

Attachment No. 31

EPASD Employee Handbook



EAST PALO ALTO SANITARY DISTRICT

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EAST PALO ALTO SANITARY DISTRICT EMPLOYEE HANDBOOK

Approved December 2015

- *Supersedes all other Handbooks* -

Welcome to the East Palo Alto Sanitary District!

The East Palo Alto Sanitary District (the District) is a Special District responsible for maintaining the sanitary sewers in the City of East Palo Alto, a portion of the City of Menlo Park, and an associated area in Southeastern San Mateo County. The collection system carries wastewater from the District's service area to the Palo Alto Treatment Plant where it is treated and disposed of in a manner which meets federal and state standards.

The District was established in 1939 as a result of increased development in the East Palo Alto area. The initial sewer lines were installed as a Works Progress Administration Project. Construction began after the treatment contract with City of Palo Alto was signed in 1940 and District facilities were put into operation on September 8, 1942.

The District is governed by a five-member Board of Directors, elected by the registered voters residing within the District. The Board establishes the operating policies of the District; District employees carry out those policies on a day-to-day basis.

District employees consist of the General Manager, who is responsible for the administration of all District business, and necessary support staff with office and/or field responsibilities.

Our work is extremely important to the health and welfare of our community. Our sincere desire is that you will enjoy working here, and that your association with other employees will be pleasant. You can greatly assist us in achieving our goal of providing quality service by being proficient in your work and by helping us create a friendly and courteous atmosphere for all who work here or have contact with the District or its employees. The District welcomes all positive recommendations from our employees.

We are proud of our employees and the reputation that the District has enjoyed. We are totally committed to the maintenance of the highest standards of quality and service to members of the public and our community. We look forward to including you in our fine tradition.

Sincerely,

Management and Staff
East Palo Alto Sanitary District

EAST PALO ALTO SANITARY DISTRICT EMPLOYEE HANDBOOK

We are pleased to present this edition of the East Palo Alto Sanitary District (“the District”) Employee Handbook.

If you are a new employee, welcome to the District. The Handbook will help you become better acquainted with us.

If you are a “veteran employee,” this Handbook will provide you with an up-to-date overview of employment and working conditions, benefits and personnel procedures.

While this Handbook provides you with an easy-to-use reference to answer most questions you might have concerning your employment, it does not cover all subjects or all details. If you need more specific information, particularly concerning provisions of the various benefit programs, please ask your supervisor and/or the General Manager.

This Handbook is a guide to policies and practices relating to your employment and benefits here, and it is your responsibility to read this Handbook to familiarize yourself with its contents.

This Handbook is not a contract. Accordingly, it should not be interpreted to create any expressed or implied contractual rights between the District and any employee. It is expressly understood that the contents of this Handbook do not constitute the terms of a contract of employment or benefits. Thus, this Handbook should not be construed as a guarantee of continued employment. Any verbal or written representations to the contrary are invalid and should not be relied upon by current or prospective employees.

This Handbook supersedes and replaces all previous Employee Handbooks, as well as all memoranda and personnel policies and procedures that are specifically addressed in this Handbook. The District reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this Handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by the General Manager. If it becomes necessary to update the policies and practices contained in this Handbook in the future, we will notify employees in writing of any such changes.

This Handbook is divided into nine sections:

- o Employment Policies
- o Hours of Work and Attendance
- o Employee Benefits
- o Leaves of Absence
- o Wage and Salary Administration
- o Standards of Conduct
- o Health and Safety
- o Performance, Discipline, Termination, Informal Grievance Procedure and Reference Policies
- o Acknowledgement

We hope this Handbook will answer most of your questions concerning the terms of your employment.

A. EMPLOYMENT POLICIES

EMPLOYMENT POLICIES

Terms of Employment

The employment relationship of office and field support staff of the District is one of voluntary employment “at will” for both the employee and the District. This means that you are free to terminate your employment with the District with or without a reason, and the District has the right to terminate your employment or the employment of others at any time, for any reason, while maintaining compliance with all state and federal laws. The District does not promise that your employment will continue for a set period of time. No Agreement contrary to this at will policy is binding on the District unless entered into by the General Manager in writing.

Verification of Eligibility for Employment

The District is required by federal immigration laws to verify the identity and legal authorization to work of all employees. In keeping with this obligation, the District must inspect documentation that shows each person’s identity and legal authorization to work in the United States, and each employee must attest to his or her identity and legal authorization to work. All offers of employment and continued employment are conditioned upon furnishing satisfactory evidence of identity and legal authorization to work in the United States.

Within ten (10) days of the conditional offer of employment, a background authorization form shall be completed for processing on each prospective employee.

No person shall be employed by the District who has been convicted of a serious or violent felony. Serious or violent felony as used in this paragraph means a serious felony as listed in Penal Code Section 1192.7(c) and violent felony as used in this paragraph means a violent felony as listed in Penal Code Section 667.5(c). The General Manager may waive this prohibition in unique cases where, in the sole judgment of the General Manager, the employee/prospective employee has paid his or her debt to society, has been completely rehabilitated, and poses no risk to the safety or property of the District, its employees, its customers, or its contractors.

Orientation

We feel that every new employee should be made to feel welcome and a part of the team from the very first day on the job. It makes good business sense to do everything in our power to make your adjustment to the job and to the work environment as rapid and as pleasant as possible. The District’s policy is to provide new employees with information needed to be acquainted with the organization and the District’s work.

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Introductory Period

The first ninety (90) calendar days of employment are considered an introductory period. During this time, you have your first opportunity to evaluate the District as a place to work, and the District has the first opportunity to evaluate your attendance, reliability, initiative, cooperation, honesty, and judgment as an employee, as well as your work performance. Except for any appeal of disciplinary action, as provided in the Informal Grievance Procedure at page H-2, you and the District each have the right to terminate employment at any time during and after this period without advance notice. A written evaluation is provided to the employee after the conclusion of the introductory period. If the employee continues with the District at the conclusion of the introductory period, the employee will then be considered a regular employee.

Equal Employment Opportunity

It is the policy of the District that employment shall be based on merit, qualifications, and competence and that employment decisions shall be made without regard to an applicant's or employee's race, color, age, sex, sexual orientation, familial status, religious creed, national origin, ancestry, physical condition, marital status or disability, except where certain characteristics are essential bona fide occupational requirements or where a disability is a bona fide occupational disqualification, as required by federal and state law. This policy governs all areas of employment, including promotion, assignment, and discharge.

Employees with Disabilities

The District complies with applicable federal and state laws prohibiting discrimination against employees with disabilities who are otherwise qualified with reasonable accommodation to perform the duties of their jobs. The District will attempt to provide reasonable accommodation for known physical or mental disabilities if job applicants or employees are otherwise qualified, unless undue hardship related to the necessity of business operations, or a significant risk to themselves or others, would result. An applicant or employee who requires accommodation in order to perform the essential functions of the job should inform the General Manager or Office/HR Manager to request an evaluation of such an accommodation. The District will engage in an interactive process to obtain information relevant to the requested accommodation. The employee or applicant may be required to provide medical certification regarding the disability and need for accommodation. All medical information will be kept in a confidential medical file and shared only on a need to know basis. While the District welcomes suggestions for accommodations to enable an applicant to perform the essential functions of the job, the District will make the final decision regarding whether it can provide a reasonable accommodation and, if so, which accommodation to provide.

EMPLOYMENT POLICIES

Prohibition of Harassment

The District condemns and prohibits harassment of any individual because of that individual's race, color, age, sex (including gender and gender identity), and harassment due to pregnancy, childbirth or related medical conditions), genetic characteristic, sexual orientation, familial status, religious creed, national origin, ancestry, veteran status, military status, medical condition, marital status, mental or physical disability, or any other protected characteristic or status under state or federal law.

Harassment includes, but is not limited, to:

- Verbal harassment, such as epithets, derogatory comments, slurs, suggestive comments or lewd talk or jokes;
- Unwelcome invitations to engage in sexual activity (although sexual harassment need not be motivated by sexual desire);
- Physical touches of a sexual nature, such as brushing against the body, pats or squeezes, impeding or blocking movement or any physical interference with normal work or movement directed at an individual;
- Pressure to engage in sexual activity as a condition of employment or promotion;
- Sexual assault;
- Visual forms of harassment such as derogatory posters, cartoons or drawings; and/or
- Creating or maintaining an intimidating or hostile work environment.

If any employee believes that he or she is the victim of harassment, that employee should immediately report the incident to his or her immediate supervisor. If the complaint is against the employee's supervisor or if the employee so desires, the complaint may be reported to the General Manager. A complaint against the General Manager should be reported to the Human Resources Management and Organization Committee of the Board of Directors.

The District shall investigate any such complaint and will take whatever corrective and remedial action is deemed necessary, including disciplining or discharging any individual who is believed to have violated this prohibition against harassment. The District does not tolerate harassment of any kind and will take appropriate disciplinary action whenever such harassment is demonstrated. Any individual who engages in conduct contrary to this policy may be personally liable in any resulting legal action.

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No individual will suffer any reprisals or retaliation for reporting any incidents of harassment, or perceived harassment, for making any complaints of harassment, or for participating in any investigation of incidents of harassment or perceived harassment.

The District encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You also should be aware that the U.S. Equal Employment Opportunity Commission (www.eeoc.gov) and the California Department of Fair Employment and Housing (www.dfeh.ca.gov) investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. A complaint to the EEOC must be filed within 300 days of the alleged harassment. A complaint to the DFEH must be filed within one (1) year of the alleged harassment. The nearest agency offices are listed in the telephone book.

In accordance with California law, all supervisors and managers will require mandatory sexual harassment training within six (6) months of becoming a supervisor or manager, and every two (2) years thereafter.

If you should have any questions about the District's policy prohibiting harassment or this complaint procedure, please contact your supervisor and/or the General Manager.

