or reimburse the Kinnelea Irrigation District within one year if they decide not to continue pursuit of the program. In general, no future approval will be given until this is cleared from the files. Each application must be complete with a two-year history of the Educational courses the employee has taken while employed at the Kinnelea Irrigation District. If the employee fails to meet the timelines outlined, the Kinnelea Irrigation District will have the discretion to discontinue the financing of the program.~~

F.D. Family Leave Policy

The District will grant employees, with at least one year of continuous service or a minimum of 1250 hours, up to 12 weeks of unpaid leave in a 12-month period

for family care responsibilities and for the employee's own serious medical condition in conjunction with Family and Medical Leave Act (FMLA) and California Family Relief Act (CFRA).

The twelve-month period begins on January 1 and ends December 31, coinciding with the District's fiscal year. The purpose of the family leave is to provide them with the right to take time off from work to bond with a child, to care for a family member or to recover from a serious illness without jeopardizing their job.

When possible, requested leaves should be submitted in writing and be approved by the ~~General m~~Manager before the leave begins. ~~The Kinneloa Irrigation~~District will maintain coverage under the group health plan provided by the District for the duration of the leave (for a maximum of 12 weeks) and under the condition that coverage ~~that~~would have been provided had they been employed continuously during the leave. ~~If they fail to return to work at the end of the leave, the Kinneloa Irrigation~~District has the right to collect from ~~them the employee~~ the cost of the health benefits premiums. ~~An employee who returns to work for at least 30 days~~ is considered to have "returned to work".

G.E. Holiday Policy

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

1. District Holidays Observed

- New Year's Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve

2. 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 and employees are informed at least 2 weeks in advance.
- ~~_____~~ 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 ~~their employees'~~ approved vacation period, they will be paid for
- ~~_____~~ the holiday and will not be charged with a vacation day for the day the
- ~~_____~~ holiday is observed.
- ~~_____~~ When computing overtime pay, ~~they employees~~ do not receive credit for hours that are not actually worked on the holiday.
- ~~_____~~ In order to be paid for a holiday, ~~they employees~~ must have worked both the business day before
- ~~_____~~ and the business day after a holiday, unless scheduled/planned time off was
- approved in advance (i.e., vacation). -In the event of an emergency, the employee must contact the General Manager.
- ~~_____~~ Non-exempt employees who work, or are on call back, on a recognized holiday
- ~~_____~~ shall be paid the regular holiday pay for the day, plus their straight-time rate of pay for hours actually worked on the
- ~~_____~~ holiday ,or plus their overtime rate of pay for hours actually worked on the holiday if they have worked in excess of forty (40) hours in the work week the regular holiday pay for the day.

H.F. Inclement Weather Policy

In the event the General Manager deems it necessary to close the office due to inclement weather, employees will be phoned. The employee should make the effort to come in to the office unless they are notified otherwise. If the employee is unable to do so, they need to touch base with the General Manager.

H.G. Jury Duty and Witness Duty Policy and Procedures

The employee should immediately notify the General Manager if they receive a notice for jury duty. -If they are summoned for jury duty, they will be paid the difference between jury duty pay and their regular hourly rate for up to a maximum of ten working days per year.

If required by law to appear in court as a witness, they may be given paid time off up to a maximum of four (4) days per year for such purpose, provided that they provide the ~~KID-District~~ with reasonable advance notice and proof of such court order.

J.H. Military Leave Policy

A military leave, in accordance with ~~F~~federal law, will be granted to those employees in a reserve component of the Armed Forces of the United States, Reserves or National Guard.

If regular, full-time employees are called to active military duty training as members of the Armed Forces, Reserves, or National Guard, they will be assured full pay for military leaves for up to ten (10) working days per calendar year provided that they are regular, full-time employees; ordered for purposes of military training, encampment, naval cruises, special exercises or like activity; they shall be entitled to receive the difference between their regular rate ~~exercises or like activity; they shall be entitled to receive the difference between their regular rate~~ of pay and the military rate of pay for the first ~~thirty~~ (30) calendar days of any such absence.

If regular, full-time employees are called to active duty during national or state emergencies, as members of the Armed Forces, Reserves, or National Guard, they shall be entitled to receive the difference between their regular rates of pay and their military rate of pay for the duration of their active duty calls.

Military orders should be presented to the ~~General~~ ~~Manager~~ and arrangements for leave made as early as possible before departure.

Should they either voluntarily or involuntarily leave employment to serve in the armed services, they shall be entitled to reinstatement according to ~~S~~state and ~~F~~federal law in effect at the time of their release from active service. -No one in this category should be denied re-employment without the District first consulting legal counsel.

K.I. Personal Leaves of Absence Policy

General

Employees who have been continuously employed with the ~~Kinnelea Irrigation~~ District for at least one (1) year, may, due to special circumstances, request a personal leave of absence without pay, for a reasonable period of time up to one hundred and eighty (180) days. -Requests for leaves of absence will be considered on the basis of length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave

and the expected impact on the ~~Kinnelea Irrigation-d~~District.

1. Requests

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

2. Status of Employee Benefits During A Personal Leave:

The ~~Kinnelea Irrigation~~District ~~does-will~~ not pay for group insurance premiums during any portion of a non-medical leave of absence beyond the end of the month in which the leave begins. -Accordingly, the premiums beyond that point for such coverage are ~~their-the~~ employee's 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 and a ninety (90) day waiting period from the date of return from the leave for reinstatement of benefits. -Additionally, the ~~Kinnelea Irrigation~~District's insurance carrier may require employees on leave to go on a COBRA plan during the leave of absence.

L.J. Rest and Break Time Policy

Employees ~~should beare~~ 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 and field routine and tension. Non-exempt employees are encouraged to take at least a 30-minute lunch break.

K. Part-time or Temporary Employee Paid Sick Leave Policy

California (CA) Paid Sick Leave law (AB 1522) mandates that part-time or temporary employees have the right to accrue and take sick leave for the employee's own or a family member's illness, care, treatment, or preventative care.

If part-time or temporary employees work for the District on or after July 1, 2015, the employees are eligible to accrue sick leave when they work in CA for thirty (30) or more days within a year from the hire date. After thirty (30) days, accrual is one hour of paid leave for every thirty (30) hours worked, with a maximum accrual of 24 hours per year. Unused, accrued paid sick leave will be carried over to the following year, with a maximum accrual of 48 hours.

Part-time or temporary employees are eligible to take sick leave on the ninetieth (90th) day of employment. The employee may submit the sick leave request to the General Manager in writing or verbally. Sick leave is paid at the employee's current rate of pay.

M.L. Personal Time Off ~~{(PTO)}~~ Policy and Procedures

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 immediate family members, the District provides employee paid time off (PTO) benefits ~~(PTO)~~. These benefits are intended to be used for the out of the ordinary or unexpected emergency need to take time off and are not intended to be used in lieu of vacation ~~unless approved by the General Manager.~~

Immediate family for PTO purposes is defined as a family member residing with the employee. Employees shall report by telephone to the District office as early as possible, their inability to report to work, and the reason therefore.

Employees are encouraged to use PTO for contagious illnesses that might endanger the health of fellow employees and for illnesses or conditions that might impair safety or performance on the job. The General Manager may send an employee home if these illnesses or conditions are observed.

PTO is earned and accrued from the first day of employment

~~Immediate family for PTO purposes is defined as a family member residing with the employee. Employees shall report by telephone to the District office as early as possible, their inability to report to work, and the reason therefore.~~

For full-time employees, PTO accrues at 6.667 hours per month (80 hours per year) with a maximum accrual of 480 hours (60 days). -PTO is available when work is missed for any reason other than vacation, holiday, bereavement, jury/witness duty, inclement weather, and time to vote, military leave or workers' compensation. -PTO cannot be attached before or after a holiday and/or vacation unless approved by the General Manager.

Full-time employees are eligible to take PTO on the ninetieth (90th) day of employment.

The guidelines for planned and unplanned PTO are defined below.:

1. Planned PTO:

Employee shall submit a request to the General Manager, at least eighteen (18) hours in advance of scheduled absence. Time used will be deducted from accrued PTO.

2. Unplanned PTO:

Employee shall notify the General Manager as soon as possible when time is needed for out-of-the-ordinary, unexpected time away from work because of short-term illness, injury or personal emergencies. This time generally cannot be made up unless approved by the General Manager and will be deducted from accrued PTO.

~~Employees are encouraged to use PTO for contagious illnesses that might endanger the health of fellow employees and for illnesses or conditions that might impair safety or performance on the job. The General Manager may send an employee home if those illnesses or conditions are observed.~~

N.M. Pregnancy Disability Leave (PDL) Policy

Any full or part-time regular female employee who is disabled by pregnancy, childbirth, or a related medical condition will, upon written request, be granted a pregnancy disability leave of absence (PDL) without pay not to exceed four (4) months. An employee who is granted a PDL may utilize any accrued sick leave benefits and earned vacation benefits during the period of her leave. Any portion of the leave that occurs after all sick and vacation benefits have been exhausted shall be without pay.

If permitted by the ~~Kinnelea Irrigation~~ District's insurance carrier, group insurance benefits ordinarily provided by the District will remain in effect until the end of the month in which the leave terminates provided that the employees pay the full cost of this coverage. -The insurance carrier might require employees on leave to go on a COBRA plan during the leave of absence. -Employees are requested to notify the General Manager that arrangements have been made with the office to pay for the cost of coverage before the leave begins. -If they require a PDL, they must notify the ~~General~~ Manager in writing as soon as possible. -The written notice should specify the commencement date of the leave, the expected duration of the leave and ~~is~~ be accompanied by a signed physician's statement.

Written extension requests of a 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 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.

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

O.N. School Activity Leave Policy

Any employee who is the parent or guardian of a child in kindergarten through ~~G~~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 they choose to use vacation or compensatory time off for this purpose. -They will be limited to no more than eight hours off for this purpose in any one calendar month. -Upon request, the ~~Kinnelea Irrigation~~ District reserves the right to require documentation from the school as proof that they participated in the school activity. -This request must be made in writing with as much advance notice as possible.

