



DATE: October 26, 2017

TO: Transportation Authority of Marin Board of Commissioners

FROM: Dianne Steinhauser, Executive Director
Li Zhang, Chief Financial Officer

SUBJECT: Review and Accept the TAM and LGS/RGS Separation Action Plan and Provide Comments on the Draft TAM Human Resources Policies and Procedure Manual (Action), Agenda Item No.10

RECOMMENDATION:

The TAM Board reviews and accepts the TAM and Local Government Services (LGS)/Regional Government Services (RGS) Separation Action Plan.

The TAM Board reviews and provides comments on the Draft TAM Human Resources Policies and Procedures Manual. Any comments/edits received will be incorporated into the final document, which will be brought back to the Board for adoption.

BACKGROUND:

LGS is a joint powers authority created to provide employment contract services to government agencies. Since the formation, LGS and RGS have been able to effectively provide pooled human resources (HR), payroll, and benefit services to various small government agencies. The TAM Board engaged LGS's services during the hiring of TAM's Executive Director and several other positions on a temporary basis in 2005 and 2006, and decided to enter into an agreement with LGS for on-going staffing and other related services in December 2007. The agreement allows TAM the option of terminating the contract with 60-day written notice to LGS. All employees hired by LGS and assigned to TAM were offered a CalPERS defined retirement benefit plan. Later, RGS hired employees assigned to TAM with no CalPERS retirement benefit. Instead, those employees were offered a defined contribution 401(a) retirement benefit plan. Currently, 9 of the 11 employees with TAM are employed under LGS and the remaining 2 are employed under RGS.

The retirement benefit provided by CalPERS was one of the key benefits that TAM provided to ensure it could attract the best talent pool from the industry. TAM entered into the long-term agreement with LGS with the understanding that this staffing model was acceptable by CalPERS. However, following an audit by CalPERS of LGS, CalPERS issued a final audit report in April 2017 and concluded that this hiring practice was not acceptable by CalPERS. The Office of Audit Services of CalPERS determined that all employees hired by LGS and assigned to its client agencies were not common-law employees of LGS but instead were common-law employee of its client agencies. Therefore, the employees should not have been enrolled into CalPERS under LGS. All TAM employees were formally notified by LGS about the potential for an adverse PERS ruling on March 9, 2016. CalPERS completed its Audit in late May 2017. On June 23, 2017, all active and retired TAM employees received a letter from CalPERS stating that all TAM

employees were at risk of losing their service credit under CalPERS unless TAM chose to become an independent employer of record and enter into contract with CalPERS directly. Also, in order to preserve the prior service credit of all LGS/TAM employees, including all active, inactive and retired individuals, the approval of a reallocation agreement, by all three involved parties, including LGS, TAM and CalPERS, would be required.

The CalPERS audit finding and the strong position that CalPERS has taken on this issue left TAM no option but to become an employer of record so it could hire all employees who are currently employed by LGS/RGS and make its best effort to save the service credit of those impacted individuals, including all active, inactive and retired LGS employees hired for TAM.

DISCUSSION/ANALYSIS:

Action Needed:

In order for TAM to separate from LGS/RGS, become an employer of record of its own, and effectively manage all the related functions in house, the agency must develop the following items:

- Item 1: Create HR Management Capacity
- Item 2: Implement Payroll Services
- Item 3: Develop Agency HR Manual and Establish Direct Employment Relationship with all LGS/RGS Employees Currently Assigned to TAM
- Item 4: Develop Various Employee Benefit Programs
- Item 5: Obtain Other Required Agency Insurances

The separation from LGS/RGS has been a very stressful process for both the agency and all affected individuals due to the legal complexity and the legal and financial liabilities associated with the potential loss of CalPERS service credit earned under the LGS/TAM employment arrangement. In an effort to keep the transition as smooth and seamless as possible, one of the principles the Ad Hoc Committee and the lead staff on these efforts have been following is to develop recommendations of various services/benefit program levels in line with what is currently in place for the agency and staff as LGS employees.

Status and Timeline:

At this time point, based on the progress that TAM's legal counsel has made with the final reallocation agreement, staff recommends that the TAM Board authorizes the Executive Director to send a written notice to LGS/RGS and inform them of TAM's intention to terminate the LGS/RGS/TAM staffing service agreement as of January 1, 2018. Note the agreement between TAM and LGS requires a 60-day notice by TAM to LGS regarding separation. Presented below is the detailed status and staff-recommended timeline for each of the action items that need staff resources and Board attention over the next two months.

Action Item 1: Create HR Management Capacity

Current Status:

It has been determined that the HR management capacity can be best achieved by a combination of freed up work capacity of the agency's Chief Financial Officer, who also manages human resource needs, with the future hiring of the Senior Accountant/Accounting Manager position, and the engagement of an on-call HR consultant team.

Timeline:

The TAM Board approved a part-time Senior Accountant/Accounting Manager position during its FY2016-17 budget cycle when the staff needs increased with TAM's separation from the County's financial system in Spring of 2016. Temporary help has been brought in over the last year to help with specific accounting/payroll and benefit-related service tasks. The TAM Board approved as part of its FY 2017-18 budget a Full Time Senior Accountant/ Accounting Manager position, in recognition of the difficulty in finding high quality part-time support, and the increased efforts necessary with additional upcoming workload, such as taking payroll services in house, and other HR related work handled by LGS currently. The recruitment for the regular position will begin shortly after the effective date of the TAM CalPERS retirement contract.

Over the next few months, staff will also issue an RFP for ongoing HR service needs.

Fiscal impact- The Senior Accountant/ Accounting Manager position was included in the adopted FY 2017-18 TAM Budget. The HR service contract was also included in the adopted FY 2017-18 budget.

Action Item 2: Implement Payroll Services

Current Status:

In July, staff conducted thorough research of all outsource payroll service options as well as the option of bringing payroll services in house. It was determined that the most cost-effective option is to bring payroll in house, based on the capability of the Abila Financial System implemented as of May 2016 and the complexity of TAM's funding/project/grant tracking needs.

Over the last two months, staff has engaged various consultant teams for the purchase of the payroll/HR module, software implementation service, and also 6 months of payroll support and training services

Timeline:

The payroll module will be fully implemented for testing as of December 1, 2017.

The 6-month payroll service support will be provided once all employees are moved to TAM's payroll and while the agency is in the recruitment process of the Senior Accountant/Accounting Manager position.

Fiscal Impact: While no specific Budget item, it is envisioned that savings of fees paid to LGS for HR and payroll services are adequate to cover costs of Payroll software and Payroll Support Services from January 2018 to end the fiscal year, June 30 2018.

Action Item 3: Develop Agency HR Manual and Establish Direct Employment Relationship with all LGS/RGS Employees Currently Assigned to TAM

Current Status:

Staff has been working on TAM's first HR Policies and Procedures Manual beginning in Summer 2017. . The first draft was reviewed by the Ad Hoc Committee at its September 26 meeting. TAM's legal team at County Counsel also reviewed the Manual and provided its comments/edits, which have been incorporated.

The HR annual accomplished several goals. The HR Manual brings in house all required policies and procedures for TAM as a public agency, including the hiring and management of employees. It includes all policies required by law, regulation and policy, and updating all such policies and procedures currently enforced by LGS/ RGS. The Manual also includes all of the benefits that TAM employees can expect. Current employees will be required to accept Offer Letters from TAM that establishes them as TAM employees. Commensurate with the Offer Letters will be each employee's required acknowledgement that

they have read and accept the HR Manual. Note Offer Letters will reflect current employee job specifications, current pay range, and current benefits, and will be managed by the CFO and Executive Director.

Timeline:

The Ad Hoc Committee is scheduled to review the final draft HR Manual at its October 19 meeting. The TAM Board is scheduled to review and adopt the HR Manual at its October 26 meeting. :

Fiscal impact: Staff completed the HR Manual substantially in house. Pay and benefits will remain as-is, with a few exceptions. Employee medical benefits may rise in cost to the agency, depending on the final medical benefit structure which is still being developed.

Action Item 4: Develop Various Employee Benefit Programs

Current Status:

Staff has been working with a team of brokers to review the various insurance benefit options, especially the medical options over the last two months. As of now, several medical options are being studied and a detailed report will be presented to the Ad Hoc Committee for review and guidance over the next few weeks. Staff is also expecting various quotes for other ancillary benefits, such as dental and vision, over the next few weeks.

Separate from direct medical benefits, note that LGS/ RGS established a Health Reimbursement Account (HRA) for each employee depending on their hiring date, and the benefit level offered under its contract with LGS/ RGS. LGS/ RGS established these HRA's to take the place of post-employment medical benefits offered to early LGS employees of TAM. This in effect eliminated any Other Post-employment Benefits (OPEB) liabilities for TAM.

TAM will inherit these HRAs, and a smaller HSA (Health Savings Account) for each employee. Funds are deposited into these accounts until the employee retires, and not after. The accounts are currently paid for by TAM in its regular reimbursement to LGS/RGS for costs, and so no new financial impact is envisioned.

Timeline:

The Ad Hoc Committee is scheduled to review the medical benefit options presented at its October 19 meeting. A detailed comparison report will be provided to the Ad Hoc Committee in late October/early November.

The TAM Board is scheduled to review and adopt the staff recommendation for the medical and other ancillary benefits at its November or December Board meeting.

Fiscal Impact: As noted above, employer's share medical benefits may rise in cost to the agency, depending on the final medical benefit structure which is still being developed.

Action Item 5: Obtain Other Required Agency Insurances

Current Status:

Staff has been working with a team of brokers to obtain workers compensation insurance and review other information over the last two months. A detailed report will be presented to the Ad Hoc Committee for review and guidance over the next few weeks. Note LGS also provides some professional liability insurance, which will also be transferred over to TAM.

Timeline:

The Ad Hoc Committee will review the workers compensation insurance and other miscellaneous items over the next few weeks.

The TAM Board is scheduled to review and adopt the staff recommendation for workers compensation insurance and other miscellaneous items at its November Board meeting.

Fiscal impact: TAM currently reimburses LGS for providing these insurances and do not envision any additional costs for these insurances, beyond what is already included in the approved annual budget for TAM.

Outstanding Issues and Potential Delays:

While staff is committed to adhering to the timeline proposed and make the best effort to ensure a smooth transition, the outcome of the reallocation agreement negotiation could potentially impact and delay the process.

TAM will also need to work with LGS/RGS regarding the transfer of all personnel records and various benefits accrued, such as sick leave, vacation, etc. Cooperation and support from LGS/RGS are critical to ensure the smooth transfer of all those items from LGS/RGS to TAM. Any complication during this process could cause a delay as well.

FISCAL CONSIDERATION:

The final fiscal impact of the separation cannot be accurately assessed until all the moving parts, especially negotiations related to the reallocation agreement are worked out. However, staff is committed to effectively manage HR services and all benefit programs within the budget limitation of the FY2017-18 Annual Budget. Any necessary budget adjustments will be presented to the Ad Hoc Committee for review and to the Board for approval.

NEXT STEPS:

Under the guidance of the HR Ad Hoc Committee, with the approval of the TAM Board, staff will complete all actions listed in the Action Plan over the next two to three months.

ATTACHMENTS:

Draft TAM Human Resources Policies and Procedures Manual

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HUMAN RESOURCES POLICIES & PROCEDURES

October 2017 DRAFT



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POLICY#: 101

SECTION: LEGAL
SUBJECT: INTRODUCTION/RIGHT TO REVISE

This Human Resources Policies and Procedures Manual (the Manual) contains the human resources policies, practices, guidelines and procedures that the Transportation Authority of Marin (the Authority) has in effect at the time of publication. The Manual supersedes all previously issued human resources manuals, handbooks and/or policy statements or memoranda.

All employees will be asked to read and acknowledge they understand and will comply with all provisions of the handbook. It describes many of the responsibilities as an employee and outlines the programs developed by the Authority to benefit employees. One key objective is to provide a work environment that is conducive to both personal and professional growth.

The Manual sets forth the entire agreement between employees and the Authority. The policies and practices set out in this manual or in any other personnel documents, including benefit plan descriptions, are not intended to imply a contractual relationship, nor are they intended to create a promise or representation of continued employment for any employee.

The Authority's Board is responsible for the establishment, amendment, repeal and periodic review of the Manual. Under the direction of the Authority Board, and acting on its behalf, the Executive Director compiles and edits the Manual; to be submitted for adoption by the Authority Board.

The Executive Director is responsible for implementation of the Manual. These rules shall control all human resources policies of the Authority and may be implemented and interpreted by supplemental administrative guidelines and procedures issued by the Executive Director. The Executive Director shall execute all administrative decisions regarding staffing and the Human Resources Management Program of the Authority.

The Authority reserves the right to modify, delete or add to any and all policies, procedures, work rules or benefits stated in this manual or any related policy documents. Any changes must be in writing and must be signed by the Executive Director upon approval of the Authority Board. Changes will be generally distributed to all employees and no oral statements or representations can in any way change or alter the provisions of this manual.



POLICY# 102

SECTION: LEGAL
SUBJECT: EMPLOYMENT AT-WILL

All employees are employed on an at-will basis. Employment at-will means that the employee or the Authority may terminate employment, with or without cause, and with or without notice, at any time. The Executive Director, with necessary in-house and/or outside human resources support, is responsible for carrying out all employee relations activities for the Authority. The Executive Director shall be assisted in these efforts by the Authority's Chief Financial Officer (CFO)/Manager of Administration.

The Executive Director serves at the pleasure of the Authority Board and is also considered to be an at-will employee.

Nothing in this Handbook shall limit the right to terminate at-will employment. Only the Authority Board has the authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms.