Security and Inspection

The District maintains an Illness and Injury Prevention Program. Each employee is expected to assist the District in maintaining a safe working environment. Any accident or dangerous condition, however slight, should be reported immediately to the employee's supervisor and/or General Manager.

At the District's discretion lockers may be provided for some employees at the District's expense. The District also provides employees with locks for their lockers; accordingly, employees should not place any other lock on a locker. In addition, some employees are also provided desks for their use during work. Although lockers and desks are made available for the convenience of employees while at work, all District lockers and desks remain the sole property of the District. The District reserves the right to open and inspect lockers and desks, as well as any contents, effects or articles that are in lockers or desks. Such an inspection can occur at anytime, without advance notice. Such an inspection may be conducted during, before or after working hours by any supervisor, manager or security personnel designated by the District.

Prohibited material, including but not limited to weapons, explosives, alcohol, and illegal drugs, may not be *brought onto District premises or job sites*. An employee who fails to cooperate in any inspection will be subject to disciplinary action, up to and including discharge. The District is not responsible for any articles placed or left in a locker or desk that are lost, damaged, stolen or destroyed.

As with all District assets, any District voicemail and/or e-mail is intended for authorized business use. The District retains the right to have unrestricted access to information

EMPLOYMENT POLICIES

stored on its electronic voicemail and/or e-mail systems. The District does not guarantee the privacy of documents and/or messages stored in District-owned lockers, desks, files, storage areas, and/or electronic media and computer storage disks.

Electronic Files

The District uses various forms of electronic communication including, but not limited to computer, e-mail, telephones, Internet, cell phones, and PDAs. All electronic communications, including all software, databases, hardware, and digital files, remain the sole property of the District and are to be used only for District business and not for any personal use.

Electronic communication and media may not be used in any manner that would be discriminatory, harassing, or obscene, or for any other purpose that is illegal, against District policy, or not in the best interest of the District.

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 discipline and/or immediate termination.

Employees may not install personal software on District computer systems.

All electronic information created by any employee using any means of electronic communication is the property of the District and remains the property of the District. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the District's ownership of the electronic information. Employees have no expectation of privacy in their use of the District's electronic resources or systems. Information stored on the District's systems may be subject to disclosure pursuant to the California Public Records Act or as otherwise required by law.

The District will override all personal passwords if necessary for any reason.

The District reserves the right to access and review electronic files, messages, mail, and other digital archives, and to monitor the use of electronic communications as necessary to ensure that no misuse or violation of District policy or any law occurs.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by District management.

No employee may install or use anonymous e-mail transmission programs or encryption of email communications, except as specifically authorized by the General Manager.

Employees who use devices on which information may be received and/or stored, including but not limited to cell phones, cordless phones, portable computers, fax machines, and voice mail communications are required to use these methods in strict compliance with the confidential communication policy established by the District. These communications tools should not be used for communicating confidential or

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sensitive information. Whenever any device with District stored data is lost, you must contact the General Manager immediately.

Access to the Internet, websites, and other types of District-paid computer access are to be used for District-related business only. In addition, the downloading of software applications, even if they are free, is not allowed.

The District monitors both the amount of time spent using online services and the sites visited by District personnel. The District reserves the right to limit Internet access to include or exclude certain Internet sites and/or services.

Employee Records

The District will not release any information regarding you and/or your employment, other than confirmation of dates of employment and job title, unless you provide a written release or release of information is otherwise required by law.

Employees should notify their supervisor of any changes in personal status which may effect their deductions and benefit entitlement, including name, address, telephone number, marital status, military status, withholding allowances, and person(s) to notify in the event of an emergency.

Performance Evaluation

Performance Evaluation assures that your supervisor recognizes your contribution and gives you feedback concerning how you may improve your performance. Our goal is to achieve open communication between you and your supervisor.

You will receive a Performance Evaluation on an annual basis on or about your anniversary date. A special performance evaluation may be prepared at any time deemed necessary to encourage improved performance.

Employment Status

Regular full-time employees who are regularly scheduled to work a minimum of forty (40) hours per week are eligible for District employment benefits when applicable requirements are met. Part-time employees who are regularly scheduled to work twenty (20) or more hours per week are also eligible for such benefits when applicable requirements are met but part-time employees accrue vacation and sick leave benefits on a prorated basis. A full-time employee who completes the introductory period and remains in employment is designated a regular employee.

Casual and temporary employees are not eligible for any District employment benefits other than required statutory benefits. Casual and temporary employees do not attain a change in status to regular employment simply because they remain in the District's service for a longer period than originally contemplated.

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Salaried employees who are engaged primarily in exempt administrative or supervisory work whose positions meet specific tests established by state and federal laws are exempt from overtime pay requirements. A non-exempt employee is an employee whose job duties do not meet the specific tests established by state and federal laws for exemption from overtime pay requirements and who therefore must be paid overtime for all work performed after eight (8) hours in a workday or forty (40) hours in a workweek.

Travel

In most cases, an employee whose job responsibilities require business travel for the District shall use a District authorized vehicle. Employees attending seminars or workshops who wish to use a personal vehicle must have on file with the District a copy of their insurance policy which meets or exceeds District requirements. In all cases, the determination as to what method of transportation can be used is in the discretion of the General Manager in accordance with the East Palo Alto Sanitary District Policies and Procedures for District Related Travel ("District Travel Policy"). Each employee is responsible for becoming familiar with the District Travel Policy.

B. HOURS OF WORK AND ATTENDANCE

HOURS OF WORK AND ATTENDANCE

Hours of Work

The District's regular work days are Monday through Friday. Your supervisor will inform you of your work schedule. The General Manager may designate appropriate work hours to insure that the service needs of the public are met. Requests to change your work schedule shall be made to your supervisor in writing, as far in advance as possible. Various factors such as workloads, operational efficiency, and staffing needs may require variations in your working hours and total hours worked each day or week.

The District provides a one hour unpaid meal break each day which must be taken. Your supervisor will inform you of the time of your meal break. Non-exempt employees must record the beginning and ending times of their meal breaks on their timecards.

A fifteen (15) minute paid rest period shall be provided for each four hours worked. It is recommended that the rest period be in the middle of the work period. Your supervisor will inform you of your rest period schedule. Break periods must be taken and shall not be used to lengthen the meal breaks or to shorten the work day, unless prior authorization has been obtained from your supervisor. Adequate coverage in the workplace must be maintained during rest periods.

Flexible Working Hours

The District has established flextime, a voluntary five (5) day work week program, to allow its full-time administrative employees the flexibility of accumulating their regular weekly hours without a traditional fixed-hours workday pattern. Flextime allows employees, within certain guidelines, to select their own hours of work. Guidelines provide individual work hours variations while insuring compliance with labor laws, District policy, and staffing needs.

To assure the continuation of the program, all participating employees must adhere to the letter and the spirit of the following guidelines:

1. The hours during which employees may work at their discretion are between the hours of 6:00 a.m. to 7:00 p.m. All employees should be on the job during the core hours of 11:00 a.m. to 2 p.m. and during their approved work schedule hours.
2. Employees must accumulate their required weekly forty (40) hours of work during the regular workweek and work no more than eight (8) hours in a day or forty (40) hours in one week.
3. Employees must be flexible in requesting particular hours of work and cooperating with co-workers so that work can be effectively and efficiently completed.

HOURS OF WORK AND ATTENDANCE

Eligible employees who wish to participate in flextime should notify their supervisor of their desired work schedule. Every effort will be made to accommodate employee requests as long as the business needs of the District can be met.

It is essential for the success of the Hours of Work Program that employees accept the responsibility for managing their time and that they cooperate with management and coworkers to achieve work goals. Without this commitment, flextime will not function successfully. Failure to accept and uphold this responsibility may result in restriction or loss of flextime.

Time Cards

All employees shall keep an accurate record of time worked and the time cards must not be falsified, mutilated or lost. If you make an error on your timecard, please inform your supervisor so that he/she may make the necessary corrections. The District rounds time card records to the nearest one-quarter hour.

Employees must punch in and out to verify their own hours, and they shall not punch the timecard of another employee. If an employee punches in or out for another employee, both employees are subject to discipline, up to and including termination.

Overtime

From time to time it is necessary to require overtime to meet the service needs of the public and the operational needs of the District. All overtime must be authorized in advance by your supervisor and/or the General Manager unless emergency situations require unauthorized overtime. The needs of the community and the District must be taken into account when overtime is required.

Employees who qualify as administrative or executive employees within the meaning of the federal wage and hour laws are exempt from overtime pay and are not subject to this policy. Exempt employees are entitled to twelve (12) workdays of administrative leave each year in lieu of overtime pay. Neither extra compensation nor administrative leave will be owed or payable to an exempt employee upon separation from employment.

All non-exempt employees qualify for overtime pay when they work in excess of eight (8) hours in a workday or in excess of forty (40) hours in a workweek. Non-exempt employees are not permitted to take time off in lieu of receiving overtime pay.

Overtime pay is calculated at one and one-half times the employee's regular rate for all hours worked in excess of eight (8) hours in a workday or forty (40) hours in one workweek. Double-time shall be paid for all hours worked over twelve (12) hours in a twenty-four hour period or over eight (8) hours on the seventh day worked in a workweek. Hours worked means time spent on the job and does not include vacation, leave of absence, sick leave or holidays. Overtime will be paid at the end of each pay period in which it is earned.

HOURS OF WORK AND ATTENDANCE

On-Call and Call-Back Pay

The rotation schedule developed by the Maintenance Supervisor and approved by the General Manager ensure that employees are available for repairs and emergency work at any time.

All service calls shall be made with two (2) individuals. Each individual designated to make service calls during a designated week will be contacted after hours via cellular telephone by the District's answering service.

An employee who is called back to perform emergency work will receive pay for actual time worked at the overtime rate (one and one-half times the employee's regular rate).