P.O. Time Off To Vote Policy

In accordance with California ~~S~~state ~~L~~law, if ~~Kinnelea Irrigation the~~ District work hours do not allow sufficient time off to vote in California general, primary, or presidential elections, the ~~Kinnelea Irrigation~~ District will offer two (2) hours paid time off for ~~the employee~~them to vote. -To receive time off for voting, the employee must notify the General Manager and present a valid voter's registration card. When they return from voting, it will be necessary to present the voter's receipt to the ~~General M~~anager. -Time taken for the purpose of voting must be either at the beginning or end of the normal workday.

~~Q.~~
R.P. Vacation Policy and Procedures

Regular full-time employees are eligible for paid vacation according to months of service. Temporary and part-time employees are not covered under this policy. -The General Manager shall schedule the times at which the employee may take their vacation. -Length of service with the District, the needs of the District and the wishes of the employee will be considered in the scheduling of vacation time. -Vacation must be approved in advance and any request for vacation in excess of ten days or vacation to be taken in advance of accrual needs the approval of the General Manager. -Vacation is earned and accrued from the first day of employment with maximum accrual as follows:

KID Service Completion of:	Monthly Accrual	Annual Accrual	Maximum Accrual
6-MOs - <u>Less than</u> 1 year	3.334 hours	40 hours	40 hours
1 - 5 years	6.667 hours	80 hours	80 hours
Over 5 years	10.000 hours	120 hours	120 hours
Over 10 years	13.334 hours	160 hours	160 hours

Employees do not accrue vacation leave during any unpaid leave of absence. No vacation shall be granted during the first year of employment except in emergency situations, where the use of vacation credits is recommended and approved by the General Manager.

At termination or retirement, any unused accrued vacation not to exceed 160 hours or the maximum accrual in the above table will be paid in a lump sum to the employee at his or hers base rate and combined with the final check. -In no event shall such payment for unused accrued vacation credit exceed that which is allowed under the terms and conditions of this policy.

S.Q. Unpaid ~~Time Off~~ Leave of Absence Policy

Several types of unpaid leaves of absence are available to eligible employees under the ~~Kinnelea Irrigation~~ District policies. The types of leaves that are available include personal, family (includes medical), and military.

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

- All leaves of absence are provided on an unpaid basis.
- When returning from a Leave of Absence for pregnancy, disability, family or military leave, the ~~Kinnelea Irrigation~~ District guarantees reinstatement to the same or similar job with the same or similar duties, pay, and location unless it would substantially undermine the ~~Kinnelea Irrigation~~ District's authority to operate the business safely and efficiently.
- When returning from a personal leave of absence, an effort will be made to hold ~~their~~ the employee's position open for the period of the approved leave. However, the ~~Kinnelea Irrigation~~ District will not guarantee reinstatement after a personal leave of absence.
- The ~~Kinnelea Irrigation~~ District will attempt to reasonably accommodate employees who are released for partial or modified duty by their treating physician.
- The period that ~~they~~ the employee is on a leave of absence is not considered time worked for purposes of determining eligibility for or the amount of certain benefits such as vacation and sick benefits. When ~~they~~ the employee returns from a leave of absence the eligibility and accrual dates will be adjusted forward to reflect the period of the leave.
- ~~They~~ The employee will not be eligible for holiday pay if a paid holiday falls during the ~~period they are on~~ leave of absence.
- ~~They~~ The employee will be required to pay for the entire cost of group health insurance for:
 - (1) ~~(1)~~ The period of any family leave of absence beyond the end of the third calendar month following the month in which the leave begins; and
 - (2) The entire period of a non-medical leave beyond the end of the calendar month in which the leave begins. The employee is requested to notify the General Manager that they have arranged for all necessary payments with the office before their leave commences.
- Misrepresenting reasons for applying for a leave of absence may result in disciplinary action, including possible termination.

The ~~Kinnelea Irrigation~~ District's insurance carrier may require employees on leave to go on a COBRA plan during the leave of absence.

R. Return-to-Work Program (RTW) Policy

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 ~~KID~~ District has developed a Return-to-Work (RTW) program.

This policy is consistent with the ~~KID~~District's responsibilities under the Americans with Disabilities Act to provide reasonable accommodations to persons with disabilities.

Managers will assist by directing the employee to appropriate care and assisting in proper reporting of the injury or illness while maintaining a positive and constant flow of communication with the injured worker. ~~They~~ Managers will also assist in arranging work which meets "light duty" restrictions, as needed, to reduce lost time. The management staff will work with the workers' compensation carrier (if applicable) and 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.

By this joint effort, the ~~KID~~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.

VI. EDUCATIONAL ASSISTANCE POLICY

Recognizing the mutual benefits derived from personal growth and increased work competence, it is the policy of the District to provide financial assistance to regular full-time employees interested in furthering their formal education. To be eligible, an employee must submit an Application for Educational Assistance for approval. All requests must be approved in advance by the General Manager and the Board of Directors and a limit to the amount of the assistance may be set by the Board of Directors. This assistance is provided through the Educational Assistance Program and outlined below.

A. Degree/Certification/Professional Designation Programs

The District will pre-pay the expense of tuition and required text for all courses leading to a job-related degree or certificate. Expenses for tuition and required text to obtain professional designations will be pre-paid/reimbursed at actual cost. The application must be complete with a description of the entire program, listing of classes required, explanation of job-relatedness to the District, targeted career path with the District and defined timelines for completion of courses. A copy of the course description and necessary classes from the school catalog should be included.

B. Professional Courses and Specific Job-related Courses

Professional and job-related course tuition, required text, and exam fee expenses will be pre-paid upon approval.

C. Additional Requirements

The employee is responsible for registration and ordering of any necessary text. It is the employee's responsibility to provide the General Manager with transcripts after completion of the course. If the employee does not complete or fails a course, he/she will be expected to repeat the course at their own expense or reimburse the District within one year if they decide not to continue pursuit of the program. In general, no future approval will be given until this expense/reimbursement is cleared from the files. Each application must include a two-year history of the educational courses the employee has taken while employed at the District. If the employee fails to meet the timelines outlined, the District will have the discretion to discontinue the financing of the program.

VII. EMPLOYEE BENEFITS

A. Introduction

–The ~~KID-District~~ has employee benefit programs for full-time employees. These employee benefit programs consist of two categories: ~~U~~uninsured and insured. Uninsured benefits are provided by and/or paid for by the ~~KID-District~~. -Examples are vacation, personal time off and holidays as described in ~~Section V~~section Paid/Unpaid Leave Policies. Insured benefits are those that are provided through an outside source such as medical, dental and vision care. -The ~~KID-District~~ currently provides the benefits as described below. -However, the benefits may be changed in the future upon approval of the Board of Directors.

B. Group Insurance Plans

1. Medical Plan

- Eligibility: Regular full-time employees and their eligible family members-
- Waiting Period: First day of the month following ~~three months~~60 days of continuous full-time employment-
- Employee Contribution: 30% of dependent cost-

- Employer Contribution: 100% of employee cost and 70% of dependent cost.
- Providers:
- ~~Anthem Blue Cross of California, Prudent Buyer Plan, a preferred provider organization (PPO) plan, Classic PPO Plan; or -~~
- ~~Anthem Blue Cross of California, Prudent Buyer Plan, a preferred provider organization (PPO) plan, Consumer Driven Health Plan, Anthem Blue Cross of California Health Maintenance Organization (HMO) plan.~~
- ~~Kaiser Permanente HMO~~
- Benefits Provided: Current information provided upon request ~~See information provided for details.~~

2. ~~2.~~ **Dental Plan**

- Eligibility: Regular full-time employees and their eligible family members.
- Waiting Period: First day of the month following ~~three months~~ 90 days of continuous full-time employment.
- Employee Contribution: 30% of dependent cost
- Employer Contribution: 100% of employee cost and 70% of dependent cost.
- Provider: ~~Delta Dental of California~~
- Benefits Provided: Current information provided upon request ~~See information provided for details.~~

3. **Vision Care**

- Eligibility: Regular full-time employees and _____
-their eligible family members-
- ~~Waiting Period: First day of the month following three~~
~~months~~ 90 days of continuous full-time employment-

- Employee Contribution: None
- Employer Contribution: 100% of employee and dependents cost.
- Provider: -Vision Service Plan
- Benefits Provided: Current information provided upon request See information provided for details.
- Where To File Claims: All participating vision care providers have claim forms and will file directly with Vision Service Plan.

C. Workers' Compensation Program

The ~~KID-District~~ provides workers' compensation coverage. -This coverage protects ~~you if the employee you are~~ injured or disabled on the job. -It also provides medical, surgical and hospital treatment in addition to payment for loss of earnings that result from work related injuries. -Compensation payments begin from the first day of ~~your~~ hospitalization or after the third day following the injury if ~~you are~~ not hospitalized. -The cost of this coverage is completely paid for by the ~~KID District~~. "Sick/Paid Time Off" may be used for the three-day waiting period, but may not be used to supplement workers' compensation benefits for time lost from work due to an industrial injury or illness.

If ~~you are~~ injured while working, ~~you the employee~~ must immediately report such injuries to ~~your the General m~~Manager, regardless of how minor the injury might be. -If ~~you employees~~ have any questions regarding this workers-' compensation coverage, ~~you they~~ should contact the ~~General~~ Manager.

D. California Public Employees' Retirement System (CalPERS)

Along with Social Security, the ~~KID-District~~ offers to its eligible employees, a retirement plan under the California Public Employees' Retirement System (CalPERS) CalPERS. [2% at age 60 for each year of service credit]

Public Employees' Pension Reform Act of 2013 (PEPRA) defines a new member as any of the following:

- A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who has no prior membership in any California Public Retirement System.

- A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who was a member with another California Public Retirement System prior to that date, but who is not subject to reciprocity upon joining CalPERS.
- A member who first established CalPERS membership prior to January 1, 2013, and who is rehired by a different CalPERS employer after a break in service of greater than six months.

CalPERS refers to all members that do not fit within the definition of a new member as “classic members.” All existing CalPERS members as of December 31, 2012, retain their existing retirement benefit formula(s) for future service with the same employer.

Employees should refer to the member benefit publication for more information on new member benefit formulas mandated by PEPRA.

4.

1. ~~Person’s Eligible~~Eligibility

~~Regular full-time employees.~~ Employees eligible for immediate membership and enrolled into CalPERS on the date of hire are:

- Employees hired to work full-time for more than six months.
- Employees working “regular, part-time service,” who work “at least an average of 20 hours a week” for one year or longer.
- Employees already a CalPERS member, unless working in a position excluded by law or contract exclusion. A person currently a member of CalPERS cannot be excluded from membership due to their time base (e.g. working less than 20 hours per week) or appointment length (e.g., 90 days).

