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**FARMERS IRRIGATION DISTRICT  
PERSONNEL POLICIES AND PROCEDURES HANDBOOK  
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## **FARMERS IRRIGATION DISTRICT** **PERSONNEL POLICIES AND PROCEDURES HANDBOOK**

### **INTRODUCTION**

These policies and procedures apply to all employees of the Farmers Irrigation District ("the District") and are intended to set a general framework for effective personnel administration. **Any oral or written promises or statements that are inconsistent with or in addition to the policies and procedures in this Handbook must be specifically set forth in writing, signed by the District Manager or the Chairperson of the District Board, in order to be binding.**

These policies are not to be construed as a guarantee of continued employment for any employee. **Employment with the District is at-will, and can be terminated at the discretion of the District, or at the option of the employee, without notice, for any reason, except as specifically set forth in an individual employment agreement signed by the Chairperson of the District Board.**

This Handbook also is not intended to be a contract for continued benefits or conditions of employment. We reserve the right to make changes in policies and procedures that we believe are appropriate to ensure an efficient and fiscally responsible operation of the District.

The District Manager is charged with responsibility for the interpretation and application of the policies and has charge of the administration of the District under the direction of the Board. In carrying out that responsibility, the District Manager may vary, modify, or interpret any District personnel policy, on an individual, case-by-case basis. Unless the Board officially adopts the change, exceptions are limited to the one situation that is specifically approved.

# **EMPLOYMENT CLASSIFICATIONS**

## **Introductory Period Employees**

The District Manager or his/her designee is responsible for orientation of new employees. Orientation includes, but is not limited to, learning the organization and services of the District, work rules, personnel policies and procedures, safety training, completion of payroll forms, and introduction to other District personnel.

All employees who are hired for ongoing employment are expected to complete an Introductory Period for the first 180 days of employment. During this period, you will have the opportunity to evaluate whether the work for which you were hired, your co-workers, and the general atmosphere and conditions at the District meet your expectations.

This period also gives the District an opportunity to evaluate your performance and determine whether you meet our initial expectations. The attitude and aptitude you show in your work habits during your Introductory Period, in particular, your attendance, punctuality, ability to learn, and ability to get along with people, will be primary factors used in determining whether you will be assigned to regular employment status.

***You should understand that completion of the Introductory Period does not provide an employee with any particular job rights or guarantees, or affect the at-will status of employment.*** You should also understand that the District has no obligation to retain you as an employee for the entire introductory period. Likewise, you are free to resign if you feel your new job is not meeting your needs or expectations.

Introductory Period employees are not eligible to receive any benefits except as expressly stated in this Handbook or required by law.

## **Regular Full-time Employees**

An employee who is hired for ongoing employment and is regularly scheduled to work a minimum of forty (40) hours a week.

## **Regular Part-time Employees**

An employee who is hired for ongoing employment and is regularly scheduled to work less than 40 hours a week. Part-time employees are not entitled to receive benefits except as expressly stated in this Handbook or required by law.

## **Temporary Employees**

Temporary employees are hired for a limited duration, for example staffing needs arising out of special projects, abnormal work loads, emergencies, or to fill in for an employee on a leave of absence. Temporary employees are not eligible for employer benefits except as required by law.

## **Volunteers**

Volunteers are not employees of the District and do not receive any compensation, including benefits. However, volunteers will generally be covered by the District's workers' compensation insurance. The service of a volunteer may be discontinued at any time and for any reason. Volunteers must abide by all applicable rules, policies and practices of the District.

NOTE: An employee of the District may volunteer service to the District outside of regular work hours, and ***only if*** the volunteer service does not involve the same type of activity that the person is employed to perform for the District. Therefore, the District Manager, must approve all volunteer activities performed by employees for the District in advance and in writing.

## **Changes in Status**

A temporary change in work schedule or job duties does not change an employee's status for benefit eligibility purposes. Employees will be notified in writing if their status changes from temporary to regular employment, or from part-time to full-time.

# EQUAL EMPLOYMENT OPPORTUNITIES AND POLICY AGAINST HARASSMENT

## Policy Against Discrimination

Equal opportunity for employees is central to the operations and mission of the District. It is our policy to provide equal employment opportunities to all qualified persons without regard to race, color, national origin, religion, age, gender, sexual orientation, gender identity, mental or physical disability, veteran status, marital status, or any other protected status or activity, in accordance with applicable law. This policy extends to all areas of employment opportunities, benefits and other terms and conditions of employment.