POLICY#: 103

SECTION: LEGAL
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

The Authority is committed to compliance with all applicable laws providing equal employment opportunities (EEO). It is committed to providing a work environment that is free of discrimination and harassment of any kind, including sexual harassment and harassment or discrimination based on race, color, religion, national origin, ancestry, age, physical or mental disability, medical condition, marital status, sex, age, or sexual orientation. Such discrimination and harassment, or retaliation against individuals who complain or participate in an investigation of any illegal discrimination or harassment will not be tolerated.

The Authority will not discriminate with respect to recruitment, hiring, training, promotion, or other terms and conditions of employment. All other personnel actions or programs such as compensation, benefits, transfers, layoffs, recalls, Authority-sponsored training, education, tuition assistance, social and recreational programs will be administered in a non-discriminatory manner. All employment decisions shall be consistent with the principle of EEO.

Anti-discrimination and Harassment Policy:

1. Definitions:

- **Discrimination:** Basing a term, condition, or privilege of employment or an individual's actual or perceived race, color, religion, national origin, ancestry, age, physical or mental disability, medical condition, marital status, sex, age or sexual orientation. Terms, conditions, and privileges of employment include recruitment, selection, testing, training, transfer, promotion, demotion, termination, performance, and compensation.
- **Harassment:** Any form, or combination of verbal, physical, visual, written, or environmental conduct based on actual or perceived race, color, religion, national origin, ancestry, age, or sexual orientation. The conduct need not be specific or even directed at an individual. Lack of protestation or complaint is not to be construed to imply consent. Examples of harassment include:
 - a. **Verbal Misconduct:** Inappropriate, offensive or derogatory remarks, slurs, jokes, or innuendoes regarding an individual's body, sex, physical appearance, sexual prowess, religion, race, etc. Sexual harassment can occur between individuals of the same or different genders.



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- b. **Visual or Written Misconduct:** The display or circulation of offensive or derogatory visual or written materials including posters, cartoons, drawings, reading materials, or electronic media transmissions related to any protected status.
 - c. **Physical Misconduct:** Inappropriate or offensive gestures, touching, assault, or physical interference with free movement directed at any individual on the basis of any protected status.
 - **Retaliation:** Any adverse employment action that is reasonably likely to prevent the complaining party or others from engaging in protected activity. Adverse employment actions include, for example, a decrease in pay, change of hours, or reduction in authority or responsibility. Adverse action can also include shunning, taking sides, spreading rumors, or threats of intimidation. Retaliation could be against individuals who complain or who participate in an investigation of unlawful discrimination or harassment.

2. Reporting Harassment or Discrimination:

Reporting: Any employee or applicant for employment of the Authority who believes he/she has been harassed or discriminated against in violation of this policy should promptly report it orally or in writing to the employee's immediate supervisor, the Authority's Chief Financial Officer (CFO)/Manager of Administration, or the Executive Director.

Receiving Complaints: Any supervisor or manager who receives a complaint of harassment/discrimination, or who observes or otherwise learns about such conduct is required to notify the Authority's Chief Financial Officer (CFO)/Manager of Administration or the Executive Director immediately. Failure to do so may result in disciplinary action.

Action Taken with No Complaint Filed: If the Authority becomes aware of likely inappropriate actions or behavior, it may undertake an investigation even though no complaint has been filed.

3. Responding to Complaints:

Action: Upon receiving complaints of discrimination or harassment, the Authority shall take an investigation of the complaints. The Executive Director, the Authority's chairperson, and/or legal counsel, may retain an outside investigator to conduct the investigation. All complaints shall be investigated to the extent that the Authority deems appropriate. Any investigation and investigation report prepared relating to the complaint shall be kept confidential except as required by law. A guarantee of confidentiality or anonymity cannot be made since the investigation involves discussion with other parties directly involved. If harassment or discrimination is found to have occurred in violation of this policy, action shall be taken to ensure or confirm that the harassment or discrimination at issue is



stopped. The Authority may take whatever measures are appropriate to ensure its workplaces remain free from discrimination or harassment.

4. Management Responsibilities:

Management and supervisory employees are responsible for educating and holding employees accountable for adherence to this policy and for demonstrating commitment to and support of this policy. Upon becoming aware of a violation, regardless of whether the violation is by a direct subordinate, another employee, a member of the public, a contractor, an elected official, or a supplier, he or she will report the conduct to the Executive Director or the Authority's legal counsel immediately.

5. Disciplinary Action:

Employees found to have engaged in discrimination or harassment covered by this policy may be subject to disciplinary action up to and including termination of employment.

Department of Fair Employment and Housing (DFEH) and the Equal Employment Opportunity Commission (EEOC):

DFEH: In addition to notifying the Authority about harassment or retaliation, an affected employee or applicant may also direct his/her complaint to the California DFEH. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. The nearest DFEH office or the FEHC can be found by searching the internet, looking in the local telephone directory, or by checking in the area where employment-related posters are kept.

EEOC: An employee or applicant also has the right to direct his/her complaint to the federal Equal Employment Opportunity Commission.



POLICY# 104

SECTION: LEGAL
SUBJECT: AMERICANS WITH DISABILITIES

The Authority is committed to providing equal employment opportunities to qualified individuals with disabilities. This may include providing reasonable accommodation where appropriate in order for an otherwise qualified individual to perform the essential functions of the job. It is the employee's responsibility to notify the CFO/Manager of Administration the need for accommodation. Upon doing so, the CFO/Manager of Administration may ask the employee for input or the type of accommodation necessary or the functional limitations caused by the disability(ies). Also, when appropriate, the Authority may need the employee's permission to obtain additional information from his/her physician or other medical or rehabilitation professionals. The Authority will not seek genetic information in connection with requests for accommodation. All medical information received by the Authority in connection with a request for accommodation will be treated as confidential.



POLICY# 105

SECTION: LEGAL
SUBJECT: EMPLOYMENT ELIGIBILITY & REGISTRY

In accordance with The Immigration and Control Act of 1986, the Authority hires only those individuals who are lawfully authorized to work in the United States.

Each new employee must provide documentation to the Authority to establish employment eligibility and identification. A completed Employment Eligibility Verification Form I-9 must be furnished to the Authority within seventy-two (72) hours of date of hire. Providing false documentation or making false statements on the verification form shall result in immediate termination.

All employers are also required to report newly hired employees to the New Employee Registry (NER). This program is designed to help law enforcement identify and collect child support payments from delinquent parents. The Authority will submit form DE 34 to the Employment Development Department, within 20 days of hiring, listing the new employee's full name, address, Social Security number, home address and starting date of employment.



POLICY# 106

SECTION: LEGAL
SUBJECT: BUSINESS ETHICS AND CONFLICT OF INTEREST

It is the policy of the Authority to conduct business in accordance with the letter and the spirit of the law and in conformity with ethical standards.

Accordingly, employees must not take any action on behalf of the Authority that violates any law or regulation. Employees must adhere to high moral and ethical standards in the conduct of business. Employees may not engage in activity that results in conflict of interest with the Authority or that reflects unfavorably on its integrity. Employees violating these standards are subject to corrective action, up to and including termination.

In situations and on issues involving ethical or moral judgments, employees may sometimes have difficulty in determining the correct course of action. In such situations, employees are urged to discuss the matter with the Executive Director.

GUIDELINES

The following are guidelines for ethical conduct that the Authority employees are expected to practice (this list is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and Authority operations also may be prohibited):

1. The Authority considers itself the primary employer. An employee may not engage in employment or outside business activity that may constitute a conflict of interest for the employee or the Authority. An employee must advise the Executive Director/designee before engaging in any secondary employment or business activity.
2. Authority funds and property may not be used for any unlawful purpose. This prohibition includes, but is not limited to: (i) unlawful political contributions, (ii) payments to governmental officials or employees, (iii) illegal rebates or refunds and (iv) payments or commitments made with the understanding or under circumstances that would indicate that these payments are kickbacks, bribes or to obtain influence.
3. No unrecorded fund shall be established or maintained for any purpose.
4. All financial transactions shall be promptly recorded on the books of the Authority. No false or misleading entry shall be made for any reason.
5. No payments shall be made with the understanding that any part is to be



- used for any purpose other than that described by the records supporting the payment.
6. Gifts, favors and entertainment may be given to others at the Authority's expense only if they are consistent with accepted business practices and are of such limited value that they cannot be considered as a bribe or pay-off.
 7. The highest standards of honorable and ethical conduct must be observed in all relationships with other agencies and the public. It is prohibited to make disparaging statements, take any other unfair actions or participate in any activity intended to damage the Authority, other agencies, or the public.
 8. It is inappropriate for an employee to ask by another employee, supervisor or manager to: (a) perform any act that appears improper, (b) make any improper entry on the Authority's records or reports, (c) omit any entry that should be made, (d) suppress or hide any information that may result in detriment to the Authority or be in violation of the law, or (e) disclose information of a confidential nature except when legitimately required. It is that employee's duty and responsibility to bring the matter to the attention of the Executive Director, Authority Legal Counsel or Chair of the Authority Board. An employee will not be retaliated against for disclosing these activities to the appropriate parties.
 9. The Authority's letterhead/stationery may be used only for Authority matters and not for personal or non-official correspondence.
 10. Employees are expected to treat each other with courtesy, honesty, respect and understanding. Job-related problems should be discussed openly and differences resolved fairly, professionally and promptly. Confidential matters pertaining to employees will be respected.
 11. Employees are expected to be polite, courteous, prompt and attentive to every person who calls or visits the Authority office. When a situation arises where the employee does not feel comfortable or capable of handling an issue from the public, the employee's supervisor should be contacted immediately for assistance.
 12. Employees are responsible for safeguarding confidential information obtained during employment. In the course of the work, employees may have access to confidential information regarding the Authority, its elected officials or fellow employees. It is the employee's responsibility to protect and in no way reveal any such information unless it is necessary for the employee to do so in the performance of duties or required by law.
 13. Employees may be approached for interviews or comments by the news



media. Only contact people designated by the Authority may comment to news reporters on policies or events that have an impact on the Authority. (See Policy #406 for detail)

It would be virtually impossible to cite examples of every type of activity that might give rise to a question of unethical conduct. Therefore, it is important that employees rely on their own good judgment in the performance of their duties and responsibilities. When those situations occur where proper course of action is unclear, employees are to request advice and counsel from their supervisor or the Executive Director. (See Policy Section 400: Rules and Regulations.)

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POLICY# 201

SECTION: EMPLOYMENT PRACTICES
SUBJECT: RECRUITMENT AND SELECTION

The Authority follows the following procedure when filling open positions.

GUIDELINES

1. Promotional and Open Examinations

A. Internal Recruitment (Promotional Examination)

To enhance opportunities for career development among current employees, all vacant positions that the Authority has decided to fill shall be communicated to Authority employees.

The Authority encourages internal promotion of current employees provided they meet the necessary qualifications. However, the Authority reserves the right to recruit externally.

B. External Recruitment (Open Examination)

When the Authority determines a need to fill a position from outside of the Authority's current work force, then the examination process shall be considered Open. Recruitment and advertisement shall commence based on agency determination. Eligible Authority employees may compete in an Open Examination.

2. Job Announcement and Application Package

The job announcement and other advertisements shall clearly state when applications must be submitted.

All job applicants shall complete and sign an application form. The form must be complete and accurate, regardless of whether or not a resume is attached. Failure to provide a completed application form may automatically disqualify an applicant from further consideration.

3. Application Review

The Executive Director, CFO/Manager of Administration, and/or Human Resources consultant team, shall review all of the application packages and determine which applicants are the most qualified and should be further considered for employment. After such review and selection, all applicants shall be notified of their status.

4. Examination/Interview Process

A candidate must successfully pass each part of the examination process in



order to be considered eligible for the position. A candidate may be required to participate in a variety of examination processes that may include an interview and/or written examination, or any combination thereof.

5. Eligibility List

The Authority reserves the right to institute a specific advertisement, interview and candidate selection process for each vacant position.

If a need for an Eligibility List is established, the List, once established, shall be effective for twelve (12) months, and shall include all candidates who successfully completed the examination process. The Eligibility List may be extended beyond 12 months, or it may be deleted when, the Authority determines, in its sole discretion, to delete the List and establish a new one.

6. Reference Checking

All job applicants shall provide information on previous employment and other references as required on the application form. It is acceptable practice due to the nature of the professional positions being filled that the candidate authorizes contact only upon receiving notification that he/she is one of the finalists for the position. Candidates may also be asked to sign a release form to permit the Authority to conduct other appropriate background reference information.

The Executive Director, or the CFO/Manager of Administration, shall be responsible for checking and verifying all references. The information obtained during the background and reference review shall not be discussed with current or prospective employees. An offer of employment shall not be made until the reference checking is completed.

7. Background Checking

All candidates who are selected for an interview shall be subject to a background check which may include review of their criminal records, driving records (if applicable to the position), education, professional credentials, military records, credit records (if applicable to the position), and/or employment histories. No such background check shall be undertaken without first obtaining the candidate's written authorization.

8. Contingent Offer of Employment

For all candidates, a contingent offer of employment shall be made in writing, stating that a post-job-offer evaluation may include a drug and alcohol screening that must be passed, fingerprinting and a Department of Motor Vehicles record check (See Policy #411). Candidates failing to meet the requirements of the contingent offer may have the offer of employment rescinded. Candidates who successfully meet the requirements of the contingent offer will receive, and must sign and return



to the Authority, a written letter accepting or rejecting the employment offer.

Only the Executive Director or his/her designee is authorized to make an offer to a candidate and shall make that offer in writing.

9. Hire Date

The employee's first day of work shall be considered the employee's anniversary date for purposes of seniority and benefits determination.

An employee's anniversary date may change if the employee receives a promotion and/or reclassification or is granted a leave of absence that requires bridging two periods of uninterrupted employment.