Employees must otherwise be monitored to determine when and if they qualify for membership. Qualification for membership is reached when:

- No term (length) of appointment is specified in the appointment/employment, but full-time employment exceeds six months.
- The employee works more than 125 days in a fiscal year if paid on a “per diem” basis (i.e., “per day”). For this purpose, “day” means each 8 hours of compensated service.
- The person works 1,000 hours in a fiscal year if paid on other than a per diem basis. (All hours the employee is compensated counts toward membership qualifications, even if the compensation would not be reportable to CalPERS if the person was a member (e.g. Any overtime hours worked are counted as qualifying time, even though compensation for overtime hours would not be reportable if the person was a member.)

~~Waiting Period: Eligible from the first day of employment.~~

~~2.~~

2. Employee Contribution

~~PEPRA New Members – Miscellaneous member contribution rate is 6.25% of regular semi-monthly compensation. (Overtime compensation is not reportable to CalPERS and is not included.)~~

~~Classic First Level – Miscellaneous member contribution rate is 7.0% Seven percent of regular semi-monthly earnings compensation. (Overtime earnings compensation is not reportable to CalPERS and is not included.)~~

3. Employer Contribution

~~Varies according to experience rating.~~

4. Vesting Provisions

~~You become~~An employee becomes vested after completion of five years of public service, be it with the ~~KID-District~~ or another public employer who participated in CalPERS. Vesting means funds may be left on deposit for future retirement. ~~Should you the employee~~ leave the ~~KID-District~~ and wish to withdraw ~~your their employee~~ contributions, ~~you may request a refund a refund may be requested from CalPERS~~. The employer contributions are only paid upon retirement.

5. Benefits Provided and Retirement

~~A PEPRA member You will be may apply for retirement eligible to retire at age 52 and when you have after earning at least five years of service credit. A Classic member may apply for retirement at age 50 and after earning at least five years of service credit, and have attained age 50. You The~~ retirement date can be any date ~~you choose~~; however, the amount of the monthly allowance can be affected. ~~Your age Age determines influences your the~~ benefit factor used in the retirement benefit formula. ~~So, you an employee~~ may decide to retire on ~~your a~~ birthday or at a completed quarter year of age to increase the benefit factor. The PEPRA member benefit formula for the District is 2% at age 62. The Classic member benefit formula for the District is 2% at age 60. There is no mandatory retirement age.

~~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 benefit formula; and (3) the final average monthly pay rate for the highest 36 consecutive months of work. ~~There is no mandatory retirement age.~~

To be eligible for retirement a member must terminate, i.e., “separate from”, all employment with all CalPERS employers. If the member does not terminate all CalPERS employment before the retirement date the retirement will either be cancelled or an automatic change of the retirement date will be processed when this violation is discovered.

CalPERS members are encouraged to take a CalPERS retirement planning class prior to submitting their application for retirement. CalPERS offers classes designed to educate and inform CalPERS members at any stage of their careers. These classes are available both online and in a classroom with an instructor. Employees nearing retirement are urged to avail themselves of the retirement pre-counseling and planning available to them by PERS.

CalPERS members may apply for retirement online through their personal myCalPERS account at my.calpers.ca.gov or they can submit and mail a hardcopy retirement application available in Forms & Publications area at www.calpers.ca.gov. Members can also print an application and bring it to a Regional Office. The application for retirement should be submitted no more than 120 days prior to the desired effective retirement date. The application must be received within nine months after discontinuance of employment to be eligible for the earliest possible retirement date, which is the day following the last day on payroll. If not, the retirement date can be no earlier than the first of the month in which CalPERS receives the application. CalPERS retirement planning checklist recommends submitting your application three to four months before ~~requires at least 90 days' notice in advance of the~~ planned retirement date. (as does Social Security for any previous services recommends applying for retirement benefits four months in advance.). However, the ~~KID District~~ strongly urges employees anticipating retirement to make their inquiries at least six months to one year in advance to avoid any unnecessary delays.

The General Manager can provide more detailed information as well as the phone numbers of personnel at CalPERS who can assist ~~you~~ in ~~your~~ retirement planning.

VIII. EMPLOYEE GRIEVANCE OR CONCERN PROCEDURES

The ~~KID-District~~ defines a grievance or concern as an expressed dissatisfaction by employees to conditions of their employment. -The ~~Kinnelea Irrigation~~ District encourages its employees who may be experiencing work performance problems, employee-supervisory concerns, peer disturbances or other concerns to bring them to the attention of the ~~supervisor or~~ General Manager.

In matters relating to the General Manager's job demotion, reduction in salary, or employment termination, ~~he/she~~the General Manager may present ~~his/her~~ concerns to the Board of Directors in a closed session or at its next regularly scheduled meeting.

IX. DISCIPLINARY POLICY AND PROCEDURES

Employees whose conduct is detrimental to the District's service or whose performance falls below standard may be subject to disciplinary action. Prior to termination, suspension or reduction in salary or rate of pay imposed as a disciplinary action, an employee is entitled to receive notice, in writing, of the proposed discipline, the reason therefor and the basis of the charges. The employee shall have an opportunity to respond to the charges orally or in writing before the discipline is imposed. ~~The penalty may vary with each case but, shall usually be one of the following:~~

- Oral reprimand
- Written reprimand
- Suspension without pay
- Demotion
- Dismissal

Employees are expected to perform their duties and conduct themselves in such manner that discipline is not necessary. ~~The supervisor or manager~~General Manager shall warn an ~~employee~~ who is performing poorly or behaving improperly. Only when the warning is not heeded, shall disciplinary action ordinarily be taken.

X. RESIGNATION/DISMISSAL PROCEDURES

A. Resignation

When ~~you an employee~~ decides to leave for any reason, the ~~General m~~General Manager would like an opportunity to discuss the resignation with ~~you the employee~~ before final action is taken. Management would appreciate it if ~~you the employee would~~ provide a written two-week advance notice. ~~If, as it sometimes happens,~~ management believes it advisable for ~~you the employee~~ to leave prior to the end of the two weeks' notice, ~~you the employee~~ may be paid for the remainder of that period.

B. Dismissal

~~As a KID District employees, you~~ have the status of “employee-at-will”, meaning that ~~you employees~~ have no contractual right, expressed or implied, to remain in the ~~KID District’s~~ employ. -The ~~KID District~~ may terminate ~~your~~ employment, or ~~you the employee~~ may terminate ~~your~~ employment, with or without cause, and with or without notice, at any time. -No person 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. All such agreements must be in writing. All of the ~~KID District’s~~ property including but not limited to keys, reports, records, proprietary information or any other job related materials must be returned prior to departure.

C. Exit Interview

The ~~General~~ Manager is responsible for scheduling an exit interview with ~~you the employee~~ on ~~your the~~ last date of employment and for arranging the return of the ~~KID District’s~~ property.

D. Benefits

Medical, ~~and Dental~~ ~~and vision~~ benefits end on the last day of the month of ~~your~~ employment. -COBRA notification will be sent directly to ~~your the employee’s~~ home address.

E. Final Paycheck

~~You A terminated employee~~ will receive ~~your a~~ final paycheck on the next regularly scheduled payday, or earlier if law requires it. -Unused vacation will be paid and calculated in accordance with the ~~KID District’s~~ vacation policy.

F. California Public Employee’s Retirement System (CalPERS) CalPERS

~~You A terminated employee~~ will be notified directly by CalPERS regarding ~~your~~ benefit options.

XI. Modification Policy MODIFICATION POLICY

These policies and procedures are subject to change, from time to time, by the District.

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~~XI.XII. XI. Acknowledgment of Receipt of Employee Policies and Procedures and At-Will Agreement~~
ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE POLICIES AND PROCEDURES AND AT-WILL AGREEMENT (EMPLOYEE COPY)

After you have read this Policies and Procedures manual and have clarified any issues with ~~your~~ the General Manager, please complete and sign both copies of the following statement. -Two copies are provided, one for your records (Employee Copy) and one for ~~the KID's~~ Kinneloa Irrigation District records (District Copy). ~~Detach one copy and r~~Return ~~the signed District Copy~~ to the General Manager within five days.

-KID Employee Policies and Procedures Receipt

I have received my copy of the ~~KID~~ District's Employee Policy and Procedures manual. -I understand and agree that it is my responsibility to read and familiarize myself with and follow the policies and procedures contained in the manual.

I understand that, except for employment at-will status, the ~~KID-District~~ can change any and all policies or practices at any time. -I understand and agree that, other than the General Manager of the ~~KID~~ District, no supervisor or representative of the ~~KID-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 ~~KID~~ the District and me concerning the duration of my employment. -It supersedes all prior agreements, understandings and representations concerning the duration of my employment.

Employee's Signature: _____ Date: _____

Sign, date and keep this copy for your records.

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~~XII.XIII. XI. Acknowledgment of Receipt of Employee Policies and Procedures and At-Will Agreement~~
ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE POLICIES AND PROCEDURES AND AT-WILL AGREEMENT (DISTRICT COPY)

After you have read this Policies and Procedures manual and have clarified any issues with ~~your~~ the General Manager, please complete and sign both copies of the following statement. -Two copies are provided, one for your records (Employee Copy) and one for ~~the KID's~~ Kinneloa Irrigation District records (District Copy). ~~Detach one copy and r~~Return ~~the signed District Copy~~ to the General Manager within five days.

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

Employee's Signature: _____ Date: _____
~~Employee's Signature:~~ _____ ~~Date:~~ _____

Sign, date and return this copy to the General Manager.

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RESOLUTION 2021-01-19

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KINNELOA IRRIGATION DISTRICT REVISING THE EMPLOYEE POLICIES AND PROCEDURES MANUAL.

WHEREAS, the District has previously established an Employee Policies and Procedures Manual; and

WHEREAS, the Board wishes to modify the Manual previously promulgated;

NOW THEREFORE, IT IS RESOLVED that the Board adopts the Revision 5 of the Employee Policies and Procedures Manual attached to this Resolution as the policy of this District; and

RESOLVED FURTHER, that the General Manager is directed to replace all copies maintained by the District and provide this revised copy to all employees.

PASSED, APPROVED AND ADOPTED THIS NINETEENTH DAY OF JANUARY 2021.