It is the responsibility of all Employees of the District to understand and comply with this policy. Supervisors and managers have the additional responsibility to support the District's commitment to compliance with our equal employment opportunity policies by actively promoting their enforcement.

## Policy Against Harassment

It is the policy of the District that all employees have a right to work in an environment where the dignity of each individual is respected. Harassment of employees, regardless of working relationships and supervisory status, is prohibited. Harassment of employees by non-employees in the workplace also will not be tolerated.

Specifically forbidden is harassment related to an individual's race, color, national origin, religion, age, gender, sexual orientation, gender identity, mental or physical disability, veteran status, marital status, or other legally protected status or activity. For purposes of this policy, the term "harassment" can include any **on-duty or off-duty conduct** of a verbal, graphic, or physical nature that has the purpose or effect of creating an offensive or intimidating work environment, or unreasonably interfering with an employee's work performance.

### **Sexual harassment may include the following examples of prohibited conduct:**

- Sexual or lewd comments, jokes, innuendos or gestures;
- Making derogatory comments or jokes about a particular gender;
- Asking for dates or other unwelcome advances or propositions;
- Leering or staring at body parts;
- Displaying or distributing pictures, cartoons or posters of a sexual nature;
- Making comments about an individual's body;
- Unwelcome touching;
- Impeding or blocking movements;
- Talking about your sex life;
- Spreading rumors or asking others about their sex life;

- Using the District computers, fax machines, cell phones, email, or other communication systems to access, transmit, store, or display material of a sexual or gender-based nature; and
- Engaging in any other verbal, graphic or physical conduct of a sexual or gender-based nature that would tend to create an intimidating or offensive work environment, or unreasonably interfere with another employee's work performance.

**Unlawful harassment may also include the following examples of prohibited conduct:**

- Making racial slurs or ethnic comments;
- Telling racial or ethnic jokes;
- Displaying racist symbols;
- Displaying cartoons, printed material or other objects which are racially or ethnically offensive or derogatory;
- Making derogatory comments or jokes about a person's physical or mental disability;
- Pushing your religious beliefs on someone;
- Criticizing or making fun of another person's religious beliefs;
- Making derogatory comments or jokes about a person's age;
- Making derogatory comments about people who are gay, lesbian, transgender, etc.;
- Using the District computers, fax machines, cell phones, email, or other communication systems to access, transmit, store or display derogatory material related to race, national origin, religion, age, disability, sexual orientation, or other protected status; and
- Engaging in any other verbal, graphic or physical conduct related to race, national origin, religion, age, disability, sexual orientation or other protected status that would tend to create an offensive or intimidating work environment, or unreasonably interfere with another employee's work performance.

Obviously, we cannot list every kind of conduct that is prohibited by this policy and these are just some of the common examples of conduct that may be viewed as harassment. Employees are expected to exercise common sense and refrain from other similar kinds of conduct. ***Also, you should assume that the conduct described above is unwelcome and offensive to other employees, and it is prohibited regardless of the circumstances. It will not be considered an acceptable excuse that others participated in the conduct, or did not appear to be offended.***

In addition, it is prohibited for any supervisory employee to suggest or threaten that a person's employment may be affected in any manner based on whether they tolerate or oppose this kind of conduct. The District does not make employment decisions on that basis.

## **Policy Against Retaliation**

It is also important to understand that the District respects the rights of its employees and others in our workplace to raise harassment and discrimination concerns, and we expect employees to cooperate fully in workplace investigations. We do not allow supervisors, managers, employees or others in the workplace to retaliate against individuals who engage in these activities.

“Retaliation” is broadly construed and means any adverse action against an individual for reporting harassment or discrimination against themselves or others, participating in a workplace investigation, or otherwise opposing discrimination or harassment in the workplace. It can include any ***on-duty or off-duty*** conduct that is based on an employee’s protected activity and would tend to discourage individuals from engaging in these types of protected activities.

Retaliation complaints will be promptly investigated and violators will be subject to appropriate disciplinary action, up to and including termination of employment.

## **Mandatory Reporting Procedure**

If you believe that you have been subjected to discrimination, harassment or retaliation prohibited by this policy, or you believe that this has happened to another person, you must promptly notify the District Manager. If the District Manager is unavailable, or you do not feel comfortable reporting it to him for any reason, you should notify the Chair of the District’s Board of Directors. Our ability to resolve these kinds of problems is dependent on cooperation from employees in bringing these matters to our attention.