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POLICY# 202

SECTION: EMPLOYMENT PRACTICES
 SUBJECT: EMPLOYMENT CATEGORIES

Employment Categories

The Authority employs people in one of four categories: Regular Full-Time, Regular Part-Time, Limited Term, and Temporary.

1. Regular Full-Time Employee

Employees in this category are those who regularly work thirty-two (32) or more hours per week on a continuous scheduled basis. Employees in this category are eligible to participate in all benefit programs offered, subject to the terms, conditions and limitations of each benefit program.

2. Regular Part-Time Employee

Employees in this category are regularly scheduled to work less than full-time (32 hours) but at least 20 hours each week. Regular part-time employees are eligible to participate in some of the benefit programs offered, subject to the terms, conditions and limitations of each benefit program.

3. Limited Term Employee

Employees in this category are those holding jobs for a limited or specified duration arising out of special projects, position vacancy pending appointment, the absence of a position incumbent, abnormal workloads, emergencies, limited funding over a long duration, or other reasons established by the Agency.

Limited term employees may be eligible to participate in any benefits determined by contract and those mandated by state and/or federal laws, and regulations applicable to all employees.

4. Temporary Employee

Employees in this category are those who work on a temporary basis and may be assigned to work various hours as scheduled based on an hourly rate for the classification of work performed, as established by classification and compensations norms for the work performed, overseen by the CFO/Manager of Administration and the Executive Director.

Temporary employees, either part-time or full-time, are not eligible to participate in any benefits other than those that are specifically mandated by state and/or federal laws and regulations to be applicable to employees.



Part-time or Temporary employee status is not considered for seniority or benefit longevity purposes even if the employee is subsequently hired as a regular full-time employee.

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POLICY# 203

SECTION: EMPLOYMENT PRACTICES
SUBJECT: INTRODUCTORY PERIOD

The introductory period is an intrinsic part and extension of the employee selection process. The employee will be considered in training and under careful observation and evaluation by supervisory personnel during this timeframe. Generally, this period will be utilized to train the employee for his/her job responsibilities and to determine whether there is a good fit between the Authority's business needs and the abilities of the employee.

GUIDELINES

1. With the exception of temporary employees, all other newly hired employees shall serve an introductory period of six months.
2. During the introductory period, the Executive Director may dismiss an employee at any time, with or without cause and with or without notice. The discharge is at the sole discretion of the Executive Director. Completing the introductory period does not change the Authority's employment at-will policy and does not imply any type of employment agreement between the Authority and the employee.
3. Six (6) months after the start of employment, the employee is scheduled for his/her initial performance evaluation. Performance that is deemed satisfactory or above satisfactory shall qualify the employee for a regular employee position. The employee will continue in the position until the one year anniversary is reached. The Annual Review shall occur six months following the successful completion of the introductory period, whereupon the employee shall then be eligible for a salary adjustment based on the evaluation results.

Employees promoted or transferred to a new position shall serve an introductory period in the position to which the employee was promoted or transferred. If the new employment arrangement doesn't work, the employee may return to the previously held position with no loss of seniority in that position at the discretion of the Executive Director.



POLICY# 204

SECTION: EMPLOYMENT PRACTICES
SUBJECT: JOB CLASSIFICATION ADMINISTRATION

The goal of the Authority's Classification Plan is to develop a system that encourages employee development, provides opportunities for career advancement, and creates an understanding of the roles, responsibilities and relationships of each position within the Authority.

A Classification Plan is comprised of individual job class descriptions. Note that the Authority typically develops a Classification Plan update hand-in-hand with a Compensation Plan that corresponds to the classifications.

Job class descriptions identify the essential job functions, responsibilities, level of authority, knowledge, skills, education, experience, and licenses and certifications required to meet the minimum performance standards for each job classification at the Authority.

The Authority Board is responsible for adopting the Classification Plan and authorizing the number of Authority positions. The Executive Director is responsible for ensuring that accurate job class descriptions exist for all positions.

PROCEDURE

1. The Executive Director will review, from time to time, the Classification Plan to ensure that job class descriptions are current and that positions continue to be appropriately classified.
2. Positions will be evaluated for reclassification when the Executive Director determines that significant changes in the essential duties, responsibilities or work assignments occur.
3. Each classification is assigned to a salary range based on the complexity of the position responsibilities relative to other internal positions and external market salary conditions.
4. Any classification changes are only effective after review and approval by the Authority Board.



POLICY# 205

SECTION: EMPLOYMENT PRACTICES
SUBJECT: COMPENSATION POLICY

The Authority's compensation program is designed to attract, retain, motivate and reward the best possible work force in an equitable manner. To accomplish this, the Authority has established the following plan, provisions and standards for employee compensation. (As a public agency, the salary approved for all positions rests with the full discretion of the Authority Board and its budgetary determinations shall control the Authority's compensation plan.)

GUIDELINES

1. Salary and Wage Plan

A compensation program is designed to fairly compensate each employee at a salary that is determined by the competitive job market, job responsibilities and the required level of expertise. The compensation program includes both base salary and a competitive benefit program.

The Authority Board will review the Salary and Benefits plan periodically, but an updated compensation plan should be done at least every five years. The Executive Director has overall responsibility for recommending, interpreting, and monitoring the salary and performance evaluation program.

Employees are responsible for participating and providing input in the performance evaluation program. The Executive Director should discuss performance and salary-related issues with all employees.

2. Salary Structure

The salary structure assigns each classification to a salary range based on comparable positions in comparable agencies, according to the skills, responsibilities and qualifications that the classification requires, as adopted by the Authority Board.

3. Performance Review

The employee's supervisor is responsible for reviewing each employee's performance. Performance evaluations shall occur annually on the employee's anniversary date. Based upon the results of the performance review and the recommendation of the supervisor, the Executive Director, may grant salary adjustments, within the approved salary ranges, and the adopted budget for the fiscal year in which the increase is scheduled. Timely and effective performance reviews are important and will be the



basis for any performance based salary adjustments.

4. Timing of Increases

Employees shall be considered for an increase at the completion of twelve (12) months of employment with the Agency, and annually thereafter.

5. Start Salary

The Executive Director determines the start rate of pay for a newly hired employee. Employees are not eligible to receive increases during the introductory period.

6. Promotions

An employee who is promoted to a higher classification shall be moved to the established salary range for the new classification and shall receive a minimum of five (5%) salary increase if available within the new range. Any increase shall not exceed the assigned top of salary range for the new classification.

7. Out of Rate Pay

Employees who are assigned duties beyond the employee's job description on a temporary basis, or to fill a higher classification represented on an approved salary schedule shall receive out-of-rate pay at the discretion of the Executive Director after working one complete continuous month (30 days) at the higher classification level each time he/she is assigned.

Employees assigned shall receive a minimum of five percent (5%) salary increase. Temporary assignments should generally not exceed six (6) months, but may be extended on a case by case basis at the discretion of the Executive Director.



POLICY# 206

SECTION: EMPLOYMENT PRACTICES
SUBJECT: PERFORMANCE EVALUATION PROGRAM

The performance evaluation program at the Authority is designed to motivate, recognize and reward employees' efforts and achievements. Performance evaluations are not inconsistent with the at-will employment policy as the Authority strives to create a work environment in which employees are recognized and rewarded for their contributions, and where employees understand, contribute and help meet the Authority's overall goals.

The Authority encourages individual feedback to employees on a regular basis. The Authority's performance evaluation program is designed so that each employee may be evaluated at least annually.

GUIDELINES

1. Structure of Performance Evaluations

All employee evaluations will include, at a minimum, a self-evaluation by the employee, an evaluation by the supervisor, a setting of goals for the employee going forward, co-developed by the employee and his/her supervisor, and a discussion of necessary tools or training to aid the employee in reaching his/her goals.

If applicable, the evaluation shall also include documented information regarding past performance, the success of meeting goals and objectives previously agreed to.

2. Feedback

The Executive Director/supervisor shall give feedback throughout the year regarding an employee's success in achieving his/her job expectations and requirements. Employee needs to know if he/she is completing performance objectives satisfactorily. Regular feedback also enables supervisors to determine if performance objectives require adjustments due to changes in authority or job priorities.

New employee, or an employee who is not performing as well as expected, may receive more frequent feedback with additional guidance. Corrective action may be needed for an employee who is not performing at a satisfactory level.

3. Performance Objectives

Goal-oriented performance objectives are mutually agreed upon between



the Executive Director/supervisor and the employee at the beginning of the evaluation period and should be documented. It is important that the employee understand the Authority's expectations. Both performance and behavioral goals may be established.

4. Types of Review

A. Introductory Period

An informal introductory period progress evaluation is given to new employees during the first six months of employment to determine if the individual is well suited for the position assigned based on the job description and performance objectives.

B. Informal Feedback and Annual Review

The Executive Director/supervisor may conduct informal feedback sessions during the year and document those sessions with each employee. These documented sessions will assist in the development of the annual performance review.

C. Annual Review

An annual written review is required for each employee.

The Executive Director/supervisor shall review the draft performance evaluation report before it is provided to the employee. After the employee has had an opportunity to review the draft report, the employee, his/her supervisor and/or the Executive Director will meet to discuss the report. After the meeting, employee may submit his/her written response/comments, which will be attached to the report for retention in the employee's personnel file.

5. Performance Evaluation Report Processing

After the Executive Director, supervisor and the employee have signed the completed performance evaluation report, a copy will be made for the employee and the original will be retained in the employee's personnel file.



POLICY# 207

SECTION: EMPLOYMENT PRACTICES
SUBJECT: PERSONNEL RECORDS

1. Maintenance of Records

Personnel records are confidential documents maintained in accordance with State and Federal law. All performance evaluations, as well as other forms, letters, and memoranda are to be addressed to or signed by the employee, acknowledging receipt of a copy prior to being placed in the employee's personnel file. If an employee refuses to sign a form or letter, the Executive Director shall sign as a witness to the fact that an employee has refused to sign, and the document shall then be placed in the employee's personnel file.

2. Update

Each employee is responsible for notifying the Authority of changes in name, address, telephone number, driver's license number, number of dependents, marital status, beneficiary, emergency contacts, education certificates or any other pertinent information.

3. Access/Confidentiality

Personnel employment records and employee health records are confidential and maintained separately. The Authority will restrict access to and disclosure of personnel files to authorized individuals within the Authority who have a legitimate business reason to see such files. Each employee has a right to inspect his/her own personnel file. An employee does not have an absolute right to a copy of the file, except for documents that the employee has previously signed. An employee may review his/her own file upon request by scheduling an appointment with the Authority at a mutually convenient time. Files must be reviewed in the Authority's office in the presence of the Executive Director or the CFO/Manager of Administration. Supervisor may review the personnel files of those employees that he/she supervises.

Disclosure of personnel information to outside sources will be limited. However, the Authority will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

4. Employment Reference/Credit Inquiries

The Authority is authorized to verify position and employment dates only. No other reference information will be released. Any other information, including address and phone numbers, may be released only with a written



authorization from the employee. All reference inquiries regarding Authority employee shall be referred to the Executive Director, who may delegate the handling of a response to the CFO/Manager of Administration.

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POLICY# 208

SECTION: EMPLOYMENT PRACTICES
SUBJECT: EMPLOYMENT OF RELATIVES

The Authority may refuse to hire relatives of present employees if doing so could result in actual or potential issues in supervision, security, safety, or morale, or if doing so could create potential conflicts of interest. The Authority defines “relatives” as spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives.

If two employees marry, become registered domestic partners, or become related, any work relationship where one member of the partnership works for or supervises the other member shall not be allowed to continue. Otherwise, reasonable accommodations will be enabled that eliminate any actual or potential problems in performing the work and carrying out the duties of the position. If reasonable accommodation cannot be provided, the Authority can decide to release one or both employees from their employment. This will be considered a last resort.



POLICY# 209

SECTION: EMPLOYMENT PRACTICES
SUBJECT: HOURS OF WORK

The Authority establishes working hours that are consistent with the operating requirements and responsibilities of the Authority. Work shifts, days, hours, and periods can be established and modified by the Authority within the limits prescribed by law, based on operating conditions and requirements of the Authority. Employees may not change their own work schedule without the express approval of the Authority.

Employees holding a full-time position shall devote their time to the Authority and shall not engage in private activities for profit during any paid working hours. All work hour records of employees shall be reported via the online payroll system.

The Authority may require an employee to work before or after the standard workweek including weekends, evenings, and/or holidays. The Authority will attempt to provide advance notification, if possible.

GUIDELINES

1. The regular workweek is defined as forty hours, inclusively, between 12:01 a.m. Sunday and 12:00 midnight Saturday. Note these hours are expected to be provided primarily between 8 AM Monday and 6 PM Friday of any given workweek.
2. For non-exempt employees, two rest breaks of fifteen minutes each are scheduled in an eight (8) hour day, once during the first four (4) hours of a shift and once again during the last four (4) hours of a shift. Break periods shall not be added on to the lunch hour, taken at the end of the workday, or saved for use at another time. Non-exempt employees who work less than three and one-half hours in a day will not receive a paid rest period.
3. California Law requires that all non-exempt employees take an unpaid meal period of at least 30 minutes no later than after each five hours in any one shift with one exception. Employees may voluntarily agree to waive rights to a meal period, provided they do not work more than six hours in the workday. Employees are expected to take their meal breaks and not work during that time.
4. Non-exempt employees who are breastfeeding may take additional unpaid breaks with their supervisor's approval in order to express breast milk. All



employees are required to use the paid rest break time already provided, if possible. If reasonable amount of additional time is needed, that time will be unpaid and will only be approved if taking the additional time does not seriously disrupt business operations. Employees may choose to use their lunch break time to express breast milk, as well.