SIGNED: _____
Chair

ATTEST: _____
Secretary

Hazard Mitigation Grant Program

Background

In 1974, Congress enacted the Robert T. Stafford Disaster Relief and Emergency Act, commonly referred to as the Stafford Act. In 1988, Congress established the *Hazard Mitigation Grant Program* (HMGP) via Section 404 of the Stafford Act. The HMGP was developed to foster planning to mitigate damage that results from disasters.

Purpose

Hazard mitigation are activities designed to reduce or eliminate damages from future hazardous events. These activities can occur before, during, and after a disaster and overlap all phases of emergency management. Eligible applicants include state and local agencies, Indian tribes or other tribal organizations, and certain nonprofit organizations.

We are joining an effort with the Public Water Agencies Group (PWAG), —of which we are a member— which is preparing a grant application for a multi-jurisdictional Hazard Mitigation Grant Program (Grant) among ten participating PWAG members. Rowland Water District will serve as the lead agency for this effort.

This Grant, if awarded, will fund preparation of a plan that will identify risks among the participating PWAG members and demonstrate ways to minimize damage resulting from natural and man-made disasters. That plan will be a comprehensive resource document that serves many purposes, such as: enhancing public awareness, creating a decision tool for management, promoting compliance with State and Federal program requirements, enhancing local policies for hazard mitigation capability, and providing inter-jurisdictional coordination.

Further, the federal Disaster Mitigation Act of 2000 requires all local governments to create such a disaster plan in order to qualify for hazard mitigation funding and eventually for emergency relief funding.

Fiscal Impact

The grant amount being applied for is \$250,000, of that amount, 25% of which (\$62,500) will be divided up in a formula amongst the ten participating PWAG members. Most of contributed cost match will be realized from in-kind participation, meeting attendance, travel costs, etc. However, some cash payment may be necessary. However, the District will receive the benefit of 75% of such hazard mitigation planning costs to be paid by the grant. The application deadline is January 27, 2021.

Recommendation

Staff recommends participation in this HMPG process by authorizing the General Manager to take such official action as may be reasonably necessary to carry out the proposed actions of the grant application and the plan.



MEMORANDUM

To: Public Water Agencies Group

From: James Ciampa

Re: EEOC Guidance on COVID-19 Vaccine Issues

Date: December 28, 2020

As we mentioned in our previous memorandum and discussed in several of the COVID-19 calls, the federal Equal Employment Opportunity Commission (“EEOC”) had not previously put forth any specific guidance regarding employment related issues for a COVID-19 vaccine because such a vaccine had not yet been developed. Now that several COVID-19 vaccines have been approved and are in use, on December 16, 2020, the EEOC put forth its initial guidance on COVID-19 vaccines in the form of supplements to its prior question and answer guidance on COVID-19 issues.

Although the new guidance does not expressly state that an employer can require an employee to take the COVID-19 vaccine, it is premised on the assumption that an employer has imposed such a requirement, as the guidance focuses on questions concerning how an employer should respond to requests from employees who cannot or do not wish to be vaccinated. From the EEOC guidance, we can offer the following conclusions:

- 1. *An employer can adopt a policy that requires employees to be vaccinated, but should include exceptions in such a policy.*** The EEOC states the Americans with Disabilities Act (“ADA”) allows an employer to have a qualification standard that includes a requirement that an employee cannot pose a direct threat to the health or safety of others in the workplace. The possibility of exposing others to COVID-19 would very likely constitute such a direct threat and would therefore justify excluding an employee from the workplace if the employee is not vaccinated.

The EEOC further points out that administration of a vaccine is not a “medical examination” for purposes of the ADA and therefore could be done by an employer without violating the ADA because the employer is not asking for information about the worker’s current health status or impairments. However, pre-screening vaccination questions would likely be a disability-related inquiry that is prohibited by

the ADA. Those questions would arise in the context of the employer itself, or through a third party contractor, administering the vaccine, so it is unlikely that issue would arise with the Group's members, who are not likely to themselves be administering the vaccine. That issue does not arise if the employee receives the vaccine from a third party that is not under contract with the employer, such as a pharmacy or other health care provider.

2. ***An employer who requires mandatory vaccinations must include exceptions for persons with disabilities who would be unable to take the vaccine and for persons with a sincerely held religious belief that prevents them from being vaccinated, unless providing that exception would be an undue hardship to the employer (see Item 3, below).***
3. ***If the basis for an employee's refusal to take the vaccine is a religious belief or disability, an employer has a legal obligation to provide a reasonable accommodation, such as allowing the employee to perform their job remotely, go on unpaid leave or change their job duties. But an employer can refuse a requested accommodation if it poses an undue hardship on the employer, such as significant expense or difficulty. Only in that situation (i.e., where the employee justifiably refused to be vaccinated and no reasonable accommodation is feasible) can the employee be excluded from the workplace (see Item 4, below).***
4. ***If an employee cannot get the vaccine due to a disability or religious belief and no reasonable accommodation is possible, then the employer could legally exclude that person from the workplace.*** However, an employer would need to be careful in terminating that employee's employment in that situation, as other laws, such as the ADA or Title VII of the Civil Rights Act, could apply and expose the employer to liability.
5. ***An employer can ask an employee to provide proof they were vaccinated against COVID-19, as that does not constitute a disability-related inquiry.*** However, follow-up questions, like why the employee did not get vaccinated, may elicit information about a disability and would be subject to the pertinent ADA standard that any such questions must be "job-related and consistent with business necessity."

The EEOC guidance goes into further detail, but the above five items seem to be the issues most relevant to the Group's members. We can further discuss these issues on the next COVID-19 call.

COVID-19 Prevention Program (CPP) for Kinneloa Irrigation District

This CPP is designed to control exposures to the SARS-CoV-2 virus that may occur in our workplace.

Date: January 12, 2021

Authority and Responsibility

Melvin Matthews, General Manager has overall authority and responsibility for implementing the provisions of this CPP in our workplace. In addition, all managers and supervisors are responsible for implementing and maintaining the CPP in their assigned work areas and for ensuring employees receive answers to questions about the program in a language they understand.

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

Identification and Evaluation of COVID-19 Hazards

We will implement the following in our workplace:

- Conduct workplace-specific evaluations using the **Appendix A: Identification of COVID-19 Hazards** form.
- Evaluate employees' potential workplace exposures to all persons at, or who may enter, our workplace.
- Review applicable orders and general and industry-specific guidance from the State of California, Cal/OSHA, and the local health department related to COVID-19 hazards and prevention.
- Evaluate existing COVID-19 prevention controls in our workplace and the need for different or additional controls.
- Conduct periodic inspections using the **Appendix B: COVID-19 Inspections form** as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with our COVID-19 policies and procedures.

Employee participation

Employees and their authorized employees' representatives are encouraged to participate in the identification and evaluation of COVID-19 hazards by bringing to the attention of General Manager any hazards that are observed for identification and evaluation.

Employee screening

We screen our employees by having them self-screen according to CDPH guidelines and require employees to stay home or go home if any symptoms are experienced or observed by other employees.

Correction of COVID-19 Hazards

Unsafe or unhealthy work conditions, practices or procedures will be documented on the **Appendix B: COVID-19 Inspections** form, and corrected in a timely manner based on the severity of the hazards.

Control of COVID-19 Hazards

Physical Distancing

Where possible, we ensure at least six feet of physical distancing at all times in our workplace by:

- Eliminating the need for workers to be in the workplace – e.g., telework or other remote work arrangements.
- Reducing the number of persons in an area at one time, including visitors.

- Staggered arrival, departure, work, and break times.
- Working alone and driving separate vehicles whenever possible.
- Adjusted work processes or procedures to allow greater distance between employees.
- Reference section [3205\(c\)\(6\) for details](#)]

Individuals will be kept as far apart as possible when there are situations where six feet of physical distancing cannot be achieved.

Face Coverings

We provide clean, undamaged face coverings and ensure they are properly worn by employees over the nose and mouth when indoors, and when outdoors and less than six feet away from another person, including non-employees, and where required by orders from the California Department of Public Health (CDPH) or local health department.

The following are exceptions to the use of face coverings in our workplace:

- When an employee is alone in a room.
- While eating and drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent possible.
- Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person. Alternatives will be considered on a case-by-case basis.
- Specific tasks that cannot feasibly be performed with a face covering, where employees will be kept at least six feet apart.

Any employee not wearing a face covering, face shield with a drape or other effective alternative, or respiratory protection, for any reason, shall be at least six feet apart from all other persons unless the unmasked employee is tested at least twice weekly for COVID-19.

Cleaning and disinfecting

We implement the following cleaning and disinfection measures for frequently touched surfaces:

- Ensuring adequate supplies and adequate time for it to be done properly.
- Informing the employees of the frequency and scope of cleaning and disinfection.

Shared tools, equipment and personal protective equipment (PPE)

PPE must not be shared, e.g., gloves, goggles and face shields.

Items that employees come in regular physical contact with, such as phones, headsets, desks, keyboards, writing materials, instruments and tools must also not be shared, to the extent feasible. Where there must be sharing, the items will be disinfected between uses.

Sharing of vehicles will be minimized to the extent feasible, and high-touch points (for example, steering wheel, door handles, seatbelt buckles, armrests, shifter, etc.) will be disinfected between users.

Hand sanitizing

In order to implement effective hand sanitizing procedures, we:

- Encouraging and allowing time for employee handwashing.
- Providing employees with an effective hand sanitizer, and prohibit hand sanitizers that contain methanol (i.e. methyl alcohol).
- Encouraging employees to wash their hands for at least 20 seconds each time.]

Personal protective equipment (PPE) used to control employees' exposure to COVID-19

We evaluate the need for PPE (such as gloves, goggles, and face shields) as required by CCR Title 8, section 3380, and provide such PPE as needed.

When it comes to respiratory protection, we evaluate the need in accordance with CCR Title 8 section 5144 when the physical distancing requirements are not feasible or maintained.

Investigating and Responding to COVID-19 Cases

This will be accomplished by using the **Appendix C: Investigating COVID-19 Cases** form.

Employees who had potential COVID-19 exposure in our workplace will be offered COVID-19 testing at no cost during their working hours.