All complaints of discrimination, harassment or retaliation will be investigated promptly, and we will attempt to keep the matter as confidential as possible while still complying with our obligations to fully investigate and take corrective action. Our goal will be to restore an appropriate and respectful work environment as soon as possible.

This may include temporary measures pending completion of the investigation, such as placing the accused person on administrative leave. If we find that an employee or other individual has engaged in discrimination, harassment or retaliation, corrective action will be taken to prevent further violations, up to and including termination of employment.

## **Disability Accommodation**

The District complies with applicable disability discrimination laws. This means that we prohibit unlawful discrimination against disabled applicants and employees, and we also comply with reasonable accommodation obligations. We cannot, however, respond to workplace obstacles if we don’t know they exist. Consequently, if you believe that a workplace modification or other assistance is needed to accommodate your disability, it is your responsibility to contact the District Manager at the earliest opportunity.

Please note that not every physical or mental limitation qualifies as a disability. If you advise us of a condition that you believe requires accommodation, it will generally be necessary to obtain information regarding your medical condition to determine whether it constitutes a disability, and you will be asked to sign an authorization for the District to obtain this information. Assuming your condition qualifies as a disability, we will discuss your limitations with you and/or your medical provider to determine what, if any, accommodations can be made to enable you to perform your job duties in a safe and satisfactory manner. This may include a leave of absence, if this would enable you to perform your job duties after you return to work.

If an accommodation is made that you feel is not effective, you should notify the District Manager. If it appears that no reasonable accommodation is available to enable you to perform your current job in a safe and satisfactory manner, we will explore other options consistent with applicable law, including the possibility of transferring you to a suitable and available position that is consistent with your limitations. If you have questions regarding this policy, please contact the District Manager for clarification.

# HOURS OF WORK

## Work Schedules

The normal business hours of the District during the irrigation season are Monday through Friday, 7:30 a.m. to 4:00 p.m. Outside of irrigation season, the administrative office is closed on Fridays. Employees are expected to accomplish their work duties in a timely fashion during business hours as much as possible.

The District Manager shall determine the work schedules of employees, and nothing in this handbook or in any job description shall be interpreted as guaranteeing a minimum number of work hours per day or per week.

## Time Records

Timesheets serve as record of the time for which an employee worked and is owed wages. All non-exempt employees must accurately record all time spent working on District business. Personal time that is non-work related but spent in District offices should not be recorded.

Completed timesheets must be presented to the District Manager every other Monday at 8:00 a.m. (the time of the day for which payroll is scheduled to be processed). Employees who fail to submit timesheets as required will be subject to disciplinary action.

Falsifying time records for yourself or others will subject you to termination of employment.

## Overtime

Employees are classified as exempt or non-exempt regarding the payment of overtime. Non-exempt employees include all hourly employees. If you have any questions as to how you are classified for overtime purposes, you should contact the District Manager.

Non-exempt employees are paid overtime as required by law. Generally, this means that non-exempt employees receive one and one-half (1.5) times their regular rate of pay for hours worked in excess of forty (40) hours in a workweek. Pay received for hours not worked (e.g. vacation, holiday pay, etc.) is not counted toward the computation of overtime.

Employees may be required to work overtime when we determine it is necessary. **Employees are not permitted to work overtime unless requested or approved by their supervisor or the District Manager, and will be subject to disciplinary action**

**for doing so.** The exception to this rule is for crew members responding to emergency situations. No compensatory or flex time will be granted in exchange for overtime pay except during times of emergency with written approval from the District Manager.

## **Rest Breaks**

Non-exempt employees are required by law to take a 10-minute rest break for every four (4) consecutive hours of work, or major portion thereof (i.e. more than 2 consecutive hours without a break). These rest breaks are paid time, so you should not clock out. You should be relieved of all work during your rest breaks.

Your supervisor will discuss the scheduling of rest breaks with you. Generally they should occur as near as possible to the middle of the 4-hour period, provided they do not interfere with public safety or cause a hardship to the District's business operations. **If you are a non-exempt employee and you are unable to take your rest period for any reason, it is your responsibility to notify your supervisor as soon as possible.**

## **Meal Periods**

Non-exempt employees who work six (6) hours or more in a shift are required by law to take at least a thirty (30) minute uninterrupted meal period. Meal periods should be arranged with your supervisor so they will not disrupt work or production time. However, they should generally be taken no later than the beginning of the 5<sup>th</sup> hour of the work shift.