Service Call Specifics

- Employees who are on-call to do emergency work after hours will be paid an additional On-Call Pay per work week. On-Call Pay is an addition to regular pay and overtime pay earned.
- The rotation schedule approved by the General Manager ensures that Maintenance Personnel is available for repairs and emergency work at all times on behalf of the District.
- The designated Service Call Team is responsible for making service calls for a designated week and shall immediately report to the office in all emergency situations. All service calls shall be properly documented and actual time worked recorded in the usual manner.
- The designated Service Call Team shall make *all* after hour service calls during the designated week. Each Service Call Team Employee shall receive a District owned/provided cellular telephone.
- Each Service Call Team Employee shall have all Service Call Team Employees' cellular telephone numbers.
- Each Service Call Team Employee shall immediately return the telephone call from the answering service to acknowledge/confirm receipt of message on after hour service calls.
- Service Call Team Employees will be re-assigned (on a rotation basis) to be on call with a different team when other team member (s) are unavailable (example – vacation, sick, jury duty).

Attendance Standards

Punctuality and regular attendance are essential to the proper operation of the District and will be considered in evaluating your performance and continued employment.

Employees are expected to arrive early enough to take care of their personal needs prior to their scheduled work time.

HOURS OF WORK AND ATTENDANCE

It is your responsibility to notify your immediate supervisor and/or the General Manager as soon as possible and no later than one hour after your scheduled work time if you will be late, absent from work or need to leave work early. Notification of tardiness, absence or early departure does not mean your absence is automatically excused. Failure to notify your supervisor of your intended absence from work or tardiness or absences may result in discipline or termination of your employment.

Three (3) consecutive days of being absent from work without notification shall be considered resignation from employment.

C. EMPLOYEE BENEFITS

EMPLOYEE BENEFITS

This section of the Handbook is intended to provide a general overview of the benefits currently available to eligible employees of the District. State and/or federal laws govern some of these benefits, while others are determined by the District or governed by a benefit provider. Should there be a discrepancy between the contents of this Handbook and a provision of an applicable law, benefit plan, or contract, then the law, plan document, or contract will prevail.

This Handbook does not describe all the exclusions, limitations, or conditions of the benefit programs. Employees who wish to inspect any official plan documents or who have questions about employee benefits can make an appointment with the General Manager for that purpose. All employees should receive information regarding benefit plans during their initial employee orientation. This information includes summary plan descriptions, official plan documents, benefit plan booklets, and other detailed benefit documents. Employees having questions regarding benefit matters should speak with their supervisor or the General Manager.

The District reserves the right to curtail, reduce, change, suspend or eliminate any non-vested benefit at its sole discretion when conditions warrant and following the General Manager's approval and communications to employees. Employees will be notified of any changes in employee benefit programs at meetings or through memos.

The District has developed a broad, comprehensive set of employee benefit programs to supplement our employees' regular wages. We are continually investigating new opportunities to improve our present programs as organization funding and budgets permit.

Holidays

Full-time and part-time employees receive the following paid holidays:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- Presidents Day
- Cesar Chavez Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Day after Thanksgiving
- December 24 (**only** when it falls on the working days Monday through Friday)
- December 25
- Float Days (32 hours – only for employees who have completed the introductory period)

EMPLOYEE BENEFITS

Part-time employees who are regularly scheduled to work at least twenty (20) hours per week are paid for holidays on a pro-rated basis based on hours worked. The District may substitute other holidays in lieu of the above or remove or add to any of the above holidays.

The District requires that employees who wish to utilize their float days submit a *Request for Authorized Time Off* form to their supervisor as far in advance as possible. Float days must be utilized in increments of one hour to one day. Float days will be authorized in accordance with the service needs of the District and the prior approval of your supervisor.

If a holiday falls on a Sunday, the holiday will be observed on the following Monday. If a holiday falls on a Saturday, the preceding Friday will be observed as the holiday. If a holiday is observed while you are on authorized vacation, you will receive holiday pay and the holiday will not be charged to your vacation for the day the holiday is observed. Employees on personal or unpaid leaves of absence are not eligible for holiday benefits during their leave.

Vacation

Regular full-time and part-time employees who are regularly scheduled to work at least twenty (20) hours per week accrue vacation leave on a pro-rated basis from the date of hire. Casual/temporary employees are not entitled to vacation accrual.

Regular employees shall be entitled to vacation with pay in accordance with the following schedule:

1. During the first five (5) years of continuous service, vacation will be accrued at the rate of 4.0 hours per biweekly pay period worked.
2. After the completion of five (5) years of continuous service, vacation will be accrued at the rate of 4.9 hours per biweekly pay period worked.
3. After the completion of ten (10) years of continuous service, vacation will be accrued at the rate of 5.9 hours per biweekly pay period worked.
4. After the completion of fifteen (15) years of continuous service, vacation will be accrued at the rate of 6.5 hours per biweekly pay period worked.
5. After the completion of twenty (20) years of continuous service, vacation will be accrued at the rate of 6.8 hours per biweekly pay period worked.
6. After the completion of twenty-five (25) years of continuous service, vacation will be accrued at the rate of 7.4 hours per biweekly pay period worked.

EMPLOYEE BENEFITS

The District provides paid vacation in order to provide its employees with a respite from their work, and the District believes that vacations are important for employee morale and productivity. Therefore, employees are encouraged to use all earned vacation each year.

A District employee may accrue the vacation benefit up to a maximum of 300 hours. An employee will not earn any additional vacation time while the accrued benefit remains at the maximum level. Vacation may be used in increments of one-half hour.

The District is a business which requires the presence of its employees to operate efficiently daily. Employees are encouraged to schedule their paid time off in advance. The District is understanding that there are some times and situations that cannot be scheduled. However, employees are asked to do their best at managing their time off, especially their unscheduled time away from work. Too much unscheduled time off can impact the District's operation which can have a negative effect on an employee's overall performance due to the lack of dependability. An employee should not have more than a five percent (5%) running average of unscheduled time off. A five percent (5%) running average is equivalent to one (1) day unscheduled per month.

Regular part-time employees who are regularly scheduled to work at least twenty (20) hours per week accrue vacation leave on a pro-rated basis based on hours worked. An employee who wishes to schedule vacation time should obtain and submit a *Request for Authorized Time Off* form from his/her supervisor.

No vacation time will accrue during any unpaid portion of a pregnancy disability leave or a medical leave, or while the employee is on any unpaid leave or a personal leave of absence of any length. Vacation leave, like paid sick leave, accrues when an employee is working or is utilizing District-paid vacation or sick leave to cover an absence. Vacation and Holidays shall be considered as time worked for vacation purposes.

The time at which employees shall be granted vacation shall be at the discretion of the employee's supervisor and/or the General Manager. Length of service of employees shall be given consideration in scheduling vacations and in giving preference as to vacation time.

Employees who separate from employment will receive payment for any unused accrued vacation.

Paid Sick Leave

The District provides regular full-time and part-time employees may earn paid sick leave benefits. Temporary or limited duration/project employees placed with the District through temporary services agencies will have sick leave provided by their agency employer rather than by the District. Sick leave will be integrated with any available state disability insurance or workers' compensation benefits for which an employee is eligible. Other paid sick leave is available only as required by law.

EMPLOYEE BENEFITS

Paid sick leave will be granted upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventative care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in Labor Code section 230(c) and Labor Code section 230.1(a).

On January 1 of each year, all full-time employees will be granted twenty-six (26) hours of sick leave. As the full-time employee works throughout the year, he or she will accrue additional sick leave at the rate of 3.7 hours for each biweekly pay period of full-time work. Full-time employees have no sick leave accrual cap. Both the annual grant and accrual rate shall be prorated for any part-time employee, with a minimum accrual rate of one (1) hour per thirty (30) hours worked. Part-time employees' accrual of sick leave shall be capped at 48 hours.

Paid sick leave begins to accrue from the date of hire, but may only be used by employees who have been employed at the District for at least 90 days and have actually worked 30 days for the District, whichever occurs later. Sick leave, like vacation leave, is only accrued when an employee is working or is utilizing paid sick or vacation leave to cover an absence.

Because sick leave benefits are designed to assist employees in the event of actual illness or injury, no sick leave benefits are paid to employees who separate from employment, except to retire. Sick leave benefits cannot be applied as extra vacation. Rather, employees may use paid sick time for preventive care for themselves or a family member, as well as for the diagnosis, care, or treatment of their or their family member's existing health condition. "Family member" for these purposes means a (1) child, (2) parent, (3) spouse, (4) registered domestic partner, (5) grandparent, (6) grandchild, or (7) sibling.

Although a physician's statement normally will not be required for absences of less than three consecutive days, the District reserves the right to request verification of sick leave eligibility/appropriate usage in circumstances where potential sick leave abuse may exist.

It is your responsibility to notify your immediate supervisor as soon as possible and no later than one hour after your scheduled work time if you will be on sick leave.

Our objective is to provide consistent and courteous high quality service to our clients. To maintain our tradition of high quality, the workplace must be fully staffed. Absenteeism detracts from our ability to serve the public and causes an undue burden for those employees who must fill in for absent employees. For this reason, excessive sick leave use or patterns indicating sick leave abuse (e.g. frequent Mondays and/or Friday sick leave) is unacceptable, may be a factor in your performance appraisal, and may result in disciplinary action.

Accrued but unused sick leave has no cash value, and the District does not pay employees for accrued sick leave upon their separation from District employment.

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However, accrued sick leave may be converted to additional CalPERS service credit when an employee retires from District employment, subject to the terms and conditions of the District's contract with CalPERS and applicable law.

If you must take sick leave, complete a *Request for Authorized Time Off* Form and submit it to your supervisor. When you need to take sick leave without knowing in advance, complete a *Request for Authorized Time Off* Form upon your return to work.