System for Communicating

Our goal is to ensure that we have effective two-way communication with our employees. You can be assured that:

- You can report symptoms and hazards without fear of reprisal.
- We have procedures or policies for accommodating employees with medical or other conditions that put them at increased risk of severe COVID-19 illness.
- Although testing is not required, we encourage voluntary testing to minimize the possibility of bringing the virus to work.
- In the event we are required to provide testing because of a workplace exposure or outbreak, we will communicate the plan for providing testing and inform affected employees of the reason for the testing and the possible consequences of a positive test.
- We will provide information about COVID-19 hazards employees (including other employers and individuals in contact with our workplace) may be exposed to, what is being done to control those hazards, and our COVID-19 policies and procedures.

Training and Instruction

We will provide effective training and instruction that includes:

- Our COVID-19 policies and procedures to protect employees from COVID-19 hazards.
- Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws.
- The fact that:
 - COVID-19 is an infectious disease that can be spread through the air.
 - COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth.
 - An infectious person may have no symptoms.
- Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings.
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.
- The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment - face coverings are intended to primarily protect other individuals from the wearer of the face covering.
- COVID-19 symptoms, and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms.

Appendix D: COVID-19 Training Roster will be used to document this training.

Exclusion of COVID-19 Cases

Where we have a COVID-19 case in our workplace, we will limit transmission by:

- Ensuring that COVID-19 cases are excluded from the workplace until our return-to-work requirements are met.
- Excluding employees with COVID-19 exposure from the workplace for 14 days after the last known COVID-19 exposure to a COVID-19 case.
- Continuing and maintaining an employee's earnings, seniority, and all other employee rights and benefits whenever we've demonstrated that the COVID-19 exposure is work related. This will be accomplished by providing sick leave benefits, payments from public sources or other means of maintaining earnings, rights and benefits, where permitted by law and when not covered by workers' compensation.
- Providing employees at the time of exclusion with information on available benefits.

Reporting, Recordkeeping, and Access

It is our policy to:

- Report information about COVID-19 cases at our workplace to the local health department whenever required by law, and provide any related information requested by the local health department.
- Report immediately to Cal/OSHA any COVID-19-related serious illnesses or death, as defined under CCR Title 8 section 330(h), of an employee occurring in our place of employment or in connection with any employment.
- Maintain records of the steps taken to implement our written COVID-19 Prevention Program in accordance with CCR Title 8 section 3203(b).
- Make our written COVID-19 Prevention Program available at the workplace to employees, authorized employee representatives, and to representatives of Cal/OSHA immediately upon request.
- Use the **Appendix C: Investigating COVID-19 Cases** form to keep a record of and track all COVID-19 cases. The information will be made available to employees, authorized employee representatives, or as otherwise required by law, with personal identifying information removed.

Return-to-Work Criteria

- COVID-19 cases with COVID-19 symptoms will not return to work until all the following have occurred:
 - At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications.
 - COVID-19 symptoms have improved.
 - At least 10 days have passed since COVID-19 symptoms first appeared.
- COVID-19 cases who tested positive but never developed COVID-19 symptoms will not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.
- A negative COVID-19 test will not be required for an employee to return to work.
- If an order to isolate or quarantine an employee is issued by a local or state health official, the employee will not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period will be 10 days from the time the order to isolate was effective, or 14 days from the time the order to quarantine was effective.

Melvin L. Matthews

Melvin L Matthews, General Manager 1/12/2021

Appendix A: Identification of COVID-19 Hazards

All persons, regardless of symptoms or negative COVID-19 test results, will be considered potentially infectious. Particular attention will be paid to areas where people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not. For example: meetings, entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

Evaluation of potential workplace exposure will be to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. We will consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.

Person conducting the evaluation:

Date:

Name(s) of employee that participated:

Interaction, area, activity, work task, process, equipment and material that potentially exposes employees to COVID-19 hazards	Places and times	Potential for COVID-19 exposures and employees affected, including members of the public and employees of other employers	Existing and/or additional COVID-19 prevention controls, including barriers, partitions and ventilation

Appendix B: COVID-19 Inspections

[This form is only intended to get you started. Review the information available at www.dir.ca.gov/dosh/coronavirus/ for additional guidance on what to regularly inspect for, including issues that may be more pertinent to your particular type of workplace. You will need to modify form accordingly.]

Date:

Name of person conducting the inspection:

Work location evaluated:

Exposure Controls	Status	Person Assigned to Correct	Date Corrected
Physical distancing			
Surface cleaning and disinfection (frequently enough and adequate supplies)			
Hand washing facilities (adequate numbers and supplies)			
Disinfecting and hand sanitizing solutions being used according to manufacturer instructions			
PPE (not shared, available and being worn)			
Face coverings (cleaned sufficiently often)			
Gloves			
Face shields/goggles			
Respiratory protection			

Appendix C: Investigating COVID-19 Cases

All personal identifying information of COVID-19 cases or symptoms will be kept confidential. All COVID-19 testing or related medical services provided by us will be provided in a manner that ensures the confidentiality of employees, with the exception of unredacted information on COVID-19 cases that will be provided immediately upon request to the local health department, CDPH, Cal/OSHA, the National Institute for Occupational Safety and Health (NIOSH), or as otherwise required by law.

All employees' medical records will also be kept confidential and not disclosed or reported without the employee's express written consent to any person within or outside the workplace, with the following exceptions: (1) Unredacted medical records provided to the local health department, CDPH, Cal/OSHA, NIOSH, or as otherwise required by law immediately upon request; and (2) Records that do not contain individually identifiable medical information or from which individually identifiable medical information has been removed.

Date:

Name of person conducting the investigation:

Employee (or non-employee*) name:		Occupation (if non-employee, why they were in the workplace):	
Location where employee worked (or non-employee was present in the workplace):		Date investigation was initiated:	
Was COVID-19 test offered?		Name(s) of staff involved in the investigation:	
Date and time the COVID-19 case was last present in the workplace:		Date of the positive or negative test and/or diagnosis:	
Date the case first had one or more COVID-19 symptoms:		Information received regarding COVID-19 test results and onset of symptoms (attach documentation):	
Results of the evaluation of the COVID-19 case and all locations at the workplace that may have been visited by the COVID-19 case during the high-risk exposure period, and who may have been exposed (attach additional information):			

Notice given (within one business day, in a way that does not reveal any personal identifying information of the COVID-19 case) of the potential COVID-19 exposure to:			
All employees who may have had COVID-19 exposure and their authorized representatives.	Date:		
	Names of employees that were notified:		
Independent contractors and other employers present at the workplace during the high-risk exposure period.	Date:		
	Names of individuals that were notified:		
What were the workplace conditions that could have contributed to the risk of COVID-19 exposure?		What could be done to reduce exposure to COVID-19?	
Was local health department notified?		Date:	

*Should an employer be made aware of a non-employee infection source COVID-19 status.

Appendix D: COVID-19 Training Roster

Date:

Person that conducted the training:

Employee Name	Signature

COVID-19 emergency temporary standards (ETS)

Scope of Coverage

1. **Q:** Which employers must comply with the [COVID-19 emergency temporary standards \(ETS\)](#)?
A: The ETS applies to all employers, employees, and to all places of employment with three exceptions:
 - Workplaces where there is only one employee who does not have contact with other people
 - Employees who are working from home
 - Employees who are covered by the [Aerosol Transmissible Diseases](#) regulation
2. **Q:** Does the ETS apply for employees who split their work time between home and the workplace?
A: Yes, however, the regulation applies only when the employees work at the workplace, or are exposed at work, but not when they work from home.
3. **Q:** Does the regulation apply to workplaces with only one employee who has brief contact with other persons?
A: Yes, the regulation applies to such workplaces (other than the home); however, the measures that the employer must implement to comply with the ETS will reflect this type of limited exposure.
4. **Q:** Does the regulation apply for employees who are working from remote locations other than their home?
A: No, the regulations do not apply to employees an employer assigns to telework but who choose to work elsewhere, such as at a hotel or rental property. The regulation on employer-provided housing (3205.3) applies when a person is working from a hotel arranged for or provided by the employer; however, the rule would not impose additional requirements for business travel by employees not sharing a room or suite.
5. **Q:** Does the regulation apply to any facility that is subject to the Aerosol Transmissible Diseases (ATD) standard?
A: The ETS applies to employees at these facilities who are not identified in the employer's Aerosol Transmissible Diseases Exposure Control Plan, as required under California's Aerosol Transmissible Diseases (ATD) standard ([CCR section 5199](#)), as having occupational exposure to aerosol transmissible diseases, such as administrative employees who work only in an office environment separated from patient care facilities.
6. **Q:** The regulation exempts "Employees when covered by section 5199". Can an employee in a single workplace be subject to both the ETS and section 5199 at different times?

A: No. In a facility or operation that is within the scope of section 5199, employees with occupational exposure to aerosol transmissible diseases (ATDs), as defined in section 5199, are covered by the requirements of section 5199, and not the ETS. This is true even when an employee who has occupational exposure performs tasks that do not include exposure to ATDs, e.g., when a hospital nurse who performs patient care spends time in the hospital's human resources office.

7. **Q:** Can an employer at a workplace covered by section 5199 deem all employees on site to have occupational exposure to COVID-19 and exempt them from the ETS?

A: If the employer provides all employees with protections under its ATD Exposure Control Plan and has incorporated those employees into the plan in accordance with section 5199 because they have an occupational exposure to COVID-19, then those employees would not be subject to the ETS.

Effective Date

8. **Q:** When must employers comply with the ETS?

A: November 30, 2020, the day the Office of Administrative Law approved the ETS.

9. **Q:** What if an employer is unable to comply with the ETS by its effective date?

A: Many of the provisions of these regulations have already been required under [employers' Injury and Illness Prevention Programs](#) (IIPP), including the requirement to identify and address hazards, use of face coverings, and physical distancing. As employers implement the new regulations, Cal/OSHA enforcement personnel will consider an employer's good faith efforts in working towards compliance, but some aspects, such as eliminating hazards and implementing testing requirements during an outbreak, are essential.

Enforcement

10. **Q: How will Cal/OSHA enforce the ETS as employers implement the rule?**

A: All employers are expected to comply with all provisions of the ETS, and Cal/OSHA will enforce the ETS, taking into consideration an employer's good faith efforts to comply.