Meal periods are not considered as time worked and are unpaid. **If you are a non-exempt employee and you are unable to take your regular meal period, you should notify your supervisor as soon as possible.**

# **COMPENSATION**

## **Payroll Work Week**

For purposes of federal and state overtime laws, the District's work week is Sunday through Saturday.

## **Wage Policy**

The District develops pay ranges with consideration to rates of pay for comparable work in other public employment groups. This includes consideration of conditions of work, current costs of living, local economy, wage adjustments in the community, and the District's financial condition.

The District sets wages that the Board and District Manager believe to be fair and competitive for the work performed by the employees. The District Manager, in consultation with the Board of Directors, will periodically review performance compensation which may lead to an increase or decrease in wages.

## **Payday**

The District's paydays are every other Wednesday. In the event of emergency, employees may be permitted an advance on wages earned prior to payday, at the discretion of the District Manager. All employees are responsible for reviewing their paychecks for accuracy as soon as they are received. If you have questions or concerns regarding the accuracy of your paycheck, you should notify the District Manager immediately.

## **Payroll Deductions**

Federal and state laws require the following deductions from every paycheck.

- Federal Withholding Tax
- State Withholding Tax
- Social Security Taxes (FICA)
- State Accident Insurance - (Worker's Compensation)
- Deductions required by Court Order or Statute such as garnishments or child support payments

Other deductions may be made from the employees' paycheck with the employee's written request or authorization, including:

- Charitable contributions
- Insurance contributions
- Retirement contributions
- Other deductions of general interest affecting five or more employees, if approved in writing at the District Manager's discretion

### **Call-In Pay**

An employee who is called in for field work outside of regular work hours shall be entitled to compensation at the rate of time and a half the regular rate of pay for the hours actually worked, and will be entitled to rest periods and to a lunch period consistent with this policy.

### **On-Call (Stand-by) Pay**

An employee who is assigned on-call duty outside regularly scheduled hours of work will be compensated as stated in this section. The primary and back-up on-call employees will be compensated at a fixed rate, as determined by the District Manager, or at least minimum wage for all hours actually worked, whichever is greater. The District's rest break and meal period rules apply to on-call employees for any actual work hours performed during the on-call duty.

## **EMPLOYEE BENEFITS**

### **Medical and Life Insurance**

The District provides group medical and life insurance at no cost for eligible full-time and part-time employees and their dependents. To be eligible for coverage, employees must be regularly scheduled to work at least 30 hours per week, and will become eligible after submitting the required paperwork and approval by the insurance carrier. Information regarding specific benefits is available upon request.

Upon termination of employment or loss of coverage due to other reasons (e.g. reduction in scheduled work hours), an employee may continue coverage by self-payment as provided by state or federal law.

The District reserves the right to change insurance carriers or plans, or to discontinue providing insurance at any time as it deems necessary. You will be notified in advance of any such change.

### **Employee Retirement Accounts**

The District participates in and offers Public Employee Retirement System (PERS) benefits to eligible employees. Eligibility to participate in the retirement and disability fund program is set forth in the latest PERS booklet and available through the State of Oregon PERS website. If you have questions, please contact the Office Manager.

### **Paid Vacation Benefits**

Vacation benefits are intended to provide eligible employees with a period of paid rest and relaxation away from work. **Accordingly, employees are expected to schedule vacations each year and to use all accrued vacation benefits within the same year. The accrual of vacation hours and personal holidays occurs on January 1st of each year.**

#### **Accrual of Vacation Hours**

The District provides vacation benefits only to its part-time and full-time employees, not temporary employees. The vacation benefits for full-time employees is shown on the chart below, based on a full 40-hour work week. Part-time employees will accrue benefits on a pro-rata basis. For example, if a part-time employee is regularly

scheduled to work 30 hours a week, that employee would be entitled to 75% of the vacation benefits to which a comparable regular full-time employee is entitled.