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POLICY# 210

SECTION: EMPLOYMENT PRACTICES
SUBJECT: WORK FROM HOME AND FLEXIBLE WORK SCHEDULE

WORK FROM HOME

It is a goal of the Authority to reduce greenhouse gas emissions by encouraging carpooling, use of transit, and bicycling/walking. These modes are encouraged for daily commute and for travel to and from meetings.

The Authority may allow an employee to work from home, under specific conditions as outlined below. All allowances regarding working from home shall in no way interfere with required work progress, or reduce the duties required as specified for any position.

1. The employee shall receive written approval from his/her supervisor allowing the employee to work from home.
2. In no case shall the allowed work-from-home exceed three days per week in a normal work week.
3. While working from home, the employee is required to respond to urgent work requests sent by his/her supervisor within an hour.
4. The employee shall track his/her activities when working from home, and present work progress report no less than monthly to his/her supervisor. If the supervisor determines that work progress is insufficient, and loss of production is an issue, the supervisor can alter the allowable work-from-home hours of the employee, or eliminate them altogether.
5. The employee may be expected to attend meetings in person, public events, or training that supersedes any agreement to work from home.
6. The employee's supervisor, the CFO/Manager of Administration, or the Executive Director may eliminate at any time an employee's option to work from home. Every effort will be made to consider the impact on the employee, but reasonable factors for eliminating a work-from-home option may include peak workload periods, needed team approaches to the work where team members must be on-hand, necessary supervision provided or given by the employee, or training and development assignments.

FLEXIBLE WORK SCHEDULE

All employees are expected to complete their workweek primarily between the hours of 8 AM Monday and 6 PM Friday.

All employees are expected to work beyond a 40-hour workweek in instances for urgent delivery of projects, plans, or programs, with the express permission of



their supervisors.

All employees are expected to be available between the primary business hours of 9 AM to 5 PM. Employees may choose to work outside of these hours, which is acceptable. Actual hours may be affected by an employee's commute, or family needs such as eldercare or childcare. The Authority will make every effort to accommodate the unique needs of its employees.

Employees are expected to deliver required work products as developed in their job specification, the work plan and budget of the Authority, and the direction given by the Authority Board and the Executive Director. Hours may vary in accordance with meeting these requirements.

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POLICY# 211

SECTION: EMPLOYMENT PRACTICES
SUBJECT: OVERTIME PAY

All Authority positions shall be classified as either exempt or non-exempt. Exempt positions are defined as being primarily administrative, professional and/or executive in the performance of their job duties and are not eligible for overtime compensation but are eligible for straight-time compensatory time off. Non-exempt employees are eligible to earn overtime compensation at overtime rates. The Authority complies with all California and federal overtime requirements.

GUIDELINES

1. Non-Exempt Employees

California Labor Laws require an employer to pay overtime to non-exempt employees at the rate of:

- one and a half (1½) times the employee's regular rate of pay for all hours worked in excess of forty (40) hours in a workweek or eight (8) hours up to and including 12 hours in any workday, and for the first eight (8) hours worked on the 7th consecutive day of work in a workweek; and
- two (2) times the employee's regular rate or pay for all hours worked in excess of twelve (12) hours in any workday and for all hours worked in excess of eight on the 7th consecutive day of work in a workweek.

2. Exempt Employees

Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.



POLICY# 212

SECTION: EMPLOYMENT PRACTICES
SUBJECT: PAYMENT OF WAGES

The Authority pays its employees on a semi-monthly basis. Following are the guidelines used for payment of wages. Employees are notified regarding specific paydays no later than the first week of January when the pay dates are posted.

GUIDELINES

1. Pay Dates/Pay Periods

Employees will be paid twice a month. If the regular payday falls on a Saturday, Sunday, or holiday, employees will be paid on the preceding workday.

2. Timekeeping Requirements

Employees must record their time in the payroll system and submit the timesheets according to the payroll schedule for the review and approval of their supervisor.

Any correction needed on the timesheet after submission should be reported immediately to the Executive Director or CFO/Manager of Administration, who will attempt to correct legitimate errors.

Falsifying another employee's timesheet, allowing another employee to falsify one's own timesheet, or altering a timesheet is not permissible and is subject to corrective action, up to and including termination.

3. Automatic Payroll Deposit

The Authority offers automatic payroll deposit for all employees. Employees may begin and stop automatic payroll deposit at any time. To begin automatic payroll deposit, employees must inform the CFO/Manager of Administration, or the appropriate accounting staff, one pay period prior to the pay period that the service is to begin. Employees should monitor their payroll deposit for the first two pay periods after the service begins. A voided check showing the account number for deposit must be submitted with the employee's request for automatic payroll deposit.

To stop automatic payroll deposits, employees should inform the CFO/Manager for Administration, or the appropriate accounting staff one pay period prior to the pay period in which they wish to stop the automatic service.



POLICY# 213

SECTION: EMPLOYMENT PRACTICES
SUBJECT: ATTENDANCE AND TARDINESS

Consistent attendance and punctuality are required standards for the Authority's business operation, and therefore an integral part of each employee's performance standard. Poor, uncertain, or irregular attendance produces disruptive results for operations, lowers overall productivity and continuity of work, and is burdensome to other employees.

Employees are expected and required to report to their designated work location at the prescribed time work activity is to commence. Tardiness, un-excused absences, or failure to report as required is not acceptable.

In all cases of an employee's absence, the employee shall provide the supervisor with a truthful reason for the absence and, if applicable, the probable duration of absence.

GUIDELINES

1. If an employee is unable to report to work as scheduled due to illness or injury, the employee shall notify the supervisor, or if that person is unavailable, the receptionist by 9 a.m. with an email and/or a voice mail message stating the reason for the absence. (See Policy #306)
2. Excessive tardiness or absenteeism, regardless of reason(s), which renders an employee insufficiently available for work or negatively impairs the operations of the Authority, will be evaluated on a case-by-case basis to determine the merits of corrective action, up to and including termination of employment.
3. Employees absent for three consecutive workdays without calling in to report the absence are considered to have voluntarily resigned as of the first day of absence. This "no call/no show" applies to all situations other than extreme emergencies. Note the Authority will make every feasible attempt to contact the employee, the employee's designated emergency contact(s), and/or local law enforcement regarding the employee as Missing.

Employees unable to adhere to the Authority's attendance policy will be subject to corrective action, up to and including termination.



POLICY# 214

SECTION: EMPLOYMENT PRACTICES
SUBJECT: POOR PERFORMANCE AND DISCIPLINE ISSUES

Employees are expected to understand and demonstrate professional standards of job performance, interpersonal skills and conduct. It is essential that employees always perform to the best of their ability.

Although all employees are at-will, the Authority may, at its sole discretion, attempt to engage in some form of corrective process to address performance and discipline issues before terminating an employee. Procedures to correct poor performance may include verbal counseling sessions, written warnings, written performance improvement plans, suspension with or without pay, reduction in pay and/or termination.

Although one or more steps may be taken in corrective matters, the corrective action taken does not necessarily have to follow this stated order or any order, and shall be commensurate with the offense. In addition, all employees serve “at-will” and, as such, may be terminated at any time with or without cause.

Examples for Unacceptable Conduct or Behavior

The following are types of conduct that are not permitted and that may result in corrective action, up to and including immediate termination. Although it is not possible to provide an exhaustive list of all unacceptable conduct, the following are some examples:

1. Violation of the Authority’s policy prohibiting drug and alcohol abuse.
2. Insubordination, including but not limited to, failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
3. Falsifying or making a material omission on an employment application or on other Authority records or documents.
4. Actual or threatened physical violence; threatening, intimidating or coercing any member of the Authority’s community; vulgar or abusive language.
5. Possession or use of dangerous or unauthorized materials, such as explosives, firearms or other similar items, while on Authority property, while on duty or while operating a vehicle conducting Authority business.
6. Unsatisfactory performance, including but not limited to, inadequate quantity or quality of work product; failure to complete assigned tasks; lack of cooperation.
7. Violation of the Authority’s policy prohibiting unlawful harassment and



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- discrimination. (See Policy #105)
8. Conviction of a felony, based upon the nature of the offense, when it occurred and its relevance to the position.
 9. Violation of any Authority rules, regulations or codes of conduct or otherwise conducting oneself contrary to the interests of the Authority.
 10. Theft and deliberate or careless damage or destruction of any Authority property or the property of any employee or customer.
 11. Removing or borrowing Authority property without prior authorization.
 12. Provoking a fight or fighting during working hours or on Authority property.
 13. Causing, creating or participating in a disruption of any kind during working hours on Authority property.
 14. Unreported absence of three consecutive scheduled workdays.
 15. Excessive tardiness or absenteeism, including abuse of any of the Authority's policies or procedures relating to leaves or breaks.



POLICY# 215

SECTION: EMPLOYMENT PRACTICES
SUBJECT: RESIGNATION/TERMINATION

1. Last Day of Employment

The last day worked and/or the last day in paid status is the last day of employment for employees who resign or are terminated from the Authority. All employees shall be paid for accrued and unused vacation and other applicable benefit accruals. Accrued sick leave is not payable upon termination of employment.

Although it is requested that an employee give ten (10) working days' notice before resigning, if an employee provides seventy-two hours (72) notice, the employee shall receive the final paycheck on the last day of work. If less than seventy-two (72) hours' notice is given, the Authority shall release the final check within seventy-two (72) hours of when notice is given.

If the employee is terminated involuntarily, a final paycheck will be provided on the day following termination.

2. Notification

Managers are expected to give thirty (30) working days' notice of intent to resign or retire. All other employees are expected to give ten (10) working days notification.

3. Return of Authority Property

All employees are required to return all equipment, computers, cell phones, keys, ID cards, emergency passes, uniforms and other Authority property prior to leaving the Authority.



POLICY# 216

SECTION: EMPLOYMENT PRACTICES
SUBJECT: REHIRE

Rehire

An employee who has submitted a letter of resignation will be considered to have resigned from the position and the resignation shall not be rescinded except in the most extraordinary circumstances at the sole discretion of the Executive Director.

Former employees who desire to be reemployed by the Authority shall submit a new Employment Application form at the time a position becomes available and will be evaluated with other applicants for the position.

A rehired employee is subject to the same terms and conditions as a newly hired employee and no seniority or prior benefits are retained. If an employee is rehired within a year, he/she will retain prior year of service credit only for future vacation leave accrual purpose.



POLICY# 301

SECTION: BENEFITS
SUBJECT: RETIREMENT AND SOCIAL SECURITY

The Authority provides a comprehensive retirement benefits package to all employees. Refer to the Employee Benefit Summary regarding specific information on each benefit listed below.

California Public Employees Retirement System (CalPERS)

Eligible employees are covered under CalPERS for retirement benefits. Under the Public Employees' Pension Reform Act (PEPRA) of 2013, CalPERS has established membership categories. The categories include PEPRA members, those who are hired after 12/31/2012, and Classic members, those who are hired on or before 12/31/2012, under CalPERS.

The retirement formula benefit for employees hired on or before 12/31/2012 is 2% at age 55. For employees hired after 12/31/12, the retirement formula will be 2% at age 62, unless the new employee meets the Classic member definition as determined by CalPERS, who then shall receive the retirement formula of 2% at age 55.

Employees who were hired on or before 12/31/2012 and who retire from the Authority may choose any single 12-month period in which to base their retirement calculations. Employees who are hired after 12/31/2012 who do not meet the Classic member definition, and who are PEPRA members will have their retirement calculation based on the highest annualized three-year average.

Any unused sick leave at retirement can be converted to service credit upon retirement. You must retire within 120 days from your last day of employment for this to apply.

Retiree medical benefits

Retiree medical benefits are specifically outlined in each employee offer letter or subsequent Personnel Action Forms. The authority has established Health Retirement Accounts for all employees who have been eligible for medical benefits for more than five years. The terms and conditions of each plan are outlined in the plan documents.

Deferred Compensation

All employees are eligible to participate in a 457(b) deferred compensation plan. Participation in the plan is optional.

All employees are also eligible to participate in a 401(a) deferred compensation



plan. The employee shall decide whether to join the plan or not and the level of contribution at the time of hire. Please note that the selection decision is irrevocable and cannot be changed once made. Separate guidance shall be provided regarding this option to any Authority employee who is interested.

Additional information on each of these programs may be obtained at the Authority's administrative offices and within the Employee Benefit Summary documents.

PROCEDURE

1. Retirement Planning Workshop

Employees planning to retire from the Authority have the opportunity to attend a Retirement Planning Workshop offered by CalPERS. The Authority suggests that retiring employees schedule their attendance at this workshop at least six (6) months in advance of their intended retirement date.

2. Authority Notification

It is requested that employees planning to retire from Authority service give both the Authority and CalPERS, at least ninety (90) calendar days' written notice prior to the date of intent to retire. Note that employees are not requested to announce their retirement sooner than 90 days prior to the retirement date, but are encouraged to consider more advanced notice to enable the Authority to seek an adequate replacement and enable training and transition of the new employee.

SOCIAL SECURITY INFORMATION (SSA-1945)

Effective July 1, 1997, employees eligible for CalPERS are no longer covered under the Social Security Act of 1935, however the Medicare portion does remain in effect, and the employee and the Authority shall contribute the mandatory 1.45% each.

When an employee retires, or becomes disabled, he/she may receive a pension based on compensation from his/her employment with the Authority. If the employee is also entitled to a benefit from Social Security based on either his/her own work or the work of a spouse, or former spouse, that pension may affect the amount of the Social Security benefit the employee receives. Medicare benefits, however, will not be affected.