Education Leave

Annually, regular full-time and part-time employees may request paid education leave to attend job-related professional meetings, workshops and seminars. Please submit a description of the program along with a *Request for Authorized Time Off* form to your supervisor to request leave. If the request is judged to be appropriate to the job being performed and the District has sufficient funds available, the staff member may receive a cash advance and/or reimbursement for 100% of reasonable tuition, travel, lodging, and meal expenses. To receive reimbursement you must submit an *Expense Reimbursement Report* to your supervisor and/or the General Manager and provide proof of attendance and receipts for your claimed expenses. Reimbursement does not include overtime or compensation for time spent in travel.

Workers' Compensation Insurance

The District carries workers' compensation insurance to protect employees who incur a work-related illness or injury. This insurance provides medical, surgical, and hospital treatment in addition to payment for loss of earnings. Compensation payments begin from the first day of an employee's hospitalization or after the third day following the illness or injury if an employee is not hospitalized. Eligible employees will receive sick leave benefits during the first three (3) days of non-hospitalized workers' compensation leave.

Employees must report all on-the-job injuries to their supervisor immediately for their own protection and to insure that the proper reports are filled out.

Health Insurance

Employees who have met applicable service requirements are eligible for health insurance. The District provides fully paid medical and dental coverage to eligible employees and their dependents. Please consult the insurance booklet available from your supervisor or a detailed description of benefits. From time to time the terms and conditions of the plan may change and at such time you will receive information outlining the changes.

Vision Care

The East Palo Alto Sanitary District's Vision Care Reimbursement Plan was established to fund and /or offset eye (s) correctional expenses of Regular Employees, Board Members and their families in a calendar year.

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The Vision Reimbursement Plan covers Vision Examinations, Vision Procedures and Vision Prescriptive Eyewear up to \$450.00 per calendar year per family member according to state and federal insurance coverage laws (example – insurance coverage of dependents until the age of 26, except spouse). Unspent or unreimbursed dollars will not be carried over to the following calendar year.

The Vision Care Reimbursement Plan Steps are:

- 1) Eyes examined by a licensed practicing Eye Physician or Institution;
- 2) If necessary, eye(s) procedure is performed by a licensed practicing Eye Physician or Institution;
- 3) Fulfill documented prescription from a licensed practicing Eye Physician or Institution of Vision Prescription Eyewear (eye glasses or contacts);
- 4) Pay all expenses incurred for steps 1, 2 and 3 as is necessary in the eye(s) correctional process;
- 5) Submit evidence of all paid expenses incurred for the eye(s) correctional process to the District Office Manager;
- 6) Reimbursement expenses up to \$450.00 maximum per calendar year must be approved by the General Manager;
- 7) A check for the total expenses up to a maximum of \$450.00 will be generated and issued on the next scheduled check run, as feasible.

Life Insurance

Employees who have met applicable service requirements are eligible for group life insurance. Please contact your supervisor to obtain further information.

Retirement

The District provides coverage under the California Public Employees' Retirement System (PERS) for all eligible employees. For those employees who meet the definition of CalPERS "classic members," the District pays all contributions so that the retirement coverage is provided at no cost to you. For all other employees, the District complies with the contribution cost sharing required by state law. Please contact your supervisor to obtain further information.

Credit Union

Loans, savings, payroll deductions, and similar services are available through a local credit union to help meet the needs of eligible employees. Please consult with your supervisor for further information.

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Unemployment Insurance

All employees are covered by the unemployment provisions of the State Unemployment Insurance Code. The District pays the entire cost of unemployment insurance benefits. If your employment terminates, you may be eligible to receive unemployment insurance.

Family Temporary Disability Insurance

A District employee who pays into the State Disability Insurance Fund and submits a medical certificate establishing eligibility may be eligible for temporary disability insurance benefits to: (a) use for a seriously ill child, spouse, parent or domestic partner; (b) bond with a child within one year of the child's birth; or, (c) bond with a new foster or adopted child within one year of the child's placement or adoption. The insurance pays roughly 55% of lost wages for up to six weeks in a 12-month period.

Eligible employees must use up to two weeks of paid vacation leave before receiving benefits. There is a seven-day waiting period before benefits are paid and a maximum weekly benefit of \$840. An employee may not receive more than six weeks of benefit payments within any 12-month period. The insurance does not provide for protection or return rights. District employees eligible for CFRA leave must take this paid family leave concurrently with their CFRA leave.

Health Club Membership

The District recognizes that physical fitness contributes to the health, productivity, and well-being of employees. To help employees keep healthy and fit, the District will help regular employees pay for health club memberships. The particular health club facility must be approved by the District for employee participation in order for an employee to receive the District's contribution to the membership fee.

The District will pay \$500.00 per fiscal year to each eligible employee who can show proof of membership (new or continuous membership). Proof of membership includes a receipt of payment or a document of current membership attached to a completed Health Club Membership Request.

If the employee resign health club membership and receive a refund, the pro rata share of the refund must be returned to the District.

Educational Assistance

Job-related education can be a vital contributor to personal growth and effective professional performance. Therefore, the District has established an education assistance program for mutual benefit. Under the program, the District will provide eligible employees with checks made out to District approved educational programs or institutions of up to a maximum amount of \$2,500.00 per employee for each fiscal year to help employees pay for the costs of tuition, required textbooks, and registration,

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laboratory, and graduation fees for courses approved by the District and successfully completed at accredited colleges, universities, technical schools, adult education, and home study programs. For courses to be approved under this program, they should ideally directly relate to an employee's present position or improve an employee's qualifications for promotion to other District positions. There may be a situation whereas an employee has an interest in a position that is in a different function which he/she is currently working in the District. Excluded from this program are late fees and interest for delayed payment plans, institutions and programs of study not approved by the District, and audited courses.

Regular part-time and full-time employees who have satisfactorily completed six (6) months of service are eligible to apply for educational assistance. Employees who are eligible for educational assistance under the G.I. Bill or other grants should participate in those plans; their participation in the District's educational assistance program is permissible only for the portion of tuition, fees, and textbooks that those plans do not cover.

Employees who wish to participate in the program shall complete an *Application for Educational Assistance* form and return it to the General Manager for approval in advance of their registration for courses. Each course that an employee wishes included under the educational assistance program must be listed on the form. Employees must also include a copy of their completed official registration form from the institution or program in which they wish to enroll. Employees should submit a new application each term.

If an employee's application is approved, the District will provide a check to the employee made out to the institution or educational program provider named in the employee's application. As soon as practicable, employees must provide the District a copy of their registration receipt which includes the employee's name, course title(s), course number(s), and the amount of tuition and fees. Separate receipts for the purchase of required textbooks should also be submitted. Upon completion of the course or program listed on the employee's application, the District must be provided with a copy of the employee's official grade report or, in the case of non-graded courses, a certificate of successful completion.

The District's educational assistance program requires that participants agree to reimburse the District if: (1) they fail to obtain a grade of "C" or above (satisfactory completion for a non-graded course); (2) they fail to complete the course without reasonable excuse; (3) they leave District's employ before the completion of the course; (4) they fail to submit required grade reports or course completion verifications; or (5) they fail to submit receipts for their tuition, fees, and book expenses.

The District offers this educational assistance program with the understanding that an employee's completion of a course or educational program does not obligate the District to reward such completion through promotion, transfer, reassignment, wage or salary increase, etc. Budgetary considerations will determine the renewal of this program every fiscal year beginning each July 1.

EMPLOYEE BENEFITS

Employee Assistance Program

The District has a strong commitment to the health, safety, and welfare of its employees and their families, of its customers, and of the community. The District recognizes that a variety of personal problems, such as emotional distress, family problems, alcoholism, and drug abuse can be devastating to lives, businesses, and the community at large. Many people are able to solve such problems on their own or with the advice of family and friends; however, the District recognizes that people sometimes need professional advice.

The District maintains an employee assistance program (EAP) to help and encourage those employees in need of professional assistance to obtain such assistance. This program applies to all District employees.

Employees may request assistance from the EAP by contacting the General Manager. Assistance will be provided on a confidential basis, and each employee will be referred to the appropriate treatment and counseling services. Employees who voluntarily request assistance through the EAP in dealing with family, emotional distress, drug, or controlled substance abuse problems may do so without jeopardizing their continued employment with the District.

Supervisors and managers are responsible for confronting employees about unsatisfactory as well as acceptable but deteriorating job performance, and encouraging such employees, when appropriate, to contact the General Manager about possible referral to the EAP. Employees will be responsible for correcting unsatisfactory job performance and maintaining acceptable performance.

Employees are eligible to receive up to three (3) visits annually; any visits thereafter become the financial responsibility of the employee.

D. LEAVES OF ABSENCE

LEAVES OF ABSENCE

Introduction

A leave of absence is an extended period of time absent from work without loss of employment. Leaves of absence ordinarily are without pay.

A written request for a leave of absence, providing full explanation of the circumstances, must be presented to the employee's supervisor at least thirty (30) days before the start date of the proposed leave, whenever possible.

If you take actions during your leave that are inconsistent with an intention to return to your employment with the District, such as accepting full-time employment with another employer, you will be considered to have voluntarily terminated your employment. If your nonmilitary leave of absence expires and you do not contact your supervisor concerning a date to return to work, or if you fail to report to work on the first day after the expiration of the leave of absence, without approval, you will be considered to have voluntarily terminated your employment. If your military leave of absence expires, and you fail to report for work or apply for re-employment as required by law, you will be considered to have voluntarily terminated your employment.

You will not accrue vacation or sick leave, nor will you be paid for holidays that occur, during your leave of absence.

The District will maintain, under the same terms and conditions of coverage that would prevail had you not gone on leave, your group health insurance during the any pregnancy disability leave ("PDL") you take, up to 17 and 1/3 weeks per pregnancy.

The District will maintain, under the same terms and conditions of coverage that would prevail had you not gone on leave, your group health insurance during the first twelve (12) work weeks of any family care/medical leave ("CFRA leave") you take during the relevant 12-month period.