<u>Years of Completed Service (as of January 1<sup>st</sup>)</u>	<u>Annual Vacation Hours (based on 40-hour work week)</u>
0 through 1	40 hours
2 through 5	80 hours
6	88 hours
7	96 hours
8	104 hours
9	112 hours
10	120 hours
11	128 hours
12	136 hours
13	144 hours
14	152 hours
15	160 hours

#### Adjustments to Vacation Accrual

The following exceptions apply to the accrual of benefits based on the chart above:

- Employees who change their status from full-time to part-time prior to July 1<sup>st</sup> of a calendar year will be treated as if they had been employed full-time for the entire calendar year. Employees who change their status to full-time after July 1<sup>st</sup> will be treated as if they had been employed part-time for the entire calendar year.
- Accrual of vacation benefits is capped at the amount of an employee’s annual entitlement. Therefore, an employee who has not used all of the accrued vacation benefits as of December 31<sup>st</sup> will only receive the balance of the next year’s entitlement, up to the cap.
- Employees must work or be compensated for all of the regularly scheduled hours in a month in order to earn vacation benefits for that month. Therefore, if an employee takes unpaid leave in any given month (with the exception of military duty or jury duty), an adjustment will be made for that month (i.e. 1/12 of the full benefit) when the vacation time accrues on the following January 1<sup>st</sup>.

#### Scheduling and Payment of Vacation Hours

Vacations requests must be submitted at least 30 days in advance, unless the District Manager determines that an exception is warranted. As a courtesy to fellow-employees, District employees are encouraged to schedule vacations in consultation with fellow employees. Employees shall use their vacation benefits in hourly increments.

Approval of vacation requests shall be subject to the discretion of the District Manager, but approval shall not be unreasonably withheld. Vacations time will be approved on a case-by-case basis. If the District Manager or his/her designee cancels or delays the employee's vacation time due to a work emergency or other hardship to the District, and the employee is unable to take the vacation during the year of accrual, the employee shall be permitted to make up the canceled or backlogged vacation within the next calendar year.

If a holiday falls during an employee's scheduled vacation, the employee will receive holiday pay for the day if eligible for such pay and will not be charged for vacation benefits for the day.

### Cashing Out Vacation Benefits

Vacation benefits may not be cashed out in lieu of taking vacation. However, accrued and unused vacation benefits will be paid upon termination of employment.

### Personal Holidays

Full-time employees accrue one personal holiday of eight hours per year which must be taken in the same year accrued (accruing on January 1<sup>st</sup>) or it is forfeited. The hours of personal holiday time accrued by a part-time employee in any year are based upon the percentage of a full 40 hour work week that the part-time employee has been hired to fill. For example, if a part-time employee has been hired to work 30 hours a week, that employee would be entitled to 75% of the personal holiday time to which a comparable regular full-time employee is entitled, or to 6 hours in that accrual year.

Personal holidays must be scheduled using the same procedure as for vacation hours. Employees are not paid for unused personal holidays upon employment termination.

### Paid Sick Leave Benefits

In order to minimize the economic hardships that may result from an unexpected illness or injury of an employee or the employee's immediate family member, the District provides full-time employees with four (4) hours of accumulated sick leave per month and part-time employees with a proportionate number of hours based on the part-time employee's regular work schedule. Employees must work or be compensated for all hours in a month in order to accrue sick leave benefits for that month, except as prohibited by law (e.g. jury duty service, military service, domestic violence leave).

Sick leave benefits may accrue up to a maximum of 240 hours. Employees are not paid for unused sick leave upon employment termination.

## **Paid Holidays**

The District observes the holidays recognized by the State of Oregon. The currently recognized holidays are:

- New Years Day
- Martin Luther King's Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day

When a scheduled holiday falls on Sunday, it will be observed on the following Monday. When a scheduled holiday falls on a Saturday, it will be observed on the preceding Friday.

### **Eligibility for Holiday Pay**

Full-time and part-time administrative employees must work the regularly scheduled shift before the holiday and the regularly scheduled shift after the holiday in order to receive holiday pay, unless the absence was pre-approved.

### **Amount of Holiday Pay**

Exempt employees will receive a continuation of salary. Non-exempt full-time employees will receive 8 hours of holiday pay. For part-time employees, holiday pay is pro-rated based on the number of hours the employee is regularly scheduled to work in the week. For example, if a part-time employee is regularly scheduled to work 30 hours a week, that employee would be entitled to 75% of the holiday pay that a full-time employee would receive (i.e. six hours of holiday pay).

A holiday that falls during an approved vacation will be paid as a holiday and will not be counted against the employee's vacation entitlement.

### **Working on a Holiday**

In an effort to keep field-based productivity as efficient as possible, any field crew employee will be granted the discretion to work on an observed holiday and take the paid time off on another day during the same calendar year. These holiday usages will be tracked by the Office Manager and will under no circumstances be allowed to roll over past December 31<sup>st</sup> of each year. In the event of employment termination, holidays are not reimbursable with final pay.