For more information, Social Security publications and additional information, including information about exceptions to each provision, are available at www.socialsecurity.gov, or toll free at 1-800-772-1213, or, for the deaf or hard of hearing, at 1-800-325-0778, or at the local Social Security office.



POLICY# 302

SECTION: BENEFITS
SUBJECT: HEALTH AND WELFARE BENEFITS

The Authority provides its eligible employees access to comprehensive health and welfare insurance protection including medical, dental, workers' compensation and unemployment insurance protection. The enrollment and/or cancellation date for all insurance coverage is the 1st of each month, unless otherwise indicated. For example, if an employee's first day of employment is January 15, the first possible enrollment date for the above-mentioned insurance plans is February 1st.

The Authority also provides other optional benefit plans as outlined below.

GUIDELINES

1. Health Benefits

The Authority offers a comprehensive insurance plan for full-time regular employees and eligible dependents with a choice between PPO or HMO plans. Employees may enroll their spouse, eligible children or registered domestic partners and eligible children of registered domestic partners. The Authority pays a share of the premium costs for employees plus family as stated in the Employee Benefit Summary. The employee is responsible for any premium that exceeds the approved Authority contributions. Employees shall also be responsible for deductibles or co-payments within the plans. Employees are advised to consider their payment of premiums as well as required co-payments when selecting a plan.

All full-time employees and their qualified dependents are eligible for coverage. If the employee does not enroll in a plan within 30 days of date of hire, coverage maybe denied or delayed and the employee may not be eligible to enroll in a health insurance plan until the next open enrollment period. The health benefit is updated annually to reflect changes on health benefit premiums effective January 1 of every year.

In addition, employees hired prior to January 1, 2013, who can provide proof of other insurance coverage may elect to receive cash in lieu of the Authority's health coverage, at the Authority's single employee contribution level. An Employee should refer to his/her offer letters for the specific level of benefit.

2. Dental Benefits

A fully paid dental insurance plan is offered to full-time regular employees and eligible dependents. Employees may enroll their spouse, eligible



children or registered domestic partners and eligible children of registered domestic partners. The Authority pays the premium costs for employees plus family but the employee is responsible for any deductibles or co-payments.

3. Vision Benefits

A fully paid vision insurance plan is offered to full-time regular employees and eligible dependents. Employees may enroll their spouse, eligible children or registered domestic partners and eligible children of registered domestic partners. The Authority pays the premium costs for employees plus family but the employee is responsible for any deductibles or co-payments.

4. Group Term Life Insurance

Full-time regular employees shall receive employer-paid life insurance coverage in the amount of one times regular salary to the nearest thousand to a maximum of \$200,000.00. The plan is based on the terms and conditions of the contract with the plan provider.

5. Short and Long-Term Disability Insurance (STD/LTD)

Full-time regular employee shall be provided short- and long-term disability insurances at no cost to the employee, and plan components are based on the terms and conditions of the contract with the provider. This insurance is intended to cover employees in the event of a long-term injury or illness that is not covered by some other leave benefit. Eligibility for disability benefits begins after the employee has been absent from work for a certified illness/injury for a minimum of 15 calendar days. The benefit pays up to 2/3rds of the employee's gross monthly salary up to a maximum level, if employee is certified as disabled. Accumulated sick leave or vacation may be used during the waiting period.

6. Employee Assistance Program and Wellness Healthy Lifestyle Incentive Program

To help employees when they face life challenges, the Authority provides employees with a confidential Employee Assistance Program (EAP), which is paid by the Authority.

To promote a healthy work force, the Authority provides a Wellness Healthy Lifestyle Incentive Program to all employees at the Authority's cost.

7. Unemployment Insurance Benefits (1857D)

The Agency is registered under the California Unemployment Code and reports wage credits that are accumulated as a basis for unemployment benefits. Unemployment insurance provides compensation payable to



individuals unemployed through no fault of their own who are actively seeking employment and are available and able to work. The Authority pays the entire cost of unemployment benefits for former employees through taxes paid to the state.

8. Health Insurance Portability and Accountability Act (HIPAA)

Health plan portability under HIPAA is available to the Authority employees and their dependents provided they have had prior medical coverage for 18 months under the group health insurance program. Employees and dependents that meet the prior coverage requirements may not be denied insurance coverage for pre-existing conditions. It is critical, however, that the employee maintains continuous coverage. Upon termination of employment from the Authority, the employee's health plan carrier will notify the employee of the availability of HIPAA to individuals leaving a group plan on a guarantee issue basis (meaning that a qualifying individual cannot be denied an individual policy on the basis of health underwriting). The employee pays continuation of coverage directly to the health plan carrier.

9. Consolidated Omnibus Budget Reconciliation Act (COBRA)

Employees and dependents who lose group coverage due to termination of employment or other "qualifying events" (i.e., death of employee, divorce or separation) may continue health and dental coverage on a self-pay basis under the COBRA option.

Upon an employee's termination of employment, the Authority will issue a Notice of Right to Elect COBRA Continuation Coverage for health and dental coverage. To continue health care coverage under COBRA, the employee shall fill out and sign forms provided by the Authority. The terminating employee pays continuation of coverage directly to the health plan carrier. Note COBRA is available for a limited period of time.



POLICY# 303

SECTION: LEGAL
SUBJECT: WORKERS' COMPENSATION PROGRAM

Workers' Compensation is a state-mandated benefit provided to employees who are injured on the job or who become injured as a result of employment. Employees are entitled to medical treatment that is reasonably required to cure or relieve the injury or illness. The Authority pays the full cost of Workers' Compensation insurance.

GUIDELINES

1. The injury or illness must be reported immediately to the employee's supervisor and the Executive Director. The supervisor/ Executive Director will see that the employee receives immediate medical attention.
2. Employees who are injured in a work-related incident will be referred to a medical facility of the Authority's choice.

Employees covered under the Authority's Group Health Insurance may elect to pre-designate their own personal physician or chiropractor that participates in the group medical insurance plan in writing. If the physician or chiropractor agrees, the employee may go to this doctor for treatment immediately after the injury. Employees who have pre-designated a doctor may change their treating physician or chiropractor 30 days after report of the injury.

3. A written Employee's Claim Form must be completed by the employee and returned to the Executive Director. If an employee does not report the accident/illness within forty-eight (48) hours, Workers' Compensation Insurance benefit rights may be lost.
4. Assuming that the insurance administrator has accepted an injury or illness as being industrial, Workers' Compensation benefits will normally begin after the third day the employee was injured and off of work. If the disability continues for more than 14 calendar days or if hospitalization occurs as a result of the injury, the benefits begin on the first day after the onset of illness/injury.

There shall be no deduction from the employee's sick leave account for the first day of the job injury if the treating physician sends the employee home. The second and third day shall be charged to the employee's sick leave account unless the employee is hospitalized in which case the



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- employee will not be charged for the first three days. Thereafter, sick leave benefits are integrated with Workers' Compensation benefits.
5. An employee requiring a leave of absence due to a Workers' Compensation injury or illness shall make a written request through his/her physician, stating the medical condition; the medical necessity for the leave; indicating the anticipated leave date; and the expected return-to-work date. Should the return-to-work date change, the employee is responsible for notifying his/her supervisor of the new anticipated return date and providing a revised written request.
 6. The employee on a leave of absence shall communicate weekly with the supervisor so that the supervisor can be fully apprised of the employee's medical status.
 7. Workers' Compensation leave shall continue until the employee either:
 - Is determined to be physically able to return to duty;
 - Accepts employment outside the Authority;
 - Accepts employment in another Authority position; or
 - Elects retirement, as provided by law.
 8. Prior to returning to work from a Workers' Compensation leave of absence, the employee on leave shall submit a written medical release from the physician in a form satisfactory to the Authority. The physician statement shall indicate whether the employee is able to perform all his/her customary and normal responsibilities.
 9. Upon submission of a medical release that an employee is able to return to work after a Workers' Compensation leave, the employee under most circumstances will be reinstated to his or her position held at the time the leave began, or to an equivalent position, if available. An employee returning from a Workers' Compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on Workers' Compensation leave would have been laid off had he or she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining the Authority's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement.

An employee's return depends on his or her qualifications for any existing openings. If, after returning from a Workers' Compensation leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, the Authority's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act.



10. There are various categories of Workers' Compensation benefits. Temporary disability payments are made when an employee is unable to return to work while recovering from the injury/illness. Permanent disability is paid if the employee's injury/illness results in a permanent impairment. Death benefits are paid to qualified surviving dependents if the on-the-job injury or illness results in the employee's death.

11. The law requires that the Authority notify the Workers' Compensation insurance carrier of any concerns of false or fraudulent claims. Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying Workers' Compensation benefits or payments is guilty of a felony.

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POLICY# 304

SECTION: BENEFITS
 SUBJECT: HOLIDAYS

For purposes of holiday, a day is defined as eight (8) hours unless otherwise stated.

Regular full time employees receive ten (10) paid holidays per year:

New Year's Day	January 1
Martin Luther King, Jr. Birthday	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Day	December 25

When any of the holidays identified above fall on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day normally observed. When any of the holidays above fall on a Saturday, the preceding Friday shall be deemed to be the holiday in lieu of the day normally observed.

GUIDELINES

1. Employees are required to work on their regularly scheduled workday preceding and following the holiday to receive payment for the holiday, unless the employees are on approved leave or a regularly scheduled day off.
2. Holiday pay is at straight time wages.



POLICY# 305

SECTION: BENEFITS
SUBJECT: VACATION AND ADMINISTRATIVE LEAVE

For purposes of vacation accrual, a day is defined as eight (8) hours.

Full-time employees working 32 hours or more per week accrue vacation from date of hire in accordance with the schedule shown below. Vacation may not be taken until the employee has successfully completed six (6) months of employment unless approved by the Executive Director.

GUIDELINES

1. Vacation Accrual

Vacation is accrued each pay period in accordance to the following annual vacation benefit schedule for full-time employees.

Year of Service	Annual Vacation Hours	Maximum Accrual Hours
0 through 5 years	120	240
5 through 15 years	120 + 8 hours for every additional year of service	twice the annual amount
15 years or more	200	400

Employees should refer to his/her offer letter for the specific benefit level in the case of differences.

2. Scheduling & Usage

Scheduling for vacations shall be made in such a manner as to ensure continuous and efficient operations of the Authority. All vacations are subject to cancellation in cases of emergency conditions.

A written request for vacation time of more than three (3) consecutive days shall be presented for approval at least ten (10) calendar days prior to the time requested and the request must be approved by the employee's supervisor, in writing, before the time may be taken.

If an Authority holiday occurs during paid vacation leave, the employee's vacation accrual shall not be charged for that day.

If an employee or his/her immediate family member suffers a bona fide illness or injury in accordance with Sick Leave Policy #306 during a



vacation and is able to provide a doctor's certification regarding that illness or injury, the employee may request that sick leave be substituted for vacation leave. In this case, granting sick leave in lieu of vacation is at the discretion of the Executive Director.

3. Maximum Vacation Accrual

Employee shall not be allowed to have an accumulation of more than two times of the annual vacation accrual by December 15th of each calendar year. Vacation accrued in excess of the maximum allowed will be paid out each year at the employee's current rate of pay during the month. Please refer to your offer letter for the specific benefit level in the case of differences.

ADMINISTRATIVE LEAVE POLICY

1. Hours and First Year Allocation

Regular full-time employee shall receive 24 hours of paid Administrative Leave per calendar year on the first day of each year. For new hired employees, administrative leave shall be prorated based on the effective date of employment during a calendar year.

An employee should refer to his/her offer letter for the specific benefit level in the case of differences.

2. Scheduling & Usage

Paid Administrative leave shall be arranged at least 1 week in advance of the leave desired.

Unused Administrative Leave time as of December 31 of each year will be lost and is not paid out at the end of the year or upon separation from employment.



POLICY# 306

SECTION: BENEFITS
SUBJECT: SICK LEAVE

For purposes of sick leave accrual, a day is defined as eight (8) hours.

Sick leave with pay is a form of insurance or protection granted in circumstances of adversity to promote the health of the individual employee. It is not an earned right to time off from work and is not to be confused with vacation or other types of leave. It is a request for a benefit to be exercised under appropriate circumstances. The Authority will not tolerate abuse or misuse of sick leave privileges. Excessive absenteeism, regardless of reason(s), which renders an employee insufficiently available for work, will be evaluated on a case-by-case basis to determine the merits of corrective action up to and including termination of employment.

GUIDELINES

1. Accrual and Usage of Sick Leave

Regular full-time employees hired before January 1, 2011, for the Authority by the Local Government Services/Regional Government Services (LGS/RGS), shall accrue sick leave at the rate of 8 hours for each full month of active employment. Regular full-time employee hired after January 1, 2011 accrue sick leave at the rate of 4 hours for each full month of active employment. In addition, employees hired after January 1, 2011 receive an additional 48 hours of Sick leave during the first two years of employment. Accrual of sick leave shall begin at the end of the employee's first full month of service. Unused sick leave may be accrued without limit. Employee will not be compensated for unused sick leave upon separation from employment.

The employee's supervisor or the Executive Director may request a doctor's certification for any illness for which an employee requests sick leave, including family sick leave. Absences of three or more days require a doctor's certification when returning to work. This requirement may be waived at the discretion of the Executive Director but only in circumstances whereby the condition of the employee or family member is well known.

2. Family Sick Leave

Employee is entitled to use sick leave for the care of the employee's ill or sick family member. Such leave for this purpose will be deducted from the employee's sick leave balance.



Immediate family members shall mean spouse, parent, child, stepchild, mother/ father-in-law, registered domestic partner, or other person who is living within the household and is in a dependent category according to IRS regulations.