In addition to consideration of an employer's good faith effort to comply before issuing a citation, for the first two months the rules are in effect (i.e., through [February 1, 2021](#)), Cal/OSHA will cite but not assess monetary penalties for violations of the ETS that would not have been considered a violation of the employer's Injury and Illness Prevention Program, respiratory protection program or other applicable Cal/OSHA standard in place prior to November 30, 2020. This brief period of relief from monetary penalties will allow Cal/OSHA and employers to focus on obtaining compliance, while ensuring workers still benefit from the protections in the ETS. This policy will not apply where an employer fails or refuses to abate a violation of the ETS Cal/OSHA has identified, or in the case of imminent hazards.

The COVID-19 Prevention Program

11. **Q:** What are the main requirements of the ETS?

A: To comply with the ETS, an employer must develop a written COVID-19 Prevention Program or ensure its elements are included in an existing [Injury and Illness Prevention Program](#) (IIPP). The employer must implement the following in accordance with their written program:

- Communication to employees about the employer's COVID-19 prevention procedures
- Identify, evaluate and correct COVID-19 hazards
- Physical distancing of at least six feet unless it is not possible
- Use of face coverings
- Use engineering controls, administrative controls and personal protective equipment as required to reduce transmission risk
- Procedures to investigate and respond to COVID-19 cases in the workplace
- Provide COVID-19 training to employees
- Provide testing to employees who are exposed to a COVID-19 case, and in the case of multiple infections or a major outbreak, implement regular workplace testing for employees in the exposed work areas
- Exclusion of COVID-19 cases and exposed employees from the workplace until they are no longer an infection risk
- Return to work criteria
- Maintain records of COVID-19 cases and report serious illnesses and multiple cases to Cal/OSHA and the local health department, as required

Cal/OSHA has posted a [Model COVID-19 Prevention Program](#) on its website for employers to use.

Communication with Employees

12. **Q:** What does the ETS require employers to communicate to employees?

A: Requirements include:

- How to report COVID-19 symptoms, exposures and hazards to the employer without fear of reprisal
- COVID-19 hazards in the workplace and the employer's policies and procedures to address them
- Any procedures the employer may have for accommodating employees with elevated risk factors for COVID-19, which can be found on the CDC's website (this is an obligation to communicate about existing procedures, not to create new ones,

although reassigning employees with elevated COVID-19 risk factors to jobs with less exposure risk is encouraged and may be required under federal and state disability laws)

- How the employee can obtain testing for COVID-19, such as through the employer's workplace-based testing program, or through the local health department, a health plan, or at a community testing center
- Notice of potential exposure to COVID-19
- Cleaning and disinfection protocols
- How to participate in workplace hazard identification and evaluation

Identifying, Evaluating and Correcting COVID-19 Hazards

13. **Q:** What must an employer do to identify, evaluate and correct workplace hazards?

A: Identifying, evaluating and correcting workplace hazards includes:

- Developing and implementing a process for screening employees for and responding to employees with COVID-19 symptoms
- Reviewing state and local guidance and orders on hazard prevention, [including industry-specific guidance found on Cal/OSHA's website](#) or at [Covid19.ca.gov](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Industry-Specific-Guidance.aspx)
- Reviewing existing practices for controlling COVID-19
- Conducting a site-specific evaluation of where COVID-19 transmission could occur, including interactions between employees and any other persons, and places employees may congregate or interact with members of the public
- Allowing employees or employees' authorized representatives to participate in hazard identification and evaluation
- Ensuring a process is in place to immediately address COVID-19 cases
- Conducting periodic inspections of the workplace to ensure compliance with the ETS and check for new hazards
- Implementing procedures to correct identified hazards

14. **Q:** How does an employer allow employees or employees' representatives to participate in hazard identification or evaluation?

A: The employer has flexibility in how it allows worker participation in hazard identification and evaluation. The rule does not explicitly require employee participation, but employers must allow it. Cal/OSHA encourages the participation of employees and employees' authorized representatives in hazard identification and evaluation.

Physical Distancing, Face Coverings and Other Controls

15. **Q:** What are the physical distancing requirements of the ETS?

A: An employer must ensure that employees maintain at least six feet of distance from

other persons unless it is not possible, in which case employees should be as far from others as possible. Momentary contact closer than 6 feet while in movement, such as in a hallway or aisle, would not be considered a violation. An employer must be prepared to demonstrate to Cal/OSHA why physical distancing of at least six feet is not possible.

Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees.

16. **Q:** How should an employer measure between people when implementing the physical distancing requirement?

A: The ETS does not specify a method of measuring 6 feet of physical distancing, or in the cases of workers being transported to and from work in a vehicle, 3 feet of physical distancing. Measuring the space between two peoples' bodies or measuring the distance between two peoples' breathing zones (distance between their heads) are both methods Cal/OSHA would accept.

17. **Q:** What are the engineering requirements if physical distancing is not possible?

A: In addition to maximizing physical distance, at fixed work locations an employer must install cleanable solid partitions that reduce the risk of aerosol transmission (such as Plexiglas barriers).

18. **Q:** What is a "fixed work location" that would require solid partitions?

A: A "fixed work location" is a workstation where a worker is assigned to work with minimal movement from that location for extended periods of time. Examples include cashiers, greeters, receptionists, workers at desks or in cubicles, and food production line workers. It does not include construction or maintenance work.

19. **Q:** How large should partitions be?

A: They should be large enough to reduce the risk of aerosol transmission. Unless they are complete barriers, partitions do not eliminate the risk of transmission between workers. Workers within six feet of one another are considered a close contact for determining COVID-19 exposure, regardless of partitions.

20. **Q:** What are the face covering requirements of the ETS?

A: The ETS requires employers to provide employees with face coverings (or reimburse employees for the cost) and ensure they are worn over the nose and mouth when indoors and when outdoors, and within 6 feet of another. Exceptions include: when an employee is alone in a room, when eating or drinking, when using a respirator or other respiratory protection, when an employee cannot use a face covering due to a medical or mental condition; if hearing impaired or communicating with a hearing-impaired person; or when

specific work tasks cannot be performed with a face covering. Other measures to protect against COVID-19 infection must be implemented when face coverings cannot be used.

21. **Q:** What engineering controls, administrative controls, and personal protective equipment must an employer implement?

A: Requirements include:

- Engineering controls
 - Install cleanable solid partitions that reduce the risk of aerosol transmission between fixed work locations where it is not possible to physically distance (such as Plexiglas barriers)
 - Maximize the amount of outside air to the extent feasible, unless there is poor outside air quality (an AQI of 100 or higher for any pollutant) or some other hazard to employees such as excessive heat or cold
- Administrative controls
 - Implement effective cleaning procedures of commonly touched surfaces, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, bathroom surfaces, and steering wheels
 - Inform employees and employees' authorized representatives of cleaning and disinfection protocols and planned frequency and scope of cleaning
 - Minimize to the extent feasible the sharing of tools, equipment and vehicles
 - If tools, equipment and vehicles must be shared, disinfect between users
 - Clean areas where a COVID-19 case has been during the "high risk period", as defined in these FAQs
 - Provide for, encourage and allow time for frequent hand washing, and provide hand sanitizer
- Personal protective equipment (PPE)
 - Evaluate the need for PPE, including but not limited to gloves, eye protection and respiratory protection as required by Cal/OSHA standards
 - Provide eye and respiratory protection for employees exposed to procedures that aerosolize saliva or other potentially infectious materials, such as some dental procedures
 - Prohibit the sharing of PPE

Ventilation

22. **Q:** How can employers who rent buildings or workspace in buildings over which they do not have control comply with the requirements regarding maximizing outdoor air and increase filtration efficiency of the ventilation system?

A: Employers in these circumstances should request that the building operator assist with compliance with the emergency regulation. It should be noted that if the building operator has employees that work on the premises, it is also subject to the rule.

23. **Q:** What if an employer has processes that prevent the use of outdoor air?

A: The ETS requires, with some exceptions, the employer to maximize the use of outdoor air to the extent feasible. Cal/OSHA will consider the processes or environments necessary to perform the work when assessing feasibility.

Vaccines

24. **Q:** Once an employee is vaccinated, must the ETS still be followed for vaccinated persons?

A: For now, all prevention measures must continue to be implemented. The impact of vaccines will likely be addressed in a future revision to the ETS.

Training

25. **Q:** What training must an employer provide employees under the ETS?

A: Employee training must cover:

- Employer policies and procedures to protect employees from COVID-19 hazards
- COVID-19 related benefit information, from either the employer or from federal, state or local government, that may be available to employees impacted by COVID-19. Information on COVID-19 benefits such as paid sick leave and workers' compensation benefits is posted on the [Department of Industrial Relations' Coronavirus Resources](#) webpage.
- The fact that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may show no symptoms
- The importance of physical distancing and wearing face coverings
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective
- The importance of frequent hand washing for at least 20 seconds and use of hand sanitizer when handwashing facilities are not available
- Proper use of face coverings, and the fact that they are not respiratory protection
- The symptoms of COVID-19 and the importance of not coming to work and getting tested if an employee has symptoms

Cal/OSHA will provide training resources on its website for employers to use to supplement site-specific training to comply with the ETS.

Addressing COVID-19 Cases in the Workplace

26. **Q:** What must an employer do to investigate and respond to a COVID-19 case?

A: Investigating and responding to a COVID-19 case in the workplace includes the following:

- Determining when the COVID-19 case was last in the workplace, and if possible the date of testing and onset of symptoms
- Determining which employees may have been exposed to COVID-19
- Notifying employees of any potential exposures within one business day (and notifying any other employer who has potentially exposed employees in the workplace)
- Offer testing to potentially exposed employees at no cost and during working hours
- Investigate the exposure, whether workplace conditions could have contributed to the risk of exposure, and what corrections would reduce exposure

Testing

27. **Q:** What are the testing requirements in the ETS?

A: An employer's testing obligations are the following:

- Inform all employees on how they can obtain testing. This could be through the employer, local health department, a health plan, or at a community testing center. The only obligation to all employees is to provide information.
- Offer testing to an employee at no cost and during working hours in the event of a potential COVID-19 work-related exposure.
- Provide periodic (at least weekly or twice per week depending on the magnitude of the outbreak) COVID-19 testing to all employees in an "exposed workplace" during an outbreak.
- Testing must be provided in a manner that ensures employee confidentiality.

28. **Q:** Is there a difference between "offer testing" and "provide testing" in the ETS?

A: No. The meaning is the same for both terms.

29. **Q:** Does the employer have to provide testing to employees at their work location?

A: No. The employer may provide testing to employees at a testing site separate from their work location.