If an administrative employee is asked by the District Manager to work on any holiday observed by the District, the employee shall be paid for all hours worked on the holiday in addition to the holiday pay.

## **GENERAL WORKPLACE POLICIES**

### **Teamwork, Excellence and Communication**

This section has been arranged to present a general overview of some of the District's expectations of its employees. Every employee should keep in mind that each one of us is a part of a team of public employees, and public satisfaction with the District depends upon good service, open communication, honesty, and consistent adherence to policy. A morning meeting shall occur amongst non-exempt employees to discuss the day's activities, make plans, and to generally foster good communication. Unless specifically excused by the District Manager, attendance at the morning meeting is mandatory, and all employees must at least check-in and report their status at the beginning of each day.

### **Code Of Ethics For District Employees**

#### **Personal Interests Avoided**

District employees may not use District equipment or services for personal interest. District employees shall not use information or facts that have come to them by virtue of their employment for personal gain or benefit.

#### **Gifts and Gratuities**

Employees shall not accept any special favors, gifts, or gratuities resulting from or related to employment with the District. In this regard, the appearance of impropriety can be as damaging as actual impropriety and shall be avoided.

#### **Special Gifts**

Where consistent with ORS ethics standards, employees may allow acceptance of non-monetary gifts of nominal value [e.g., under \$50] at holidays or special occasions which are available to be shared by all employees.

### **Attendance And Punctuality**

In accepting employment with the District, each employee is required to meet certain standards and follow through on his/her responsibilities as outlined in their job description. Maintaining an acceptable level of job attendance is part of good work performance and is one of the standards by which an employee's overall contribution to the District may be measured. Employees of the District are expected to be punctual

and reliable in their attendance. This includes arriving to work at the scheduled start time and providing the earliest possible notification of absences, including late arrivals and early departures, so that we can plan our workload accordingly.

All non-exempt employees are expected to attend the daily morning meeting and any other scheduled meeting facilitated by the District Manager or Office Manager. Unless specifically excused by the District Manager, attendance at scheduled or daily meetings is mandatory.

If you know ahead of time that you are going to be late or absent on a particular day, you must notify your supervisor or the Office Manager as far in advance as possible, but in no event later than the beginning of your work shift. Failing to notify your supervisor prior to the beginning of your shift will be considered a no-call/no-show, and may result in disciplinary action unless we determine that this was beyond your control. An employee who is a no-call/no-show for a second consecutive work day will be subject to immediate discharge, unless we determine that special circumstances existed to justify the lack of communication.

Similarly, if you know in advance that you need to leave early on a particular day, you must notify your supervisor as soon as possible prior to your work shift. If you need to leave suddenly before the end of your shift due to an emergency, you must notify your supervisor, or the Office Manager if your supervisor is not available. If your supervisor is not available, you are to leave a voice message and then attempt to contact him/her later during the shift until you actually connect. It is not acceptable to give notification through another employee. If you are unable to communicate directly due to an emergency, it is acceptable to have a family member speak with your supervisor on your behalf. However, you must follow-up by contacting your supervisor as soon as you are able.

You must follow the notification process for each day that you are absent, unless you have provided a doctor's note taking you off work until a specific date. The reporting policy for employees on a leave of absence, including absences for work-related injuries, is addressed under the Leaves of Absence section of this Handbook. Employees are required to use all accrued sick leave and vacation benefits before taking any time off as unpaid leave, except as prohibited by law (e.g. jury duty or military leave).

The District may require a written doctor's note verifying the need for the absence if you are absent for more than 3 consecutive work days, or if there are circumstances that cause us to question the need for the absence. Additionally, we may require a doctor's release verifying your fitness for duty if you have been absent due to illness or injury for more than five 5 consecutive work days, or if we feel that there is a concern for the safety of your co-workers or the public due to the nature of your absence.

If we determine that you have unsatisfactory attendance (including absences, tardiness, and/or failure to follow the call-in procedure) and you fail to correct it after receiving a

warning, you will be subject to disciplinary action up to and including termination of employment. All absences will be counted for purposes of satisfactory attendance unless pre-approved (e.g. vacation) or protected by law.

If we determine that you have unsatisfactory attendance (including absences, tardiness, and/or failure to follow the call-in procedure) and you fail to correct it after receiving a warning or unsatisfactory evaluation, you will be subject to disciplinary action up to and including termination of employment.