The District will maintain your group health insurance during the first thirty (30) days of any leave of absence you take for military service under the same terms and conditions of coverage that would prevail had you not gone on leave. If the time period of military service extends beyond thirty (30) days, you will be allowed to have your group health coverage extended for up to 24 months at a charge to you of not more than 102 percent of the full premium cost associated with the coverage.

You will be allowed to continue participating in the District group life insurance and PERS retirement plans while you are on a leave of absence under the same terms and conditions that would prevail had you not gone on leave.

If and when your District-paid health coverages cease, you will be given the opportunity to assume the cost of continued coverage during your leave of absence under COBRA. Your applicable group health benefits will be resumed without waiting periods upon your return to work.

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Pregnancy Disability Leave

Under the California Fair Employment and Housing Act (FEHA), if you are disabled by pregnancy, childbirth or related medical conditions, you are eligible to take a pregnancy disability leave ("PDL"). You are eligible for this leave if you are a female employee of the District – regardless of whether you are a regular full-time, a part-time, or a temporary or casual employee. If you are affected by pregnancy or a related medical condition, you also are eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable. Generally, the District is required to treat your pregnancy disability the same way the District treats other disabilities of similarly situated employees. If your pregnancy or related medical condition warrants a job accommodation of some kind, please notify your supervisor.

The PDL is for any period(s) of actual disability caused by your pregnancy, childbirth or related medical conditions up to four months (or 88 workdays for a full-time employee) per pregnancy. The PDL does not need to be taken in one continuous period of time but can be taken on an as-needed basis. In other words, leave may be taken intermittently or on a reduced work schedule when determined medically advisable by the employee's health care provider. The smallest increment of time that can be used for such leave is one-quarter hour.

Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth will be covered by PDL. The employee shall consult with the District and make a reasonable effort to schedule any planned medical treatment or supervision so as to minimize disruption to the operations of the District, subject to the approval of the health care provider of the employee. If thirty (30) days advance notice is not practicable, such as because of a lack of knowledge of approximately when the leave or transfer will be required to begin, a change in circumstances, or a medical emergency, the employee shall provide at least verbal notice sufficient to make the District aware that the employee needs a PDL or transfer and of the anticipated timing and duration of the leave or transfer.

You must provide the District with written certification from your health care provider of your pregnancy disability or the medical advisability for a transfer. The certification should include: (1) the date on which you became disabled due to the pregnancy or the date of the medical advisability for the transfer; (2) the probable duration of the period(s) of disability or the period(s) for the advisability of the transfer; and, (3) a statement that, due to the disability, you are unable to work at all or to perform any one or more of the essential functions of your position without undue risk to yourself, to the successful completion of your pregnancy, or to other persons or a statement that, due to your pregnancy, the transfer is medically advisable. Where transfers are made based on the employee's health needs, the employee will receive the pay that accompanies the alternative position.

Employees are normally granted unpaid leave for the period of the disability, up to a maximum of 17 1/3 weeks.

LEAVES OF ABSENCE

Employees on leave may continue participating in any health and welfare benefit plans in which they were enrolled before the first day of the leave under the same terms and conditions as if the employee were actively at work.

At your option, you can use any accrued vacation or other accrued time off as a part of your PDL before taking the remainder of your leave as an unpaid. You also may be eligible for state disability insurance (“SDI”) for the unpaid portion of your leave. The receipt of vacation pay, sick leave pay, or SDI benefits will not extend the length of the PDL. The PDL does not count against the California Family Rights Act leave (“CFRA leave”) available under the District’s policy, but does count against the leave available under federal Family and Medical Leave Act (“FMLA”).

Any request for a leave of absence after your PDL has ended will be treated as a request for Family and Medical Leave Act/California Family Rights Act leave.

To return to work, you must present a written release from your health care provider certifying that you are able to perform safely all of the essential functions of your position, or can do so with reasonable accommodation.

An employee will be reinstated to her original position or to a comparable position with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on pregnancy leave would have been laid off had she not gone on leave, or if the employee’s position has been eliminated during the leave and there is no comparable position available, then the employee would not be entitled to reinstatement. An employee’s use of pregnancy leave will not result in the loss of any employment benefit that the employee earned or was entitled to before the leave.

Maternity/Paternity Leave

The District complies with federal and state laws for male and female employees in relations to birth and adoption of a child. (***See the Family and Medical Leave Act and the California Family Rights Act for details.***)

Family and Medical Leave

The District provides Family and Medical Leave in accordance with state (the California Family Rights Act – “CFRA”, for California employees) and federal (the Family Medical Leave Act – “FMLA”) leave laws.

Basis for Family and Medical Leave: Family and Medical Leave may be taken for the birth of the employee’s child, the placement of a child with the employee for adoption or foster care, to care for the employee’s spouse, child or parent who has a serious health condition, or for a serious health condition that makes the employee unable to perform his/her job. Leave can also be taken for certain military-related reasons as further detailed below.

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Eligibility: To be eligible for Family and Medical Leave, an employee must have at least 12 months of service with the District and must have worked at least 1,250 hours during the 12-month period preceding the date the leave is to begin.

Duration: Except as provided below with regard to certain types of military-related leave, employees may take up to a maximum of 12 workweeks of Family and Medical Leave within a 12-month period. The District uses a “rolling” 12-month period to determine an employee’s eligibility for leave. The 12-month period is measured backward from the date an employee uses any family leave.

Leave may be taken intermittently (in blocks of time or on a reduced-time schedule) if the leave is for the serious health condition of the employee or the employee’s family member and if such intermittent leave is medically necessary as determined by the health care provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is one-quarter hour.

Any leave taken for the birth, adoption, or foster placement of a child must be taken within one year of the birth or placement of the child with the employee. The smallest increment of time that can be taken for baby bonding leave is two (2) weeks, except that leave of less than two (2) weeks can be taken on no more than two (2) occasions.

Procedures: Please contact the District’s Office/HR Manager as soon as you become aware of the need for Family and Medical Leave. If the leave is for the birth, adoption, or foster placement of a child, or for planned medical treatment for a serious health condition of the employee or family member, the employee must provide at least 30 days’ advance notice before the leave is to begin. If 30 days’ notice is not possible, notice must be given as soon as practicable.

If the leave is needed for the employee’s own serious health condition, the employee must provide a certification from the health care provider stating:

1. the date of commencement of the serious health condition;
2. the probable duration of the condition;
3. that the employee is unable to work at all or is unable to perform any one or more of the essential functions of his/her position because of the employee’s serious health condition.

The District will require certification by the employee’s health care provider that the employee is fit to return to his/her job.

If the leave is needed to care for the serious health condition of a family member, the employee must provide certification from the health care provider stating:

1. the date of commencement of the serious health condition;
2. the probable duration of the condition;

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3. an estimate of the amount of time that the health care provider believes the employee needs to take in order to care for the child, parent, or spouse; and
4. confirmation that the serious health condition warrants the participation of the employee.

If the Family and Medical Leave request is for the employee's own serious health condition and the District has reason to doubt the validity of the medical certification provided by the employee, the District may require, at its expense, a second opinion from a health care provider designated by the District. The health care provider designated by the District will not be one who is employed on a regular basis by the District. If the second opinion differs from the first opinion, the District may require, at its expense, that the employee obtain a third opinion by a health care provider approved jointly by the District and the employee. The third opinion shall be considered final and binding on the District and the employee.

Recertification may be required if the employee requests an extension beyond the original certification.

Compensation and Benefits:

Compensation: The District provides eligible employees with wage replacement benefits on a short-term basis if the employee is on leave for his or her own serious health condition or disability. Except as otherwise provided in by District policy or benefit programs, FMLA/CFRA leave is provided on an unpaid basis.

Benefits: An employee taking Family and Medical Leave 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 up to 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 District will continue to make the same premium contribution as if the employee had continued working, and the employee is expected to continue to pay his or her share of the monthly premiums. The continued participation in health benefits begins on the date leave first begins. Employees are eligible for a maximum of 12-weeks benefits continuation during any 12-month period. If leave lasts longer than 12 weeks, then the employee will be placed on COBRA and can opt for continued coverage at his or her own expense. An employee who does not return from leave may be required, under certain circumstances provided by the law, to reimburse the District for any employee contributions paid by the District while the employee was on unpaid leave.

Servicemember Family and Medical Leave. Eligible employees are entitled to "servicemember Family and Medical Leave" in the following instances:

Military-Related Leave. Eligible employees with a spouse, child, or parent on active duty or called to active duty in the National Guard or Reserves in support of a contingency operation may take up to the normal 12 weeks of leave because

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of any “qualifying exigency.” For purposes of this policy, “qualifying exigency” includes: (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) finance and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; and (8) additional activities agreed to by the employer and the employee. This leave is available only to families of servicemembers in the National Guard or Reserves – not to families of servicememebers in the Regular Armed Forces.

Military Caregiver Leave. An eligible employee who is the spouse, son, daughter, parent, or next-of-kin of a covered servicemember (includes a current member of the Regular Armed Forces as well as the National Guard or Reserves) may take up to 26 weeks of leave within a twelve-month period to care for such a servicemember with a serious injury or illness incurred in the line of active duty. For purposes of this type of leave, the 12-month period begins on the first day the employee takes leave for this purpose and ends 12 months thereafter. This leave entitlement applies on a per-covered servicemember, per injury basis. Leave to care for an injured or ill servicemember – when combined with other FMLA-qualifying leave – may not exceed 26 weeks in a single 12-month period.

Amount of Leave.

- For a qualifying exigency, an employee is entitled to a maximum of 12 weeks leave (when combined with leave for any other qualifying reason) in accordance with the rolling 12-month period measured backward.
- To care for an ill or injured servicemember, an eligible employee is entitled to a combined total of 26 weeks of leave for any FMLA-qualifying reason during the single 12-month period that starts when the leave begins. During this 12-month period, an employee is entitled to no more than 12 weeks of leave for any qualifying reason other than caring for a servicemember.

Other Military Leave Entitlements. The District also complies with any applicable leave entitlements provided by any state or local law. Where allowed, military leave under this policy runs concurrently with these other leaves.