30. **Q:** Can employers send their employees to a free testing site for testing (e.g., run by their county) and is this considered to be "at no cost to employees?"

A: Yes, as long as employees incur no cost for the testing. Ensuring that an employee does not incur costs would include paying employees' wages for their time to get tested, as well as travel time to and from the testing site. It would also include reimbursing employees for travel costs to the testing site (e.g., mileage or public transportation costs).

31. **Q:** What do employers do if employees refuse to take the tests required by various provisions of the emergency regulations?

A: An employer that offers a test at no cost to the employee does not violate the regulation if an employee declines or refuses to take it. The employer is not required to obtain a signed declination from employees who refuse to take a COVID-19 test offered by the employer.

32. **Q:** What does "during their working hours" or "during employees' working hours" mean, in relation to providing COVID-19 testing?

A: These terms, as used in the regulations, mean that the test must be provided during paid time. While the employee must be compensated for their time and travel expenses, the employer is not obligated to provide the test during the employee's normal working hours.

33. **Q:** What kinds of tests are acceptable to comply with the regulations' testing requirements?

A: Tests approved by the United States Food and Drug Administration (FDA) or that have an Emergency Use Authorization (EUA) from the FDA to diagnose current infection with the SARS-CoV-2 virus may be used. These include both PCR and antigen tests. The test must be administered in accordance with the FDA approval or FDA EUA, as applicable.

34. **Q:** In a non-outbreak setting, how does an employer determine which employees may have had a COVID-19 exposure?

A: Employers must: determine which if any employee was within 6 feet of a COVID-19 case for a cumulative total of 15 minutes within any 24-hour period during the COVID-19 case's "high risk exposure period." The high-risk exposure period is:

- For COVID-19 cases who develop COVID-19 symptoms, from two days before they first develop symptoms until 10 days after symptoms first appeared, and 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved.
- For persons who test positive but never develop COVID-19 symptoms, from two days before until ten days after the specimen for their first positive test for COVID-19 was collected.

35. **Q:** In a non-outbreak setting, what are employers required to do when they learn that one or more of their employees had a COVID-19 exposure at the workplace?

A: Employers must:

- Notify all employees and employees' authorized representatives who may have had COVID-19 exposure within one business day in a manner that does not reveal the COVID-19 case's personal identifying information

- Offer testing at no cost to any employee potentially exposed to COVID-19 in the workplace, and provide applicable benefit information. The time an employee spends being tested is considered compensable hours worked.
- Exclude from the workplace employees who test positive for COVID-19 and employees with COVID-19 exposure, and follow the requirements for preserving their pay and benefits
- Follow the return to work criteria for returning excluded employees to work
- Investigate the exposure and address hazards
- Follow all recordkeeping and reporting requirements for employee COVID-19 cases.

Outbreaks and the “Exposed Workplace”

36. **Q:** In an outbreak (three or more COVID-19 cases in an “exposed workplace” within a 14-day period or identified as an outbreak by a local health department), what are an employer’s requirements?

A: In addition to the requirements for non-outbreak settings, an employer must:

- Immediately provide testing to all employees in the exposed workplace and exclude positive cases and exposures from work; repeat the testing one week later; and
- Continue testing employees at least weekly until the workplace no longer qualifies as an outbreak.

37. **Q:** What are an employer’s requirements in a major outbreak (20 or more COVID-19 cases in an “exposed workplace” within a 30-day period)?

A: In addition to the requirements for non-outbreak settings, an employer must:

- Provide testing to all employees in the exposed workplace at least twice weekly and exclude positive cases and exposures until there are no new cases detected for a 14-day period;
- Implement ventilation changes to mechanical ventilation systems including increasing filtration efficiency to at least MERV-13, or the highest efficiency compatible with the ventilation system.
- Evaluate whether HEPA air filtration units are needed in poorly ventilated areas;
- Determine the need for a respiratory protection program or changes to an existing respiratory protection program under section 5144 to address COVID-19 hazards; and
- Consider halting all or part of operations to control the virus.

38. **Q:** What is an “exposed workplace” and how should an employer determine which work areas are included?

A: An exposed workplace is a work location, working area, or common area used or

accessed by a COVID-19 case during the high-risk period, including bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. If, within 14 days, three COVID-19 cases share the same “exposed workplace,” then the Multiple COVID-19 Infections and COVID-19 Outbreaks standard (section [3205.1](#)) applies and additional testing will be required. When determining which areas constitute a single “exposed workplace” for purposes of enforcing testing requirements, Cal/OSHA does not expect employers to treat areas where masked workers momentarily pass through the same space without interacting or congregating as an “exposed workplace,” so they may focus on locations where transmission is more likely.

39. **Q:** Does the “exposed workplace” mean the entire workplace? Does this change after January 1, 2021 when AB 685 goes into effect?
A: No, the “exposed workplace” includes only the areas of the building where the COVID-19 cases were present during the “high-risk exposure period.” This will not change after January 1, 2021.
40. **Q:** Why does the standard use “exposed workplace” instead of a percentage of the entire workforce or some other method?
A: Focusing on three or more cases as an “exposed workplace” is preventative, to initiate testing at the beginning of an outbreak in the area where workers are at risk of exposure, and to contain the outbreak to the affected area. Typically, once an employer is aware of three or more COVID-19 cases in an exposed workplace, there is a likelihood that there are more unknown cases. Testing in the “exposed workplace” is intended to balance the need to tailor testing to the areas where workers have a risk of exposure to known COVID-19 cases and the need to do that on a comprehensive basis to contain transmission and account for the possibility that transmission is already occurring.
41. **Q:** Is the testing requirement for outbreaks triggered by three or more cases in an entire building?
A: No, the testing requirement is triggered by three or more cases in a 14-day period present in the same “exposed workplace” during the “high-risk exposure period.” For other areas of the workplace, follow the requirements for employees who are exposed to COVID-19 cases.
42. **Q:** How does an employer determine what part of a workplace is an “exposed workplace” for purposes of determining if an outbreak has occurred and who must be tested?
A: An “exposed workplace” is defined at section 3205(b)(7) and includes “any work location, working area or common area used or accessed by a COVID-19 case during the ‘high-risk period.’” For purposes of determining whether an outbreak has occurred, there must be three COVID-19 cases, all of whom worked in, used, or accessed the same “work location, working area or common area used or accessed” in a 14-day period. If one of the three cases is in a different work location within an establishment, an outbreak has not occurred.
Areas a COVID-19 case passed through (i.e., travelled through en route to a work area and did not stop or stopped momentarily while wearing a face covering) are not considered in determining the area of an “exposed workplace.” For example, if all three COVID-19 cases

have been in a common area, but one of the cases only passed through while wearing a face covering, an outbreak has not occurred for purposes of the ETS.

43. **Q:** Can an employer separate employees into cohorts to reduce the likelihood of COVID-19 cases occurring in the same work locations/areas?

A: Yes, that is an acceptable strategy to reduce risk and reduce testing obligations. The ETS requirements must still be implemented in the exposed workplace.

44. **Q:** For employers who have several non-overlapping work shifts at a facility, can each shift be considered as a separate “exposed workplace”, as defined by the ETS?

A: If the facility is well ventilated and the cleaning and disinfection requirements of the ETS are met between or before shift changes, each shift may be considered as a separate “exposed workplace.”

45. **Q:** How can an employer measure the 14- or 30-day period in which to look for positive cases to determine if there has been an outbreak or major outbreak?

A: The employer should look to the testing date of the cases. Any cases for which the tests occurred within a 14-day period would be reviewed to see if the other criteria for an outbreak have been met.

46. **Q:** Is the “three or more cases” outbreak requirement limited to employee cases, or do cases involving anyone that has been in the workplace count towards the requirement?

A: Any confirmed COVID-19 case who has been in the exposed workplace during the high-risk exposure period counts towards the three-case threshold.

47. **Q:** When must an employer exclude employees from work?

A: Employers must exclude from work employees who (1) are COVID-19 cases, or (2) have had COVID-19 exposure from the workplace.

48. **Q:** What are the criteria for a COVID-19 case to return to work?

A: A COVID-19 case may return to work when any of the following occur:

- For employees with symptoms all of these conditions must be met:
 1. At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications;
 2. COVID-19 symptoms have improved; and
 3. At least 10 days have passed since COVID-19 symptoms first appeared
- For employees without symptoms, at least 10 days have passed since the COVID-19 case’s first positive test
- If a licensed health care professional determines the person is not/is no longer a COVID-19 case, in accordance with California Department of Public Health (CDPH) or local health department recommendations.

49. **Q:** What are the criteria for an employee exposed to a COVID-19 case in the workplace to return to work?

A: Applying Executive Order N-84-20 and [current CDPH quarantine guidance](#), while a 14-day quarantine is recommended, an exposed employee who does not develop symptoms of COVID-19 may return to work after 10 days have passed since the date of last known

exposure. Additionally, CDPH has provided guidance permitting health care, emergency response and social services workers to return to work after 7 days with a negative PCR test result collected after day 5 when there is a critical staffing shortage."

50. **Q:** Is a negative test required for an employee to return to work?

A: No, the ETS does not require an employee to have a negative test to return to work. The criteria for returning to work are listed above.

Exclusion Pay and Benefits

51. **Q:** Must an employer pay an employee while the employee is excluded from work?

A: If the employee is able and available to work, the employer must continue to provide the employee's pay and benefits. An employer may require the employee to exhaust paid sick leave benefits before providing exclusion pay, to the extent permitted by law, and may offset payments by the amount an employee receives in other benefit payments. (Please refer to the [Labor Commissioner's COVID-19 Guidance and Resources](#) for information on paid sick leave requirements.). These obligations do not apply if an employer establishes the employee's exposure was not work-related.

52. **Q:** Does an employer have to "maintain an employee's earnings, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their job" if the employee is unable to work because of his or her COVID-19 symptoms?

A: No, if an employee is unable to work because of his or her COVID-19 symptoms, then he or she would not be eligible for exclusion pay and benefits under section 3205(c)(10)(C). The employee, however, may be eligible for Workers' Compensation or State Disability Insurance benefits.

53. **Q:** How long does an employee with COVID-19 exposure, or who tests positive for COVID-19 from the workplace, receive pay while excluded from the workplace?