Employees who are unable to report to work due to personal or dependent illness or injury or to any other leaves specified must contact the District Manager or the Office Manager before the scheduled starting time. If an employee becomes sick during the day, the District Manager or designee must be notified as soon as is reasonably possible.

### **Use Of Tobacco Products Is Prohibited**

No employee is permitted to use tobacco products of any kind while on the job. Tobacco use is prohibited on District property, including in vehicles.

### **Political Activities Of District Employees**

#### **Official Position – Campaigning**

Employees may not use their official authority or position with the District to further the cause of any political party or candidate for nomination or election to any political office.

#### **On-Duty Activity**

Oregon law forbids any District employee, while on the job, from soliciting money, influence, service, or other articles of value or otherwise aiding and/or promoting any political cause or the nomination or election of any person for public office.

#### **Off-Duty Activity**

During the term of their employment, a District employee may not hold any elective office that creates a conflict of interest between the duties of that employee and the prospective duties of the elective office holder. To avoid misunderstandings, an employee should notify the District Manager and the District Board of Directors before filing as a candidate for an elective office. Nothing in this rule is intended to restrict the political actions or activities of employees outside of their regular working hours.

## **Personal Appearance**

Each employee is responsible to dress appropriately for the job. Good judgment in personal attire is expected.

## **Appearance And Security Of Work Areas**

The District's objective is to provide and maintain clean, safe and healthy work conditions. It is the responsibility of each employee to maintain a safe, neat work area and to ensure that all working documents, desks, cabinets, equipment, work areas, and District property are secure at the close of the shift.

## **Outside Employment**

### **District Comes First**

When an individual accepts employment with the District, it is understood that the District has first call upon the services of its employees, regardless of any effect on secondary employment.

### **Incompatible Work**

Employees shall not engage in outside employment that conflicts with District employment, detracts from the efficiency of work performance, or is in conflict with the interests of the District. The District expects employees to avoid outside employment which affects endurance, overall personal health, or effectiveness. The District will hold all employees to the same standards of performance and scheduling demands, including employees who hold outside jobs.

### **Notification and Conflict**

Employees shall notify the District Manager in advance of all employment outside the scope of their employment with the District.

### **Volunteering**

As a service to community, District employees are encouraged to serve in volunteer roles and activities outside the District that are not in conflict with District interests. As stated elsewhere in this Handbook, employees may not perform volunteer work for the District that involves the same type of activity that the person is employed to perform for the District.

## **Driving Record**

Employees who are required to drive for the District must possess a valid driver's license and must comply with any operator's license restrictions. All employees who may be required to drive on District business may have their driving record checked by the District at any time.

Additionally, employees who are required to drive for the District shall notify the District Manager of any change in license status and all traffic violations. The District monitors driving records for such employees as a component of risk management, in order to identify needs for driver improvement, and the District may, at District expense, require an employee to take a course in defensive driving.

## **Personnel Records**

The District Manager and Office Manager collectively maintain official personnel records of employees. If there is a change in your personal information on file with the District, such as your name, address, telephone number, marital status or dependents, the District Manager or Office Manager must be notified as soon as possible.

No material of a disciplinary nature shall be placed in an employee's file unless the employee has had an opportunity to review the material, which shall be noted on the documents. Employees may request to include in their personnel file any material deemed relevant to job qualifications or performance in the judgment of the District Manager. This can include letters of recommendation, training certificates, or educational records. Employees may submit written comments regarding materials placed in their personnel file, and the comments shall be placed in the personnel file if requested by the employee.

Employees may inspect and review their personnel files, consistent with applicable law, in the presence of the District Manager. Employees wishing to do so should make an appointment in advance. At no time during the examination of the employee's file shall the file be out of the direct supervision of the District Manager. An employee may also receive a copy of such records and the District may charge reasonable cost for making such copy.

Medical records shall not be retained in an employee's official personnel file, but instead in a locked confidential file physically separate from the official personnel files.

## **District Resources and Facilities**

District resources and facilities of every nature are to be used for District purposes and ***missions***. No District resource or facility may be used for personal commercial purposes or personal financial or other gain. Incidental personal use for other purposes

of District phones, fax machines, copiers, and supplies is permitted when it does not unreasonably consume those resources, does not interfere with performance of the user's job or other District responsibilities, and does not consume an unreasonable amount of the user's time and is otherwise in compliance with this policy.