Procedures. Please contact the Office/HR Manager as soon as you become aware of the need for any type of servicemember Family Medical Leave. Except in the case of exigency leave for short-notice deployment, the District requires certification of the need for leave and will provide an employee requesting servicemember leave with an appropriate form to complete and return.

Reinstatement: Upon return from a Family and Medical Leave, an employee will be reinstated to his/her original position or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed

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rather than on leave. For example, if an employee on Family and Medical Leave would have been laid off had he/she not gone on leave, or if the employee's position has been eliminated during the leave, then the employee would not be entitled to reinstatement. An employee's use of Family and Medical Leave will not result in the loss of any employment benefit that the employee earned or was entitled to before the leave.

As stated above, when an employee takes leave on account of the employee's own serious health condition, the District requires certification, prior to reinstatement, by the employee's health care provider that the employee is fit to return to his/her job.

Reinstatement may be denied to certain salaried "key" employees. Such employees will be notified of this possibility at the time the leave is requested.

If an employee fails to report to work promptly at the end of the Family and Medical Leave and fails to obtain approval for an additional personal leave of absence, the District will treat the failure to return as a voluntary resignation.

Personal Leave of Absence

Although leave without pay is not encouraged, under special circumstances, a short period of leave may be granted to a regular full-time or part-time employee, who has been continuously employed with the District for two (2) years, upon submission of a written leave of absence request which states the projected beginning and ending dates and the specified reasons for the requested leave.

Such personal leave without pay must be approved by the General Manager. The granting of a leave of absence and its duration is solely within the discretion of the General Manager. Any false statement made to secure a personal leave of absence may result in the employee's discharge. No vacation time, holiday pay or sick leave will accrue while an employee is on a personal leave of absence.

The District will use its best efforts to return an employee returning from a personal leave of absence to his or her original position or a substantially similar position, but the District cannot guarantee the availability of such a position or that the employee will be returned to work.

Other Time Off

Employees wishing to take time off should obtain and complete a *Request for Authorized Time Off Form*.

Voting Time – Employees eligible to vote in General, Direct Primary or Presidential Primary elections may request not more than two (2) hours off with pay to vote if there is insufficient time outside working hours to do so. A *Request for Authorized Time Off Form* must be submitted to your supervisor at least two work days before the election. If approved, you will be allowed time off to vote at the beginning or end of the scheduled work day, unless otherwise mutually agreed.

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Jury Duty – So that you may serve on a jury or as a witness without loss of earnings, you will receive your full salary for each day served. Please submit a *Request for Authorized Time Off* Form after receiving notification to appear. Please give your supervisor the pay receipt and verification of time spent in attendance issued by the Court Clerk.

Military Leave – An employee who has been employed by the District for one (1) year or more and is on temporary military duty ordered for purposes of active military training, inactive duty training, special exercises or like activity, where the ordered duty does not exceed 180 calendar days, is entitled to receive his or her regular compensation for the first 30 calendar days of absence for such duty in accordance with state law. In addition, regular full-time and part-time employees will be granted time off without pay for the period of time in which their employment status is protected by law for purposes of military training and service in the U.S. Armed Forces. A copy of the applicable, official military orders for training or active duty, if possible, should accompany an employee's request for leave of absence.

The employee may elect to use any or all of the employee's accrued, unused vacation benefit during this leave.

A qualified employee who is a member of the military deployed to a designated combat zone or who is the spouse or registered domestic partner of a deployed member of the military may take up to 10 days of unpaid leave in a "qualified leave period" as defined by state law.

An employee will be reinstated to the same or similar position if he/she satisfies all applicable legal requirements and reapplies within the time prescribed by law. Please submit a *Request for Authorized Time Off* Form to your supervisor.

Bereavement Leave – Paid time off for up to three (3) working days is granted to employees in the event of a local death of an immediate family member. Paid time off for up to five (5) working days is granted to employees in the event of an out-of-state death of an immediate family member. "Immediate family" is defined as: spouse, domestic partner, parent, legal guardian, child, step-parent, step-child, brother, sister, father and mother-in-law, son and daughter-in-law, grandparents, and grandchildren of the employee. You may request to extend the time off for two (2) additional days of vacation time or personal leave, contingent on staffing needs, for an out-of-state funeral or serious illness. Employees may also request time off of up to one (1) day without pay or use one day of vacation time or personal leave to attend the funeral of other relatives or close friends. Prior approval from your supervisor is required and is subject to staffing requirements. Employees may be requested to provide proof of the need for leave.

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School Activities – If it becomes necessary for an employee who is the parent or guardian of a child to attend the child’s school to discuss possible suspension, the employee should alert his or her supervisor as soon as possible so that alternative arrangements may be made. Pursuant to California Labor Code section 230.7, no discriminatory action will be taken against the employee for taking time off for this purpose.

If it becomes necessary for an employee who is the parent or guardian of a child to participate in activities at the child’s school or licensed day care facility, the employee, after utilizing existing vacation and personal leave for those activities, may take up to forty (40) hours of time off each year to participate in school or day care activities provided that: (1) the employee gives his or her supervisor reasonable advance notice of the planned absence; (2) the employee may not take more than eight (8) hours in any calendar month for school or day care activities; and, (3) the employee, if requested by his or her supervisor, provides documentation from the school or day care facility verifying his or her participation in the activity. Pursuant to California Labor Code section 230.8, no discriminatory action will be taken against the employee for taking time off for this purpose.

Domestic Violence and Sexual Assault Victims – An employee who is the victim of domestic violence or sexual assault may elect to use accrued vacation time, sick leave, or unpaid leave to seek medical attention, to obtain services from a domestic shelter, program or rape crisis center, to obtain psychological counseling or to participate in safety planning or relocation. The duration of unpaid leave taken for any of the above purposes may not exceed the employee’s available FMLA/CFRA leave. The employee must give the employee’s supervisor reasonable advance notice of his or her intention to take time off, unless advance notice is not feasible. If an employee must take an unscheduled absence for any of the above-described purposes, the District will take no adverse action against the employee if, within a reasonable period of time, the employee provides the District with a police report, court order, or appropriate documentation. Pursuant to California Labor Code sections 230 and 230.1, no discriminatory action will be taken against an employee for taking time off for any of the above-described purposes.

Felony Victims – An employee who is a victim, the immediate family member of a victim, the registered domestic partner of a victim, or the child of a registered domestic partner of a victim of a serious or violent felony may take unpaid leave to attend judicial proceedings related to the crime. Employees also may elect to use accrued vacation time or sick leave to attend the proceedings. To be entitled to this leave, an employee must give the employee’s supervisor in advance of the absence a copy of the notice of each scheduled proceeding. If advance notice is not feasible, the employee must give the employee’s supervisor, within a reasonable time after the absence, appropriate documentation evidencing the judicial proceeding. Pursuant to California Labor Code section 230.2, the District shall not discharge or discriminate against an employee who takes such leave.

E. WAGE AND SALARY ADMINISTRATION

WAGE AND SALARY ADMINISTRATION

Pay Period

Employees are paid on a bi-weekly basis. Time cards must be submitted by the last day of each pay period. Employees will normally be paid one week after the close of the pay period to allow for the processing and review of time records and preparation of payroll documents.

For those who have elected direct deposit, employee pay is systematically directly deposited into employees' banking institution (s) of choice after midnight every other Friday.

Wage Garnishments

A wage garnishment is a Court order to an employer to withhold a sum of money from an employee's wages or salary. The District is required by law to comply with federal and state laws relating to wage garnishments.

No employee will be discharged for wage garnishments due to any one indebtedness. "Any one indebtedness" means a single debt, regardless of the number of times garnishment proceedings are filed to collect it, or a number of debts covered jointly by one garnishment action or court order. Separate court orders for payment of alimony or child support in arrears count as separate indebtedness.

Repeated indebtedness where the actual withholdings of earnings has taken place may result in disciplinary action since the bookkeeping necessary in connection with these wage garnishments is time consuming and costly to the District. Factors considered include whether the problem has been caused by irresponsibility, which may be reflected in the employee's attitude at work or if it is the result of unforeseen circumstances beyond the employee's control.

Deductions for Salaried Employees

Employees paid on a "salary basis" regularly receive a predetermined amount of compensation each pay period. Subject to the exceptions listed below, a salaried employee will receive his/her full salary for any workweek in which he/she performs any work, regardless of the number of days or hours worked. A salaried employee may not be paid for any workweek in which he/she performs no work, subject to District benefits programs and policies.

No deductions from salary may be made for time when work is not available, provided the salaried employee is ready, willing, and able to work. Deductions from pay are permissible when a salaried employee: (1) is absent from work for one or more full days for personal reasons other than sickness or disability; (2) is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a plan, policy, or practice of providing compensation for salary lost due to illness; (3) is absent for military duty and performs no work during the time off; (4) works less than a full week during the initial or final week of employment; (5) violates safety rules of major

WAGE AND SALARY ADMINISTRATION

significance; or, (6) violates written workplace conduct rules applicable to all employees and is suspended without pay for one or more full days.

It is District policy to comply with these salary basis requirements. Therefore, the District prohibits the making of any improper deductions from the salaries of exempt employees. The District wants employees to be aware of this policy and know that the District does not allow deductions which violate federal or state law.

If you believe that an improper deduction from your salary has been made, you should immediately report this information to your direct supervisor, or to the General Manager.

Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

Job Description

All positions will have a written job description which details the job purpose, scope, function, and skills required to perform the job.

Should new jobs be created, it will be the responsibility of the General Manager to see that new job descriptions are written.

Job Grade (Position Evaluation)

It is the policy of the District to pay competitive rates within its budgetary limitations but also to keep wages and salaries in proper relation to each other.

1. Each job classification will be assigned to a wage/salary range.
2. Each wage/salary shall have a minimum, mid-point, and a maximum rate.
(Refer to the EPASD Salary Administration Plan for details.)