3. Required Use of Paid Sick Leave Before Unpaid Leave

Employees are required to take accrued and unused paid sick leave before taking unpaid leave, or having unpaid absences. Family and Medical Leave (under both state and federal law) are included in this requirement.

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POLICY# 307

SECTION: BENEFITS
SUBJECT: LEAVE OF ABSENCE

All regular full time employees are entitled to the leave provisions outlined below, subject to the approval of the Executive Director/designee. Employees in other categories will be granted such leaves as are required by law. All leave time must be requested in writing and approved by the employee's supervisor prior to submitting to the Executive Director/designee for final approval.

GUIDELINES

1. General Provisions

- A. An employee may request an unpaid personal leave of absence, if needed for compelling reasons. The employee shall submit to the Authority a Leave of Absence Request Form at least thirty (30) days before the desired leave date, stating the reason for the leave and the length of time being requested. The employee must use all available accrued paid time-off as part of the total leave time requested. A leave requested by the Executive Director shall be submitted to the Authority Board for consideration and approval. Regular employees who have completed their introductory period are entitled to position guarantee if the leave does not exceed thirty (30) days. For leaves more than thirty (30) days, there is no guarantee of position upon return. If a suitable vacant position is not available within sixty (60) days of the end of the leave, the employee will be separated from the Authority. Upon return to work from an approved personal leave of absence, the Authority will make a reasonable effort to reinstate the employee in the same or a similar position.
- B. A leave of absence may include both paid and unpaid days. An employee will continue to receive health insurance benefits as long as the employee is on a paid status. An employee who is granted an unpaid leave of absence that exceeds thirty (30) days and who wishes to continue health insurance coverage may do so at his/her expense at the Authority's group rates, and shall follow the guidelines associated with the COBRA program.
- C. An authorized leave of absence does not represent a break in employment for a regular employee. The employee retains all accrued leave. Seniority, vacation, sick leave and holiday benefits



do not accrue during periods of unpaid leave of absence.

- D. The length of the leave of absence shall delay scheduled salary increases. The employee shall return to the same salary step or relative placement in the salary range upon return.
- E. If an employee's leave exceeds thirty (30) days, the performance evaluation and regular merit increase shall be delayed for the length of time for which the employee is on the leave of absence.
- F. An employee who is granted a leave of absence, which exceeds thirty (30) days leave, shall provide the Authority with two (2) weeks' notice prior to his/her anticipated return to work date.
- G. An employee who requires an extension to a leave of absence shall request the extension a minimum of two (2) weeks before the original leave expires.
- H. Depending on the type of leave, the employee shall complete the appropriate section of their time sheet and/or the appropriate Leave of Absence Request Form. The Authority may also request additional documentation explaining the need for a leave, prior to granting such leave.
- I. The introductory probationary period of a new employee granted a leave of absence will be extended for the period of the leave of absence.
- J. In accordance with the Americans with Disabilities Act (ADA), the Authority shall make every reasonable accommodation to provide a modified duty assignment to a disabled employee covered under the ADA who is unable to perform the essential functions of his/her job.
- K. Failure to return to work on the next scheduled workday following the expiration of an approved leave of absence may result in termination.
- L. The Authority will take steps to safeguard the confidentiality of medical information associated with a planned or unplanned leave and keep it separate from an employee's personnel file.

2. Bereavement Leave

In the event of a death in the "immediate family member" of an employee, the employee may request a paid leave of absence, up to twenty-four (24) hours per incident for travel within California, and forty (40) hours per incident for travel outside of California. If more time is needed, the



employee may request additional days off, which may be charged to the employee's accrued vacation time or may be taken unpaid. The employee may not use sick leave for bereavement purposes.

For the purpose of this policy, immediate family members include father/mother, spouse, child, grandparent, father/mother-in-law, step father/mother, brother/sister, step brother/sister, brother/sister in-law, stepchild, member of the household, registered domestic partner, aunt, uncle, niece, nephew, first cousin (that is, a child of an aunt or uncle) or legal guardian.

Leave in the case of death of persons other than "immediate family member" may be granted upon approval of the Authority. If granted, such leave shall be charged to the employee's accrued vacation/sick leave or unpaid at the employee's option and with the approval of the Executive Director.

3. Military Leave

An employee who is a member of the uniformed services of the United States shall be allowed leave in accordance with the provisions of law governing such leaves. The provisions shown below describe some of the issues required by law. The Authority shall follow all governing laws in effect at the time of an employee's request for Military Leave.

- A. An employee who is called to military service is entitled to up to thirty (30) calendar days per fiscal year, with full pay and benefits, provided he/she has been employed for one (1) year.
- B. An employee requiring military leave must provide advance written notice of the need for a leave, unless prevented from doing so by military necessity or if providing notice would be impossible or unreasonable. A copy of the military orders must be attached to the employee's completed Leave of Absence Request Form.
- C. An employee returning from military leave of less than thirty-one (31) days shall report to work on the first full regularly scheduled work day following completion of service, plus time for safe transportation back to the employee's residence plus an additional eight (8) hours. An employee whose military leave exceeds thirty (30) days must submit an application for re-employment within fourteen (14) days after the completion of service from thirty-one (31) to one hundred eighty-one (181) days. An employee whose military leave exceeds one hundred eighty (180) days must submit an application for re-employment within ninety (90) days after completion of service.
- D. An employee returning from a military leave shall be reinstated in the position held previously and at the salary he/she would have



received had employment with the Authority been continuous, exclusive of step increases/shift assignments.

- E. If an employee becomes disabled as a result of military service and is no longer able to perform the essential functions of the job held previously, and if, after the Authority provides reasonable accommodation, the employee is still unable to perform the job, the Authority shall provide another position of equivalent seniority, pay and status for which the employee is qualified. If neither of these options is possible due to the disability, the Authority shall provide another position of lesser status and pay but with full seniority.

4. Volunteer Civil Service Personnel

Employees shall not be subject to corrective action for taking time off to perform emergency duty as a volunteer firefighter, peace officer or emergency rescue personnel. They are also eligible to take unpaid leave for required training. If an employee is an official volunteer firefighter, they should alert the Authority that they might have to take time off for emergency duty. When taking time off for emergency duty, the Authority should be advised before doing so when possible.

5. Jury Duty and Witness Leave

Employee may be absent from duty with full pay for up to 10 working days per jury assignment if summoned to jury duty. If a jury assignment lasts longer than 10 working days Employee may use any accrued available leave or take leave without pay.

Any and all payment made to the employee for jury duty shall be remitted to the Authority.

For those employees who are hired prior to January 1, 2007 for the Authority by LGS/RGS, please see your offer letter for the benefit level offered.

6. School Visits Leave

Employees who are parents or guardians of any child in kindergarten or grades one to twelve are allowed up to eight (8) hours unpaid time off per month, per child, with a maximum of forty (40) hours per school year, to participate in any child's school activities.

- A. Employees must provide their supervisor with reasonable notice for the planned time off by completing the appropriate leave request form.
- B. Employees may elect to use available paid time off to cover the time taken for the school visit(s).



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- C. Employees must provide, upon the Authority's request, written verification from the school of parental participation specifying the date and time of the activity.

7. Child's Suspension

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In accordance with California Labor Code section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

8. Voting Time

The Authority supports and encourages employees in their opportunities and responsibilities as citizens to cast their ballots in general election years. Under most circumstances, it is possible for employees to vote either before coming to work or after the end of the workday. If the employee does not have sufficient time outside of working hours to vote at a state-wide election, a maximum of two-hour time off with pay at the beginning or end of the regular work day shall be given. The employee must request this time off at least two working days before the election if this time off is necessary.

9. Family/Medical Leave (FML)

A. General

Under the Federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), employees who have more than 12 months of service with a covered employer, and have worked at least 1,250 hours in the preceding 12-month period, may have the right to an unpaid family or medical leave. This leave may be up to 12 workweeks in a 12-month period for your own serious health condition or that of your child, parents or spouse or for the birth, adoption, or foster care placement of your child.

Fathers may request leave with or without pay to care for their newborns. Up to 4 weeks with pay may be used beginning within the first week following the birth or adoption of a child if the employee has such accrued vacation leave, or sick leave available, or non-paid leave can be taken.

B. Calculating FML

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, the Authority uses a rolling 12-month period, which means each time an employee takes family leave, the remaining leave entitlement is any balance of the 12 workweeks that



has not been used during the immediately preceding 12 months. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

For employees working more or fewer than five days a week, or working alternative work schedules, the number of working days that make up the 12 weeks of leave is calculated on a pro rata or proportional basis.

Under most circumstances, leave under federal and state law will run at the same time and the eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period.

C. Pregnancy Disability Leave (PDL) and FMLA/CFRA

If an employee is disabled by pregnancy, childbirth or related medical conditions, she is entitled to take a pregnancy disability leave (PDL) of up to four (4) months, depending on the period(s) of actual disability. Leave because of the employee's disability for pregnancy, childbirth or related medical condition is not counted as time used under CFRA. Time off because of pregnancy disability, childbirth or related medical condition does count as FMLA leave. Employees who take time off for pregnancy disability and who are eligible for FML will also be placed on FML that runs at the same time as their PDL. Once the pregnant employee is no longer disabled, she may apply for leave under CFRA, for purposes of baby bonding. Both leaves contain a guarantee of reinstatement to the same or to a comparable position at the end of the leave, subject to any defense allowed under the law.

D. Intermittent FML

Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. CFRA leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, the Authority will grant a request for CFRA leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

Employees may take FML intermittently (in blocks of time, or by reducing their normal weekly or daily work schedule) if the leave is for the serious health condition of the employee's child, parent, or spouse, or of the employee, and the reduced leave schedule is medically necessary as determined by the healthcare provider of the



person with the serious health condition. The smallest increment of time that can be used for such leave is one hour.

E. Notice Requirements

If possible, the employee must provide at least 30 days' advance notice for foreseeable events (such as the expected birth of a child or the employee's own planned medical treatment or for a family member). For events that are unforeseeable, the employee must notify the Authority, at least verbally, as soon as he or she learns of the need for the leave. Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until the employee complies with this notice policy. The employee must consult with his or her supervisor regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to Authority operations. Any such scheduling is subject to the approval of the healthcare provider of the employee or the healthcare provider of the employee's child, parent, spouse or registered domestic partner.

F. Second Opinion

If the FML request is made because of the employee's own serious health condition, the Authority may require, at its expense, a second opinion from a health care provider that the Authority chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the Authority.

If the second opinion differs from the first opinion, the Authority may require, at its expense, the employee to obtain the opinion of a third health care provider designated or approved jointly by the Authority and the employee. The opinion of the third health care provider shall be considered final and binding on the Authority and the employee.

G. Certification Requirements

The Authority requires the employee to provide certification within 15 days of any request for FML, unless it is not practicable to do so. The Authority may require re-certification from the health care provider if additional leave is required.

If the leave is needed to care for a sick child, spouse, or parent, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition;



- Estimated amount of time for care by the health care provider; and
- Confirmation that the serious health condition warrants the participation of the employee.

When both parents are employed by the Authority, and request simultaneous leave for the birth or placement for adoption or foster care of a child, the Authority will not grant more than a total of 12 workweeks of family/medical leave for this reason.

If an employee cites his/her own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and
- Inability of the employee to work at all or perform any one or more of the essential functions of his/her position because of the serious health condition.

The Authority will require certification by the employee's health care provider that the employee is fit to return to his or her job. Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

H. Continuation of Health Benefits

An employee taking FML will be allowed to continue participating in any health and welfare benefit plans in which he/she was enrolled before the first day of the leave (for a maximum of 12 workweeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. The Authority will continue to make the same premium contribution as if the employee had continued working. The continued participation in health benefits begins on the date leave first begins under FMLA (for pregnancy disability leaves) or under the FMLA/CFRA (for all other family care and medical leaves). In some instances, the Authority may recover from an employee premiums paid to maintain health coverage if the employee fails to return to work following FML.

Employees on FML who are not eligible for continued paid coverage may continue their group health insurance coverage through the Authority in conjunction with the federal COBRA guidelines by making monthly payments to the Authority for the



amount of the applicable premium(s). Employees should contact their supervisor for further information. Payment is due when it would be made by payroll deduction.

I. Using Accrued Paid Leave

Paid leave may be substituted for unpaid leave in the following circumstances:

- Accrued sick leave may be used by the employee for the employee's own serious health condition.
- Accrued sick leave may be used for the care of a family member..
- Vacation and other accrued time may be used for any FML qualifying event.

Employees on FML will not continue to accrue vacation, sick leave, or paid time off during unpaid FML.

J. Return to Work

Under most circumstances, upon return from FML, an employee will be reinstated to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave. For example, if an employee on FML would have been laid off had he or she not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of FML will not result in the loss of any employment benefit that the employee earned before using family/medical leave.

10. Pregnancy Disability Leave (PDL)

Pregnancy, childbirth, or related medical conditions will be treated like any other disability, and an employee on leave will be eligible for temporary disability benefits in the same amount and degree as any other employee on leave.

Any female employee planning to take PDL should advise the Authority as early as possible. The individual should make an appointment with the Authority to discuss the following conditions:

- A. Employees who need to take PDL must inform the Authority when a leave is expected to begin and how long it will likely last. If the need for a leave or transfer is foreseeable, employees must provide



notification at least 30 days before the PDL or transfer is to begin. Employees must consult with the Authority regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Authority. Any such scheduling is subject to the approval of the employee's healthcare provider. If 30 days' advance notice is not possible, notice must be given as soon as is practical.