A: An employee would typically receive pay for the period the employee is quarantined, which could be up to 14 days (see above for potential impact of [EO N-84-20](#)). If an employee is out of work for more than a standard quarantine period based on a single exposure or positive test, but still does not meet the regulation's requirements to return to work, that extended quarantine period may be an indication that the employee is not able and available to work due to illness. . The employee, however, may be eligible for temporary disability or other benefits.

54. **Q:** Must an employer exclude an employee who claims a COVID-19 workplace exposure?

A: An employer should take any reports seriously and should investigate any evidence of an exposure. It is ultimately the employer's responsibility to determine if an exposure occurred.

55. **Q:** Does an employer have to maintain an employee's earnings and benefits under section 3205(c)(10)(C) if the employee is unable to work because of reasons other than protecting persons at the workplace from possible COVID-19 transmission?

A: No, the employer need not maintain the exposed employee's earnings and benefits

under section 3205(c)(10)(C) if the employee with COVID-19 exposure from the workplace is unable to work because of reasons other than protecting persons at the workplace from possible COVID-19 transmission (e.g., a business closure, caring for a family member, disability, or vacation). Such employees may be eligible for other benefits, including Disability Insurance, Paid Family Leave, or Unemployment Insurance benefits

56. **Q:** The ETS states that an employer is not required to provide exclusion pay if the employer can establish that an employee's COVID-19 exposure was not work related. What does that mean?

A: The ETS does not require employers to pay workers who are excluded from work under section 3205(c)(10) if the employer can show that the employee's COVID-19 exposure was not work related. In such circumstances, employers may have other legal or contractual payment obligations, but pay and benefits are not mandated by section 3205.

57. **Q:** How are employers proving that a COVID-19 exposure is not work related and rebutting the presumption under SB 1159 related?

A: [SB 1159](#) provides a rebuttable presumption for certain workers and workplaces that an employee's COVID-19-related illness is an occupational injury entitling the employee to workers' compensation benefits. Rebutting that presumption and proving that COVID-19 exposure is not work related to avoid the ETS' exclusion pay requirement involve an employer conducting comparable investigations and producing comparable evidence to show it is more likely than not that an employee's COVID-19 exposure did not occur in the workplace.

58. **Q:** How will the exclusion pay provision be enforced?

A: As with any violation, Cal/OSHA has the authority to issue a citation and require abatement. Whether employees or another agency can bring a claim in another forum is outside the scope of Cal/OSHA's authority.

59. **Q:** Can an employee receive both temporary disability benefits under workers' compensation and receive their regular wages (or a portion of them) because they are excluded for work under section 3205(c)(10)(C)?

A: No. Cal/OSHA does not consider an employee receiving workers' compensation temporary disability benefits for wages lost during the period in which they are excluded from the workplace to be "able and available to work" within the meaning of section 3205(c)(10)(C). Therefore, an employee cannot receive both types of benefits.

60. **Q:** If an employee is receiving temporary disability benefits through workers' compensation because they test positive for COVID-19 but do not have symptoms that would otherwise prevent them from working, should they receive workers' compensation benefits or exclusion pay under the ETS?

A: As noted above, Cal/OSHA does not consider an employee receiving temporary disability benefits through workers' compensation to be considered "able and available to work" within the meaning of section 3205(c)(10)(C). However, if an asymptomatic employee is able and available to work but is not eligible to receive payment through workers' compensation for lost wages during the period in which they are excluded from work, they should be paid for that time according to section 3205(c)(10).

Waivers of Exclusion Requirements Based on Community Health and Safety

61. **Q:** What should an employer consider before seeking a waiver from Cal/OSHA from the return-to-work requirements of section 3205(c)(11)?

A: The ETS provides that employers can request a waiver of the requirement to quarantine/isolate exposed or COVID-19 positive employees from the workplace if doing so would create an undue risk to public health and safety. Cal/OSHA will not grant a waiver in violation of any order issued by a local or state health official pertaining to isolation or quarantine. An operation must provide goods or services, the interruption of which would cause an undue risk to a community's health and safety in order to qualify. This exception is narrower than the definition of "critical infrastructure," though such operations may qualify if there is an adverse impact on a community's health and safety. A facility must be facing a potential staffing shortage based on actual COVID-19 cases or exposures in order to qualify for a waiver. Requests should not be made in anticipation of a future outbreak.

62. **Q:** What information should an employer provide to Cal/OSHA in seeking a waiver of the requirement to exclude COVID-19 exposed and COVID-19 positive employees from the workplace?

A: In seeking a waiver, employers should submit the request to rs@dir.ca.gov. In the event of an emergency, an employer may request a provisional waiver by calling the local district office while it prepares its written request. While there is no set criteria for granting a waiver in the ETS, the following information would constitute a complete waiver request which Cal/OSHA could quickly review and provide a response:

1. Employer name and business or service;
2. Employer point-of-contact name, address, email and phone number;
3. Statement that there are no local or state health officer orders for isolation or quarantine of the excluded employees;
4. Statement describing the way(s) in which excluding the exposed or COVID-19 positive employees from the workplace impacts the employer's operation in a way that creates an undue risk to the community's health and safety;
 - a. Number of employees required to be quarantined under the ETS, and whether each was exposed to COVID-19 or tested positive for COVID-19;
5. The employer's control measures to prevent transmission of COVID-19 in the workplace if the employee(s) return or continue to work in the workplace, including the prevention of further exposures. These include measures such as isolating the returned employee(s) at the workplace, use of respiratory protection by other employees in the exposed workplace, or other equally effective measures.

Providing clear, specific responses to these information needs will help Cal/OSHA respond as efficiently as possible to waiver requests.

Recordkeeping and Reporting

63. **Q:** What reporting and recordkeeping requirements are in the ETS?

A: An employer's reporting and recordkeeping requirements include the following:

- Following state and local health department reporting requirements.
- Contacting the local health department when there are three or more COVID-19 cases in the workplace within a 14-day period.
- Provide the following information:
 - The total number of COVID-19 cases.
 - For each COVID-19 case, the name, contact information, occupation, workplace location, business address, the hospitalization and/or fatality status, and North American Industry Classification System code of the workplace of the COVID-19 case
 - Any other information requested by the local health department.
- The employer shall continue to give notice to the local health department of any subsequent COVID-19 cases at the workplace.
- Reporting serious occupational illnesses to Cal/OSHA, consistent with existing regulations.
- Maintaining records required by [8 CCR section 3203\(b\)](#), which include inspection records, documentation of hazard corrections, and training records (requirements vary by employer size).
- Making the written COVID-19 Prevention Program available upon request to employees and employees' authorized representatives.
- Recording and tracking all COVID-19 cases with the employee's name, contact information, occupation, location where the employee worked, the date of the last day at the workplace, and the date of a positive COVID-19 test. Medical information shall be kept confidential. The information shall be made available to employees, authorized employee representatives, or as otherwise required by law, with personal identifying information removed. This does not prevent employees or their representatives from obtaining an employer's Log of Work-Related Injuries and Illnesses or other information as allowed by law.

Advisory Committees and Possible Changes to the ETS

64. **Q:** When is the advisory committee scheduled to meet?

A: Cal/OSHA intends to hold a stakeholder meeting in December to explain the rule, answer questions and give interested parties an opportunity to provide feedback on the rule. An advisory committee meeting will be scheduled soon after that. The Occupational Safety and Health Standards Board (OSHSB) has formally requested that Cal/OSHA report the results of this advisory process to the Board within four months.

Employer-Provided Housing

65. **Q:** Is the Housing for the Harvest program covered by section 3205.3, which addresses COVID-19 Prevention in Employer-Provided Housing?
- A:** Housing for the Harvest is a program that offers temporary hotel housing to agricultural workers who need to isolate or quarantine due to COVID-19. The purpose of the ETS is to prevent transmission to workers who are working while living together in employer-provided housing. Once an employee is isolated or quarantined, the prevention elements of the regulation designed to protect employees living together are no longer applicable and the only part of section 3205.3 that would apply is subsection 3205.3(h), which addresses isolation of COVID-19 cases and quarantining persons with COVID-19 exposure.
66. **Q:** Many growers have rented hotel rooms for COVID-19 positive employees to isolate them and reduce the spread of COVID-19 in housing, many of which do not include a kitchen. Does this violate section 3205.3?
- A:** Section 3205.3 does not require providing separate cooking and eating facilities to COVID-19 positive employees if they are not sharing cooking and eating facilities with others who are not positive.
67. **Q:** Does the ETS' housing requirements apply to housing of H-2A employees subject to a federal agreement, even if that agreement allows for a greater number of employees in a given space?
- A:** Yes, the ETS applies to housing subject to an H-2A contract. Cal/OSHA may set stricter requirements than those set by contract or federal requirements.
68. **Q:** How does an employee enforce physical distancing and face covering requirements in employer provided housing?
- A:** Section 3205.3 does not require employers to enforce physical distancing and face covering requirements. The employer obligations include:
- Ensuring that the premises are of sufficient size and layout to permit at least six feet of physical distancing.
 - Providing face coverings to all residents and provide information to residents on when they should be used in accordance with state or local health officer orders or guidance.

Additional Resources

69. **Q:** What additional resources are available for employers and workers to understand the rule and comply?
- A:** Cal/OSHA has a number of resources in place and in development to assist with compliance with the ETS:
- These FAQs will be expanded on an ongoing basis to assist stakeholders in understanding the ETS.

- A stakeholder meeting will be held in December to explain the rule and answer questions.
- The Consultation Branch will be available to answer employer questions about the ETS.
- Cal/OSHA is developing training on the ETS that it will provide in a webinar format.
- Cal/OSHA has developed a Model Program to assist employers in developing a [COVID-19 Prevention Program](#).
- Materials will continue to be posted and updated on [Cal/OSHA's COVID-19 webpage](#).
- [COVID-19 Sick Leave and Employment Law](#)
- For questions on paid sick leave, retaliation protections, filing a wage claim, or retaliation complaint, call 833-LCO-INFO (833-526-4636)
- [COVID-19 Workplace Safety and Health Information](#)
- You can file a [workplace safety and health complaint with Cal/OSHA online](#), or by telephone at the [district office closest to you](#).
- [COVID-19 Resources for Workers' Compensation](#)
- Call 1-800-736-7401 for recorded information on workers' compensation benefits from Information and Assistance staff 24 hours a day, or [contact a local Division of Workers' Compensation office](#) during business hours to reach a live person.