Wage and Salary Adjustments

Performance evaluations shall be conducted during and at the completion of the introductory period and every twelve (12) months on or about the employee's anniversary date, or whenever deemed appropriate by the General Manager. The employee's hire/start date is regarded as the employee's anniversary date.

No employee shall receive an increase which takes him or her above the maximum of the wage/salary range.

Wage and salary ranges are adjusted to reflect as closely as possible comparable market area pay for individual classifications at the District.

WAGE AND SALARY ADMINISTRATION

Job Postings

Summaries of positions open within the District are posted on the bulletin board located at the District's administration office for a length of time determined by the General Manager that is included on the face of the announcement. External job applicants must complete an EPASD Employment Application within the specified recruitment time frame. Resumes will also be accepted as attachments to fully completed, signed and dated employment applications.

Internal job applicants may indicate their interest in a posted position by notifying the General Manager and immediate supervisor in writing within the specified time frame; applicants interested in a promotional opportunity must complete an updated EPASD Employment Application.

Although the District encourages applications from employees, final selections are based on ability, experience, qualifications and a willingness to learn.

F. STANDARDS OF CONDUCT

STANDARDS OF CONDUCT

The District anticipates that you will perform your job duties to the best of your ability. In addition, certain basic rules and policies must be observed.

Your Relationship with the Public

You are one of the most important sources of public relations. Therefore, cheerfulness, friendliness, honesty, politeness, and tactfulness are important traits that will be expected at all times. To avoid even the appearance of a conflict of interest, you may not accept any gifts related to your District employment.

Contact with Board Members

For direction and feedback regarding the performance of their District duties, all employees shall contact their supervisor and/or the General Manager rather than approaching Board members. The General Manager is the head of the District's workforce, and Board members are not authorized to direct or supervise District employees other than the General Manager.

Confidentiality

Each employee is responsible for safeguarding all confidential information obtained during employment. In the course of your work, you may have confidential information regarding the District rate payers, its suppliers, or your fellow employees (e.g. medical information or social security numbers).

All employees must observe good security practices, keeping proprietary and confidential information secure from outside parties and all other persons who do not have a legitimate reason to see or use such information. Access to confidential information should be on a "need to know" basis and must be authorized by your supervisor.

You have a responsibility to prevent the disclosure of any such information unless it is necessary for you to do so in the performance of your duties. Do not discuss confidential information with staff who have no "need to know" in order to conduct District business or outside the workplace.

Upon termination of employment, whether voluntary or involuntary, all District confidential information (and any other District property or equipment) in the employee's possession or control must be returned to the District.

Violation of confidentiality policies will result in disciplinary action, up to and including termination.

Appearance

The District wishes to portray a professional image of which your appearance plays an integral part. You are required to dress in a manner the District considers appropriate for dealing with the public or for your work assignments.

STANDARDS OF CONDUCT

Solicitation

You may engage in solicitation for charitable or non-profit activities on District premises *only* during your nonworking time and the nonworking time of the person being solicited. Nonworking time means time during meals or breaks and before or after work.

You may distribute or circulate non-District written materials to other employees only during nonworking time and *only* in non-work areas. If you are unclear whether an area is a work or non-work area, you should consult your supervisor for clarification.

Outside Employment

Outside business activities and employment are not encouraged for full-time employees; however, you may engage in them provided such employment does not in any way affect your on-the-job performance, enable you to use your position or contacts at the District for private advantage, create an actual conflict of interest, or create the appearance of a conflict of interest.

Maintenance

It is your responsibility to maintain your work area, equipment, and vehicles in a clean, orderly, safe, and operable condition. Should any scheduled maintenance or repair beyond your expected capability be required, it is also your responsibility to notify the appropriate staff or maintenance contractor. Pride in your job and the District is fostered by maintaining an appropriate atmosphere in which to work.

Personal Telephone Calls

District telephones are for business communications. With the exception of an emergency, personal calls are to be of short duration and only made during meal or break periods. Personal long distance calls may not be charged to the District.

Please discourage friends and relatives from calling during working hours unless there is an emergency. All incoming personal calls must be kept to a minimum and be of short duration.

Proper Use of the Telephone

Good telephone manners are important and mainly a matter of habit. The voice on the telephone is often the only contact with the District the caller remembers. Here are some basic rules to follow:

1. Answer politely and promptly, announcing "Good morning (Afternoon), East Palo Sanitary District, this is (first name), may I help you?"
2. Be considerate and polite if the call must be referred to someone else.
3. Give concise and accurate information, but do not attempt to provide information you are not qualified or able to give. Refer all unclear requests to your supervisor.

STANDARDS OF CONDUCT

4. Bid the caller a pleasant good-bye then hang up carefully.

Cell Phone Use While Driving

In the interest of the safety of District employees and other drivers, if your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device and fully comply with California law regarding such cell phone usage. Unless using a hands-free device, under no circumstances should employees place phone calls while operating a motor vehicle while driving on District business and/or District time. Any citations for cell phone violations shall be the employee's responsibility.

Smoking

For health and safety considerations, the District philosophy discourages smoking. Smoking is strictly prohibited on or in District property.

Employment of Relatives

Relatives of present employees or directors of the District may be hired by the District only if: (1) the individuals concerned will not work in a district supervisory relationship with one another, or (2) the employment will not, in the sole judgment of the General Manager, pose difficulties for supervision, security, safety, or morale. The term "relatives" shall mean spouses, domestic partners, children, sisters, brothers, mothers, fathers, uncles, aunts, first cousins, nieces, nephews, or persons related by marriage.

A present employee who marries another District employee or director, becomes a domestic partner of another District employee or director, or becomes related by marriage to a District employee or director, will be permitted to continue employment with the District only if the employee does not work in a direct supervisory relationship with the other employee or, in the sole judgment of the General Manager, such continued employment will not otherwise pose difficulties for supervision, security, safety, or morale.

If employees who marry, become domestic partners, or become related by marriage do work in a direct supervisory relationship with one another, the District will attempt to reassign one of the employees to another position for which he or she is qualified, if such a position is available. If no such position is available, then one of the employees will be required to leave the District's employment. The decision as to which employee leaves will be left solely to the individual employees concerned. In the event no alternative position is available and neither employee voluntarily leaves the District's employment, the employee with less seniority will be terminated.

G. HEALTH AND SAFETY

HEALTH AND SAFETY

Safety

We make every effort to provide safe working conditions for our employees. We observe the safety laws of the governmental bodies within whose jurisdiction we operate. No one will knowingly be required to work in any unsafe manner. Safety is every employee's responsibility. Therefore, all employees are requested to do everything reasonable and necessary to keep the District a safe place to work. The District has established the following safety rules:

1. Designed safety equipment must be worn at all times when specified by procedure or the supervisor in charge.
2. Designed safety procedures must be followed at all times on all work sites.
3. On-site safety training sessions shall be held on a regular basis for all employees.

Safety rules are posted on the bulletin board and you are responsible for becoming familiar with them and observing them at all times. Disregard of safety rules and policies may result in disciplinary action, up to and including immediate discharge.

Violence Prevention

Any direct or indirect threat or act of violence made to any District employee by any other employee or third party is unacceptable and shall be taken seriously. Employees are instructed to immediately report any such threat or act of violence to the employee's supervisor, the Maintenance Supervisor, the Office Manager, or the General Manager. You should be as specific as possible about the nature of the problem.

Immediately report all suspicious individuals' activities to your supervisor, Office/HR Manager, or the General Manager.

Do not put yourself in peril. Feel free to call 911 immediately.

Fire and Emergencies

An emergency procedure to follow in the event of a fire or disaster is posted on the bulletin board.

Accidents

No matter how insignificant an injury may seem at the time of occurrence, you should notify your supervisor immediately and complete an *Accident Report Form*.

HEALTH AND SAFETY

Workers' Compensation

The District carries insurance to cover the cost of work-related injury or illness. Benefits help pay for your treatment and any part of any income you may lose while recovering. Specific amounts are prescribed by law and each case is handled individually. To be assured of maximum coverage and District safety it is important that work-incurred accidents be reported immediately to your supervisor, Office/HR Manager and/or the General Manager so that claims can be filed promptly.

The District or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

Physical Examinations

Physical examinations (including pre-employment and fitness-for-duty examinations) are at the District's expense, and all offers of employment or promotion are conditioned upon completion of the physical examination.

Ergonomics

The District will take all reasonable steps to minimize workplace repetitive motion injuries (RMIs) by means of engineering controls, administrative controls and employee training. The District encourages safe and proper work procedures and requires that all employees follow safety instructions and guidelines.

The District believes that reducing ergonomic risk is a key factor in maintaining an environment of personal safety and well-being and is essential to the District's business. The District is committed to providing appropriate resources to create a risk-free environment.

If you have any questions about ergonomics, or if you experience any symptoms of RMI, please contact your supervisor, Office/HR Manager or the General Manager.

Drugs and Alcohol

The District maintains a strong commitment to provide a safe, efficient, and productive work environment. The District wishes to ensure that employees will perform their duties safely and efficiently in a manner that protects their interests and those of their co-workers and the public. The District also desires to promote efficiency in the workplace and to provide the highest quality products and services. In keeping with this commitment, the District has a strict policy regarding the inappropriate use and possession of drugs and alcohol. This policy recognizes that employee involvement with alcohol or drugs can be extremely disruptive and harmful in the workplace. Accordingly, all candidates who receive offers of employment for safety-sensitive positions must also successfully complete a pre-employment drug and alcohol

HEALTH AND SAFETY

screening examination before they may begin to work. All such offers of employment are conditioned upon successful completion of this examination.

The use of drugs and alcohol can adversely affect the quality of work and the performance of employees, pose serious safety and health risks to the user and others, and have a negative impact on work efficiency and productivity. Accordingly, the District requires all employees to report for work fit to perform their jobs and prohibits the unlawful manufacture, distribution, dispensation, use or possession of alcohol, illegal drugs or controlled substances in the workplace. All employees must adhere to the rules stated in this policy.