- B. Upon request of an employee and written recommendation of the employee's physician, the employee's work assignment may be changed if necessary to protect the health and safety of the employee and her child.
- C. Requests for transfers of job duties will be reasonably accommodated if the job and security rights of others are not breached.
- D. Temporary transfers due to health considerations will be granted when possible. However, the transferred employee will receive the pay that accompanies the job, as is the case with any other temporary transfer due to temporary health reasons.
- E. PDL usually begins when ordered by the employee's physician. The employee must provide the Authority with a certification from a health care provider. The certification indicating disability should contain:
 - The date on which the employee became disabled due to pregnancy;
 - The probable duration of the period or periods of disability; and
 - A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.
- F. A return from leave will be allowed only when the employee's physician sends a release.
- G. An employee will be allowed to use accrued sick time (if otherwise eligible to take the time) during a PDL. An employee will be allowed to use accrued vacation or personal time (if otherwise eligible to take the time) during a PDL.
- H. Duration of the leave will be determined by the advice of the



employee's physician, but an employee disabled by pregnancy may take up to 17 1/3 weeks (693 hours). Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and prenatal care.

- I. Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in increments of one hour.
- J. Employees on PDL who are eligible under the federal or state family and medical leave laws, are also eligible to maintain group health insurance coverage for up to a maximum of 16 workweeks (if such insurance was provided before the leave was taken) on the same terms as if the employee had continued to work. Leave taken under the pregnancy disability policy runs concurrently with FML under federal law, but not FML under California Law. If the employee is ineligible under the federal and state family and medical leave laws, while on pregnancy disability the employee will receive continued paid coverage on the same basis as other medical leave that the Authority may provide and for which the employee is eligible. In some instances, the Authority may recover premiums it paid to maintain health coverage if the employee fails to return to work following pregnancy disability leave.
- K. If the employee is on PDL and not eligible for continued paid coverage, or if paid coverage ceases after 16 workweeks, the employee may continue her group health insurance coverage through the Authority in conjunction with federal COBRA guidelines by making monthly payments to the Authority or the amount of the relevant premium. Contact the Executive Director for further information.
- L. Under most circumstances, upon submission of a medical certification that the employee is able to return to work from a PDL, the employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a PDL has no greater right to reinstatement than if the employee had been continuously employed.

11. Victims of Domestic Violence

Employees who are victims of domestic violence are eligible to use their personal or unpaid leave for recovery. The employee may request leave if he/she is involved in a judicial action, such as obtaining restraining orders,



or appearing in court to obtain relief to ensure his/her health, safety, or welfare, or that of his/her child.

The employee should provide notice and certification of his/her need to take leave under this policy. Certification may be sufficiently provided by any of the following:

- A. A police report indicating that the employee was a victim of domestic violence;
- B. A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee appeared in court; or
- C. Documentation from a medical professional, domestic violence advocate, health-care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

The Authority will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

The length of unpaid leave an employee may take is limited to 12 weeks provided for in the federal Family and Medical Leave Act of 1993.

Rather than taking unpaid time, an employee may use vacation, personal leave or compensatory time off that is otherwise available to him/her.

If the time off is an unscheduled absence, the employee may be required to notify their supervisor as soon as possible of their absence and provide documentation to the Authority within a reasonable time after the absence.

12. Victims of Violent Crimes

An employee who is a victim or who is the family member of a victim of a violent felony or serious felony may take time off from work under the following circumstances:

- A. The crime must be a violent or serious felony, as defined by law; and
- B. The employee must be the victim of a crime, or be an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. An immediate family member for this policy is defined as: a spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather. A registered domestic partner means a domestic partner who is registered in accordance with California state law.



The absence from work must be in order to attend judicial proceedings related to a crime listed above. Before the employee is absent for such a reason, he/she must provide documentation of the scheduled proceeding. Such notice is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office or a victim/witness office.

If advance notice is not possible, the employee must provide appropriate documentation within a reasonable time after the absence. Any absence from work to attend judicial proceedings will be unpaid, unless the employee chooses to take paid time off, such as accrued vacation, personal leave time, or sick leave.

13. Catastrophic Leave

The Authority shall allow the transfer of accrued vacation as a donation from an employee to another employee who has suffered from a catastrophic event. The donating employee shall provide a signed release stating the recipient of the leave, and the number of hours transferred.

The catastrophic event shall be determined eligible by the Executive Director or his/her designee.



POLICY# 308

SECTION: BENEFITS
SUBJECT: EDUCATIONAL ENHANCEMENT

The Authority encourages and supports employees who desire to further their professional and personal development with education courses that enhance their skills in their present positions.

GUIDELINES

1. Eligibility

All regular full-time employees are eligible for educational enhancement. The course must be job-related. The employee shall obtain approval from his/her immediate supervisor and the Executive Director prior to starting the class.

Class and study time must be outside the employee's regular working hours.

Employee must receive a grade of "C" or better, or a Pass in a Pass/Fail to be eligible for tuition reimbursement.

2. Reimbursement Amount

Tuition reimbursement may be available to all full-time regular employees after completing the introductory period. However, final approval for any reimbursable expenses shall be at the sole discretion of the Executive Director.

All Job-required Training shall be fully reimbursed by the Authority, including all related costs.

All Job-related training is reimbursable at the discretion of the Executive Director, and/or the CFO/Manager of Administration.

If budget constraints exist as determined by the Executive Director and/or the CFO/Manager of Administration, job-related training may be reimbursed at a 50% shared cost between the agency and the employee.

Tuition reimbursement shall be limited in all cases to a maximum of \$2000 per employee per fiscal year.



POLICY# 309

SECTION: BENEFITS
SUBJECT: PROFESSIONAL TRAINING AND DEVELOPMENT

It is the policy of the Authority to encourage all employees to expand their knowledge and level of professionalism relevant to the operations of the Authority's facilities. The purpose of this policy is to outline the standards and procedures under which the Authority will provide financial support for activities that further the goals of preserving and improving the Authority's capacity to operate efficiently and economically. It should be noted that approval of any education, professional training and development is subject to the budget limitations and of the Authority and will be made and in accordance with Accounting Policies and Procedures – Travel Policy.

GUIDELINES

1. Professional Associations/ Technical Groups

The Executive Director may approve payment for membership in craft, trade or other professional organizations that further the goals described above. The employee shall provide evidence of their active participation in support of continued membership payment.

In addition, the employee may request reimbursement for attendance at professional association dinner meetings and workshops, including late afternoon workshops. With prior approval, the Authority will allow the employee to attend the workshop on Authority time.

2. Seminars/Workshops

The Authority may elect to send employees to approved training programs, seminars, and/or conferences from time to time. While these programs are normally scheduled during regular working hours, there may be evening or weekend classes or activities.

Employees who desire to attend a seminar must submit a written request, including estimated expenses, to the Executive Director for approval. No advances for reimbursable expenses shall be made for one-day seminars or workshops. Reimbursements shall be processed in accordance with the Authority's Expense Reimbursement Policy.



POLICY# 310

SECTION: BENEFITS
SUBJECT: EXPENSE REIMBURSEMENT

The Authority has a policies and procedure regarding reimbursement for travel and other Authority related business expenses. (Please refer to the Financial Management and Accounting Procedures for detail.) While attending approved functions, the burden of responsibility for sound judgment in spending Authority funds rests on the attending employee.

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POLICY# 401

SECTION: RULES AND REGULATIONS
SUBJECT: GRATUITIES

An employee's obligation under this policy is in addition to and does not in any way change his/her obligation under the Authority's Conflict of Interest Code.

Employees are discouraged from accepting gifts or favorable treatment which could reasonably be perceived as potentially influencing any decision or action of the employee in the employee's official capacity, or any decision or action of the Authority, from any outside vendor, citizen, or organization except for gifts of food that are shared among other employees and that retail for less than \$75. Employees shall adhere to the Fair Political Practices Commission (FPPC) rules for accepting and reporting gifts.

For the purpose of this policy, a gratuity is defined as a gift or service rendered to an individual. Gifts shall include, but are not limited to money, candy, alcoholic beverages, and tickets to events, trips, or the use of equipment or property. Trivial items such as note pads, calendars, pens and pencils, etc., are excluded from the intent of this policy.

If an expression of appreciation is accepted, the employee shall be encouraged to present and share it with the entire staff.



POLICY# 402

SECTION: RULES AND REGULATIONS
SUBJECT: SMOKING

Smoking is prohibited within any public building or in Authority vehicles. Smoking is also prohibited while driving or riding in a vehicle on work-related business.

Smoking is only permitted in designated areas.

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POLICY# 403

SECTION: RULES AND REGULATIONS
SUBJECT: SUBSTANCE ABUSE

The Authority is committed to protecting the health, well-being and safety of employees and the public at large from the hazards caused by misuse of drugs and alcohol. Because of the importance of this commitment and the addictive and secretive nature of substance abuse, accomplishing this goal requires the full commitment and support of management as well as the support of each employee.

The Authority complies with federal regulations and provides a drug-free (i.e., free of alcohol, drugs or controlled substances such as marijuana, heroin, cocaine, etc.) workplace through development and administration of policies, guidelines and programs designed to ensure a drug-free workplace.

This policy prohibits unlawful manufacturing, distribution, possession, sale or use of controlled substances at work and also requires that employees convicted under a criminal drug statute for any incident at work notify the Executive Director within three days of conviction.

Upon reasonable suspicion of an employee being under the influence of drugs and/or alcohol while on duty, the Authority may require the employee to submit to drug and alcohol testing, at the Authority's expense. Employees who decline to submit to such testing may be subject to discipline, up to and including termination of employment.

The presence of alcohol and drugs on the job, and the negative influence of these substances on employees during working hours, is prohibited.

If an employee has an alcohol or drug problem, the Authority will refer the employee for treatment and will maintain confidentiality. The Authority recognizes that alcohol and drug problems are treatable.

It will be the responsibility of the employee to comply with the prescribed treatment. An employee's refusal to accept diagnosis or treatment, or failure to respond to treatment, will be handled in the same manner as other reasons that result in unacceptable performance or attendance.

It is the responsibility of the employee to adhere to these policy guidelines. Employees who think they may have an alcohol or drug use problem are urged to voluntarily seek confidential assistance from an Employee Assistance Program counselor. Access and assistance under the EAP Program is strictly confidential.



For the purposes of this policy, a drug will be considered an “illegal substance” if its use is prohibited or restricted by federal or state law and an employee improperly uses or possesses the drug, regardless of whether such conduct constitutes an illegal act or whether the employee is criminally prosecuted and/or convicted for such conduct.

Legally prescribed medications are only excluded from this rule and permitted to the extent that the use of such medications does not adversely affect the employee’s work ability, job performance, or the safety of that individual or others.

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POLICY# 404

SECTION: RULES AND REGULATIONS
SUBJECT: SECURITY AND PRIVACY

Desks, storage areas, work areas, lockers, file cabinets, credenzas, computer systems, software, communication systems including E-mail, office telephones, cell phones, electronic devices, modems, facsimile machines and duplicating machines are Authority property and must be maintained according to this policy. Because all these items are the Authority property, employees do not have, and should not expect, any right of privacy regarding this property or the contents of the property.

GUIDELINES

1. Neatness

All work areas and items must be kept reasonably clean and are to be used only for work purposes, except as provided in this policy.

2. Right of Inspection

The Authority reserves the right, at all times, and without prior notice, to inspect and search any and all the Authority property, other than where the employees should have a reasonable expectation of privacy, for the purpose of determining whether this policy or any other the Authority policy has been violated, or whether further inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. Such inspections may be conducted before, during or after business hours, in the presence or absence of the employee.

3. Use of Telephones

The Authority recognizes that employees may occasionally find it necessary to use the Authority telephones for personal use. Such calls must be kept to a minimum. Abuse of telephone privileges may result in corrective action, up to and including termination.



POLICY# 405

SECTION: RULES AND REGULATIONS
SUBJECT: COMPUTER AND E-MAIL POLICY

The Authority's computer systems, including any voicemail or E-mail systems and other electronic devices, are to be used for business purposes only. The Executive Director/designee reserves the right to listen to voice mail messages and to access, copy and retain e-mail messages to ensure compliance with this rule, with or without notice to the employee and/or in the employee's absence.

1. Use of the Authority Equipment

Employees are permitted to use the Authority equipment for occasional, non-Authority purposes during rest and meal periods. Nevertheless, the employee has no right of privacy as to any information or file maintained in or on the Authority property or transmitted or stored through the Authority computer systems, voice mail, E-mail, Website, or other electronic devices.

2. Review of Computerized Information

For business necessity and/or for reasonable cause, the Authority may inspect, investigate or search employees' computerized files or transmissions, voice mail, or E-mail. The Authority may override any applicable passwords or codes in accordance with the best interests of the Authority and its employees.

3. Computer Privacy

Employees may access only files or programs, whether computerized or not, that they have permission to enter. Unauthorized review, duplication, dissemination, removal, damage or alteration of files, passwords, computer systems or programs, or other property of the Authority, or improper use of information obtained by unauthorized means, may be cause for corrective action, up to and including termination.

4. Software Usage

Authority owned computer software may not be copied for personal use. Copies of computer software shall be in accordance with the software license. Only authorized employees or authorized consultants who oversee hardware and software for the agency, may install software on the computers or network. Employees shall not install any personal non-work related software (screen savers, games) on the computer equipment without the expressed approval of the Executive Director or the CFO/Manager of Administration.



5. Use of Electronic Media

Electronic communication/media may not be used in any manner that could be deemed discriminatory, harassing or obscene, or for any other purpose which is illegal, against the Authority policy, or not in the best interest of the Authority and its employees.

Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, misappropriation of trade secrets, discrimination, harassment or related actions will be subject to corrective action, up to and including termination.

While employees may occasionally use electronic mail for personal messages, such messages are also property of the Authority and will be treated no differently from any other messages. The Authority reserves the right to access and disclose all messages sent over its electronic mail system.

All electronic communications are eligible subject matter under the California Public Records Act. Employees shall be aware that electronic communications are therefore not subject to confidentiality.

6. Computer Passwords

Personal passwords may be used for purposes of security, but the use of a personal password does not affect the Authority's ownership of the electronic information. Employees are to provide all passwords to the Authority, who will keep them confidential.



POLICY# 406

SECTION: RULES AND REGULATIONS
SUBJECT: PUBLIC AND MEDIA COMMUNICATIONS

To avoid conflicting statements to the news media and the public about the Authority's operations, events or policies, only designated persons may respond to questions from news reporters, other media and the public. Only members of the Authority Board and the Executive Director, or designee, particularly the Public Outreach Coordinator, are authorized to respond to media questions, particularly in reacting to an emergency or disaster. The Authority must respond promptly and truthfully to inquiries from news reporters.

1. Media

It is important that the information given to the press is accurate, complete, and placed in context. It should be an objective to be open and prompt in responding to press inquiries. The media is often on very tight deadlines requiring information on the same day.

2. Media Contact

- A. Media contact is limited to Authority Board Members and the Executive Director, or his/her designee, specifically the Public Outreach Coordinator, unless specific technical or program information is required. However, staff can expect to be contacted directly by reporters at public meetings or by phone. When such contact is made, report the nature of the discussion and outcome to the Executive Director as soon as possible to ensure that he/she is prepared for follow-up.
- B. Under certain circumstances, professional staff may be called upon to provide technical information to the media. However, excess complicated technical information can cloud a good news story; therefore, when receiving a call directly from the press, the employee should:
 - (i.) Write down the name and organization plus date and time;
 - (ii.) Determine the nature of the inquiry; and
 - (iii.) Refer the call to the Executive Director or designee.
- C. The Executive Director or Authority Board Chair shall make all contacts with the media regarding feature articles and appearances on talk shows. Any staff person receiving such a request from the media should forward it to the Executive Director.



- D. Contacts with the media initiated by the Authority, such as press releases or requests to appear before editorial boards, shall be made by the Executive Director or designee, specifically the Public Outreach Coordinator, or the Authority Board Chairperson.

3. How to Talk to Reporters

- A. Simply. The media, for the most part, do not have the same technical expertise as Authority staff.
- B. Concisely. To aide in understanding, answers should be concise. Errors are likely to occur with questions answered in an unclear manner.
- C. Willingly. The media are the eyes and ears of the public. Public acceptance of the Authority and its programs depends on public understanding, facilitated through honest and open dealings with the media.
- D. Honestly. Employees should always assume they are talking “on the record.” There is no such thing as “off the record” when talking to the media. Employees must make sure facts are correct. If the employee doesn’t know, they should say so but that they will obtain the answer and follow through. On rare occasions the employee may know but does not wish to comment. The employee must not lie but simply say they do not wish to comment.
- E. Promptly. Media calls and requests should receive highest priority. Media deadlines are absolute, and news is news for a short time. If the employee does not answer promptly, the reporter will complete the story without the information, and errors or omissions may occur.
- F. Sensitively. A spokesperson for the Authority, dealing with politically sensitive issues, must consider the political implications of what is said. Any staff person who does not have a grasp of the facts or political implications should ask a more senior staff person to handle the request. Information given to the news media cannot be retracted.

4. Dos and Don'ts

- A. Do assume that the press is present at every public meeting and formulate comments to the Authority Board or Committees accordingly.



- B. Do keep two or three key points in mind and present at every opportunity in an interview.
- C. Do assume that members of the press are looking for a story, even during casual conversation.
- D. Do remain calm and objective. Don't be defensive, provocative or combative.
- E. Do watch for issues with political implications, but don't use the word "political" to describe a situation to the press.
- F. Do speak in plain English. Don't use a lot of acronyms or jargon.
- G. Do anticipate questions, and prepare answers ahead of time (in the case of a radio or television appearance or in-depth interview, ask the producer or reporter the general focus of the interview).
- H. Don't speculate about what might be found out from a study, what might happen or what the Authority might do – just stick to the facts.
- I. Don't believe, and don't respond to, secondhand information about findings from a report you personally have not reviewed or about what someone supposedly said about the Authority. Do see the document or talk to the person before responding.
- J. Don't speak ill of someone else or of another organization. Don't attribute motives to someone else or another organization.
- K. Don't let the "don'ts" listed here get in the way of your being helpful to the press. Do maintain a positive, open attitude toward the press at all times.

5. Timely Response to Phone Messages and Written Questions

The perception of our effectiveness as Authority staff will be judged in many ways. One of those ways is how well we serve the Authority Board members, the staffs of the member cities and the county, and most important, the public. Timely response to phone and written inquiries is a tangible measure of the Authority's commitment to serving its constituency.

A. Telephone Messages

Employees should make every effort to respond to a telephone message as soon as possible, preferably within 24 hours. If the caller requires information currently unavailable or expects a detailed



response an employee is unprepared to offer, the employee should return the call within 24 hours and provide a schedule by which resolution can be achieved.

B. Written Requests

Employees should make every effort to respond to written requests as soon as possible, preferably within two (2) weeks. If the request will require research and the data is not immediately available, the employee should forward a written response to the inquiry within one (1) week and provide a schedule by which resolution can be achieved.

C. California Public Records Act requests.

All Public Record Act requests shall immediately be reported to the Executive Director. The request shall also be reported to the Authority Board Clerk who shall keep a record of all requests and associated deadlines.

State law requires that CPRA's be responded to within 10 days. If requests are complex and/or involve an extensive amount of research and material, then the Authority Counsel may send a Letter noticing the requestor of when the material can be made available. Such Letter shall be sent within 10 days of receipt of the PRA.

Certain costs are allowed to be charged by the Authority and payment be requested and received prior to delivery of the requested documents. The Authority shall notify the requestor of allowable costs associated with the development and delivery of requested material. The Authority shall allow a reasonable amount of time for the requestor to deliver payment.



POLICY# 407

SECTION: RULES AND REGULATIONS
SUBJECT: SAFETY AND WORKPLACE VIOLENCE

The Authority has developed guidelines to help maintain a safe and secure workplace. This security policy is intended to keep the Authority's employees safe and to protect its possessions, confidential information and equipment.

GUIDELINES

1. Violence in the Workplace

Threatening or intimidating behavior, threats, or acts of violence will not be tolerated and may be grounds for immediate termination, arrest and prosecution or a civil harassment action. Any individual who engages in threatening behavior or violent acts (or who makes comments about inflicting self-harm or harming others) while on Authority property will be removed from the premises and may not return until the incident is fully investigated. The Authority reserves the right to have any such incident assessed by a professional who specializes in threat assessment.

Threats to or intimidation of employees in the workplace by individuals outside the Authority are not tolerated and must be reported to the Authority or designee. This may include acts of domestic violence and threats of harm from customers or vendors toward employees or Authority property.

Employees must be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits. Employees must report any suspicious persons or activities to the Executive Director or designee, or to local law enforcement if the employee feels that he/she is threatened or property of the Authority is threatened.

If an employee witnesses or receives a threat, or learns that another person has witnessed or received a threat, they must notify their supervisor or the Executive Director or designee immediately. Reports must be made of all incidents no matter who was involved or their relationship to each other. If an employee applies for or obtains a protective order or restraining order that lists Authority locations as protected, they must send a copy to the Authority. The Authority understands the sensitivity of such information and uses confidentiality procedures that recognize and respect employees' privacy.

The security of the office as well as the welfare of employees depends upon



the alertness and sensitivity of every individual to potential security risks. Employees should immediately notify management when unknown persons are acting in a suspicious manner in or around the office.

2. Use of Personal Items on the Job

The Authority provides the necessary equipment that employees require to accomplish their job and tasks in the most efficient and safe manner. However, employees who want to use their personal items at work may do so with the understanding that they are responsible for the property, that it must be used safely and responsibly, and that the Authority will not replace or pay for personal items that are damaged or destroyed on the job.

Before employees may use their own equipment for conducting Authority business, they must request written approval from their supervisors/the Executive Director. Employees using their own personal devices and accounts to conduct public business will also be required to search those devices to response to Public Act requests.

Employees must secure their desk, office or vehicle at the end of the day. When called away from the work area for an extended length of time, employees should not leave valuable and/or personal articles in or around the workstation/vehicle that may be accessible. The Authority is not responsible for loss or damage to any personal property or equipment that is brought to an office location.

Note that the Authority does not provide vehicles to employees. Employees are eligible for reimbursement of vehicle related expenses – mileage as designated by federal rules and regulations, tolls, and parking. The Executive Director may be the recipient of a car allowance as negotiated with the Authority Board which substitutes for mileage and toll costs.

3. Property Damage/Theft

A written report shall be made of damage to Authority property or theft and shall contain the following information:

- (i.) A description of item(s) damaged or stolen;
- (ii.) The value of the item(s); and
- (iii.) Circumstances surrounding the damage or theft.

If the damaged or stolen item is of significant value or if a number of items are affected, this should be reported to the police and the Authority by telephone immediately. The report shall then be made available to the Authority.



The location of the theft or damage shall determine from which department the written report originates. Non-supervisory employees who discover theft or property damage shall report this information to their immediate supervisor who, in turn, will be responsible for writing and submitting the required report to the Executive Director. Supervisory or management staff, who themselves find evidence of theft or damage shall be responsible for preparing and submitting a report to their immediate supervisor. In all instances, damage or theft reports shall be subsequently reported to the Executive Director for appropriate action.

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POLICY# 408

SECTION: RULES AND REGULATIONS
SUBJECT: DRESS CODE

An employee's personal appearance reflects the Authority's image to the public, applicants, consultants, visitors and other employees. All employees are representatives of the Authority and therefore impact the Authority's image as a professional organization. Personal appearance includes grooming, cleanliness and appropriate attire. Employees are expected to dress in professional office clothing and maintain a businesslike and well-groomed appearance. Interns shall be advised regarding appropriate attire.



POLICY# 409

SECTION: RULES AND REGULATIONS
SUBJECT: DRIVING POLICY

All employees and applicants for jobs are subject to the State of California Department of Motor Vehicles' Employer Pull Notice (EPN) program at the time of hire and on an annual basis thereafter.

In order to be covered under the Authority's insurance carrier, employees must possess and maintain the appropriate valid California Driver's License and maintain acceptable driving standards. It is the employee's responsibility to notify the supervisor of any changes in their driving status and licensing immediately. Employees failing to maintain a valid California driver's license or acceptable driving standards may be subject to disciplinary action, up to and including termination.

If the employee is injured in an automobile accident, while driving on Authority business, the employee should notify his/her supervisor and the Executive Director or the CFO/Manager of Administration. The Authority is not responsible for damage to employee vehicles even when driven for the purpose of conducting Authority business. Employees are required to maintain their own car insurance and a valid California Driver's License if they drive their own personal vehicle.



POLICY# 410

SECTION: RULES AND REGULATIONS
SUBJECT: ERGONORMIC POLICY

It is the goal of the Authority to provide all employees with a safe and healthy workplace. A proactive ergonomics program is integrated into the agency's written safety and health program. This program is a collaborative effort that includes managers, supervisors, and all employees. The CFO/Manager of Administrator is the Ergonomics Program Coordinator.

A. Ergonomics Program:

The purpose of the program is to apply ergonomic principles to the workplace in an effort to reduce the number and severity of musculoskeletal disorders (MSD), thus decreasing injuries and workers' compensation claims and, where possible, increasing productivity, quality, and efficiency.

B. Employee Participation:

Employees are encouraged to report workplace processes, equipment, or issues that they perceive to be ergonomic-related.

C. Worksite Evaluations:

An employee can request a worksite evaluation at the start of his/her employment, or when he/she is assigned a new workstation/office. Worksite evaluations are also required when an employee reports an MSD sign or symptom; when jobs, processes, or work activities where work-related ergonomic risk factors have been identified which may cause or aggravate MSDs, or when any other process identifies ergonomic work issues. Worksite evaluations may include walk-through and observations at employee's worksites, employee interviews, surveys and questionnaires, checklists, and detailed worksite evaluations as appropriate.

D. Setting Priorities:

Worksite evaluations will be scheduled based upon the following: any job, process, operation, or workstation which has contributed to a worker's current MSD or that has historically contributed to MSDs, then specific jobs, processes, operations, or workstations that have the potential to cause MSDs.

E. Control of the Ergonomic Risk Factors:

The Authority may take steps to identify ergonomic risk factors and reduce hazards by using a three-tier hierarchy of control:

- Engineering controls: This is achieved by focusing on the physical modifications of jobs, workstations, tools, equipment, or processes.
- Administrative controls: This is controlling or preventing workplace exposure to potentially harmful effects by implementing administrative



changes such as job rotation, job enlargement, rest/recovery breaks, work pace adjustment, redesign of methods, and worker education.

- Personal protective equipment (PPE): Using acceptable forms of PPE, such as kneepads and anti-vibration gloves, etc.

F. Program Monitoring:

In order to ensure that issues have been addressed and that new problems have not been created, monitoring and evaluation will be conducted on an on-going basis. The methods may include such use of individual interviews and checklists to reevaluate the job/task to ensure that risks have been reduced, minimized, or eliminated.

All employees will use the appropriate tools, equipment, parts, materials, and procedures in the manner established by managers and supervisors, ensure that equipment is properly maintained in good condition and when not, report it immediately, provide feedback to supervisors regarding the effectiveness of design changes, new tools or equipment, or other interventions, attend ergonomics training as required and apply the knowledge and skills acquired to actual jobs, tasks, processes, and work activities, and report MSD signs or symptoms and work-related MSD hazards to the supervisor as early as possible to facilitate medical treatment and initiate proactive interventions.