No employee may use, manufacture, possess, distribute or sell alcohol or any illegal drug while on the District's property, while on duty, or while operating a vehicle that is owned or leased by the District. In addition, no employee may report for work or be on duty while under the influence of or impaired by any illegal drug or alcohol. For purposes of this policy, a drug will be considered an "illegal drug" if its use is prohibited or restricted by 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.

An employee who is taking a medically prescribed drug which can affect work performance, physical ability or mental functions must report the use of this drug to the General Manager, who will determine whether temporary job reassignment/medical leave is warranted until the treatment is finished. All prescribed medications shall be maintained in the original container which identifies the drug, dosage, date of prescription, and prescribing physician.

The District encourages and will reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave prior to having been found in violation of District policy. The District is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the District obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the District's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

All employees must complete and sign a *Pre-employment/Employee Consent for Physical Examination, Drug/Alcohol Testing, and Release of Information* form.

HEALTH AND SAFETY

In order to ensure adherence to the above policies, employees shall be required to undergo drug and/or alcohol testing during their employment with the District, as follows:

- (1) Blood and/or urine drug and/or alcohol testing shall be required within 2 hours of any employee's involvement in any accident occurring during work and involving loss of work time unless the District determines that the circumstances surrounding the accident clearly indicate the employee's action could not have contributed to the cause of the accident. An employee involved in such an accident for which testing is required must report within 2 hours to a certified medical facility or hospital designated by the District for such screening test. If legitimate circumstances such as an injury prevent testing within 2 hours of the accident, such testing must occur within 24 hours. Failure to comply with this requirement may result in termination.

- (2) Blood and/or urine drug and/or alcohol testing shall be required within 2 hours of an employee's involvement, while operating a District vehicle or District equipment or any vehicle or equipment while performing work-related activity, in a vehicular collision or impact accident involving a moving vehicle or equipment, unless the District determines that the circumstances surrounding the accident clearly indicate the employee's action could not have contributed to the cause of the accident. An employee involved in such an accident for whom testing is required must report within 2 hours to a certified medical facility or hospital designated by the District for such screening test. If legitimate circumstances such as an injury prevent testing within 2 hours of the accident, such testing must occur within 24 hours. Failure to comply with this requirement may result in termination.

- (3) Blood and/or urine drug/alcohol testing also may be required as a proper and reasonable investigative tool by a supervisor who has reasonable cause for suspecting an employee is working under the influence of illegal drugs or alcohol or violating any provisions of the foregoing drugs and alcohol policy. A supervisor and the General Manager must concur on reasonable suspicion before a supervisor may mandate a screening test based on reasonable suspicion. The failure of any employee to consent to testing under such circumstances may result in immediate termination. In situations involving reasonable suspicion, the supervisor is not absolutely required to mandate a test if the supervisor has other independent facts and circumstances providing reasonable evidence of an employee violation of the District's drug and alcohol policy. In such situations, appropriate disciplinary action, including termination, may be taken as warranted by the facts and circumstances without such testing.

HEALTH AND SAFETY

The results of all blood and/or urine drug/alcohol tests shall be treated as confidential and distribution limited to those supervisors having a “need to know.” Testing shall be implemented in a manner that will comply with all applicable federal and state laws.

Additional information about the District’s testing requirements (both as to random testing required by law and “reasonable suspicion” testing) is set forth in the District’s testing policies. These policies are not intended to be superseded by the summary set forth in this Handbook. Further information is available from the Human Resources Manager.

It is essential that all employees comply fully with the District’s drug and alcohol policies. Employees who violate these policies are subject to disciplinary action, up to and including discharge.

Staff Meetings

The goal of staff meetings is to maintain open communication between management and staff, to serve as a forum for problem-solving, and to allow staff to meet without interruption.

Staff meetings will be held intermittently on an as-needed basis. All employees are required to attend unless on authorized leave.

Employees are encouraged to keep a list of suggestions for improvement or change and to bring these items up for discussion during staff meetings.

**H. PERFORMANCE, DISCIPLINE, TERMINATION,
INFORMAL GRIEVANCE PROCEDURE, AND
REFERENCE POLICIES**

**PERFORMANCE, DISCIPLINE, TERMINATION,
GRIEVANCE PROCEDURE, AND REFERENCE POLICIES**

Unacceptable Conduct

All employees are expected to meet performance standards and behave appropriately in the workplace. Although it is impossible to identify every possible type of conduct which may lead to discipline, the following is a partial list of infractions which will result in disciplinary action or discharge. It is provided as a list of examples and not an exhaustive list:

1. Poor work performance.
2. Misconduct on the job or misconduct off the job that materially or adversely affects the District.
3. Theft or dishonesty.
4. Smoking in unauthorized areas.
5. Frequent absence or tardiness.
6. Failure to adhere to District work rules or personnel policies and procedures.
7. Disregard of safety and health rules.
8. Being under the influence of alcohol or drugs not taken under the direction of a licensed physician, or possessing, using or selling alcohol or illegal drugs, during work hours and/or on the premises.
9. Harassment in any form, including verbal, physical, or visual.
10. Insubordination, including failure to perform assigned work.
11. Disclosing confidential information regarding the District or other employees.
12. Using or removing from the workplace any District or other employee's property without receiving proper authorization.
13. Falsification of employment application or other District records, books, or documents.
14. Willfully or negligently misusing, damaging or destroying any property of the District or of any employee.
15. Accepting personal remuneration from customers, agencies, or members of the public for matters involving the District.
16. Failure to report immediately to a supervisor any accidents or injuries on the job.

Employees should be aware that conduct not specifically listed above but which adversely affects or is otherwise detrimental to the interests of the District, other employees, or the public may also result in discipline or discharge. If the District chooses to discipline an employee at some level below a termination, the consequence will typically be tailored to guiding the employee to improve performance or correct misconduct rather than simply punitive in nature. Potential disciplinary actions range from verbal or written warnings, to suspensions or demotions/pay reductions, to termination. Supervisors must consult with the Human Resources Manager or General Manager in determining the appropriate level of discipline.

**PERFORMANCE, DISCIPLINE, TERMINATION,
GRIEVANCE PROCEDURE, AND REFERENCE POLICIES**

The District may take progressively more serious actions if there is no improvement or if repeat occurrences follow. However, this typical practice does not alter the District's policy of at-will employment. Either you or the District remain free to terminate the employment relationship at any time with or without reason or advance notice, subject only to informal review in certain limit circumstances under the Informal Grievance Procedure .

Informal Grievance Procedure

Employment at the District is "at will." However, employees who have completed their introductory period and are faced with termination or other disciplinary action which will result in their absence from work for more than five (5) working days, shall be provided with a written notice of proposed action before the termination or other discipline described in this paragraph becomes effective. The notice will contain the reasons for the proposed action, the allegations against the employee, and the written materials, if any, upon which the proposed action is based. The notice shall also inform the employee of his or her right to petition the General Manager, in writing, for an informal grievance review of the proposed disciplinary action. Such petition for grievance review must be received by the General Manager within five (5) working days of the notice of proposed discipline being issued. The General Manager may, in the General Manager's sole discretion, conduct whatever inquiry is deemed appropriate under the circumstances to process the grievance, such as meeting with the employee being disciplined or reviewing background information regarding the allegations and the employee's service record as a whole. However, no particular inquiry or process is required for this informal grievance review. The decision of the General Manager is final.

All other disciplinary actions, including but not limited to the following, are not subject to the informal grievance review process:

- Any disciplinary action against an employee who has completed the introductory period that does not rise to the level of severity stated above;
- Any disciplinary action against an employee who has not completed the introductory period.

Termination for Non-Disciplinary Reasons

Employment at the District is "at will," and the District reserves the right to terminate employees for any non-disciplinary reasons, including but not limited to, reduction in work force, abolishment or discontinuance of the job or position held by an employee, displacement for technological reasons, and closing of an office in which the employee worked. Regular employees may be granted separation pay at the discretion of the General Manager.

**PERFORMANCE, DISCIPLINE, TERMINATION,
GRIEVANCE PROCEDURE, AND REFERENCE POLICIES**

Resignation

In the event of a voluntary resignation, employees are asked to submit a written, signed resignation stating the date of resignation and the reason for the resignation. The District requests that you give at least two (2) weeks written notice prior to your date of departure so that an orderly transition can be made. You will be asked to complete a *Voluntary Resignation* form. You will be paid for any unused accrued vacation leave.

Exit Interview

Whenever possible, an exit interview will be scheduled with each employee who leaves the District. This interview allows employees to communicate their views on their work with the District and the job requirements, operations, and training needs. It also provides the employee an opportunity to discuss issues concerning benefits and insurance.

At the time of the interview, employees are expected to return all District-furnished tools and equipment, such as the Employee Handbook and keys. Arrangements for clearing any outstanding debts with the District and to receive final pay also are to be made at this time.

Employee References

The District does not give references to employees upon separation of service, and only the Office/HR Manager and General Manager are authorized to provide information of any kind regarding current or former employees. In response to a request for information, the Office/HR Manager or General Manager will verify dates of employment, positions held by the employee, and the related salary information.

I. ACKNOWLEDGEMENT

Acknowledgement

I have received copies of the East Palo Alto Sanitary District Employee Handbook (“Handbook”) and the District Travel Policy, and I understand they contain important information on the general personnel policies of the District and on my privileges and obligations as an employee. I will familiarize myself with the material in the Handbook and the District Travel Policy, and I understand that I am governed by their contents.

I further understand and agree that, except as provided in the Informal Grievance Procedure contained in the Handbook, the employment relationship is at will and based on the mutual consent of each employee and the District. I acknowledge that I have no property interest in my employment with the District, and I further acknowledge and agree that I may be released from employment with or without cause, and with or without advance notice.

Signature: _____

Date: _____

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