The District Manager determines what is reasonable and should be consulted and asked for permission in advance any time employees wish to request use of District resource(s) or facilities for personal use. If the District Manager deems it appropriate, employee's shall reimburse the District for its cost and comply with other provisions for reimbursement as specified herein.

Additionally, every employee of the District is expected to be cost-conscious and practice economy in all duties. Failure to do so is not in the best interest of the District. When in doubt regarding expenditures, consult the District Manager.

## **Computers and Other Communication Equipment**

District employees are required to use District cell phones to ensure reliable communication with other District employees and customers. Cell phone use must be consistent with the District's Safety Policy. The District purchases a cell phone plan that provides sufficient monthly minutes and data to address District demands for contemporary communication. Furthermore, to facilitate safety and general well-being, brief calls to family are allowed for notification purposes when an employee is required to work outside his or her regular shift. Employees are required to reimburse the District if personal calls or data usage cause an increase in monthly cell phone costs to the District beyond the regular District rate.

All computer equipment and electronic communications systems provided by the District are for the purpose of assisting employees in carrying out the District's business activities. Any information sent, received, stored, or accessed on these systems is the property of the District, including voice mail messages, email messages, text messages, internet browser use, computer data, etc. **Employees using our computer equipment and electronic communications systems have no reasonable expectation of privacy in these systems, or any information found on these systems.**

### **Prohibited Uses**

The following are examples of prohibited use of our computer equipment and electronic communications systems:

- Personal use that interferes with your work duties or the work duties of others;
- Creating, accessing, storing, downloading, uploading, sending, receiving, printing or displaying any material that may be considered offensive,

abusive, derogatory, sexual or discriminatory, or is otherwise prohibited by the District's policy against harassment;

- Any use that is illegal (including violation of copyright laws) or harmful to the District's interests;
- Use that is likely to cause network congestion or interfere with the ability of other employees to access or use the system;
- Attaching any devices to computers or other equipment without permission from the District Manager;
- Sending a communication that hides or misrepresents your identity as the sender;
- Downloading any software or applications (including screen savers, gadgets, etc.) without permission from the District Manager;
- Using unauthorized passwords, encryption, or other devices;
- Disabling, interfering with, or circumventing any security device for the computer or electronic communications systems; and
- Disclosing confidential information stored on our computers or communications systems.

### Security and Monitoring of Employee Activity

The District reserves the right to monitor employee use of our computers, email, internet and other communications systems at any time, without notice, except as prohibited by law. There are various purposes and reasons for this monitoring, including cost analysis, tracking employee performance and productivity, and compliance with our policies.

### Consequences of Violations

Any employee who misuses the District's computer equipment or electronic communications systems, or otherwise violates this policy, will be subject to disciplinary action up to and including termination. If you are aware of any violations of this policy by an employee of the District, you should report it to the District Manager. The District reserves the right to advise appropriate officials of any violations that it believes to be unlawful.

If you receive material from any person that is prohibited under this policy, including persons outside of the District, you are responsible for promptly notifying the sender to stop sending such material.

## **Employee Travel Authorization and Reimbursement**

### General Expectations

All employees of the District are expected to use good judgment regarding the expenditure of funds for travel expenses and are expected to help keep travel expenses

to a minimum. District employees who are traveling represent the District and are expected to act appropriately, including sensitivity to District expenses and the public image and perceptions the employee causes as a result of his or her behavior. The action of a District employee not only represents the employee but his or her colleagues, constituents, and board members as well.

In addition, the following general guidelines apply to incurring expenses on behalf of the District:

- Transportation: The actual cost of transportation necessary to the performance of official business while in travel status will be paid, subject to the advance approval requirements stated above. If the employee's personal vehicle is used, the District will reimburse the employee at the current IRS mileage rate for the actual mileage required for the trip. Parking and other related expenses must be documented by receipt.
- Lodging: Lodging accommodations should be appropriate to the purpose of the trip. Expenses for lodging must be supported by actual receipts. Reimbursement for lodging is generally limited to the expense of a single room, except where employees are sharing a room, and reimbursement shall not exceed the maximum allowed to the employee by the Internal Revenue Code and regulations as non-taxed lodging per diem without prior written approval by the District Manager. If an employee chooses to make other arrangements for lodging, a payment of \$25.00 per night may be allowed in lieu of paying the actual accommodation costs.
- Meals: Employees will be allowed a per diem rate for meals in a sum which does not exceed the amount determined under the Internal Revenue Code and regulations to be nontaxable to the employee. If the sum is nontaxable to the employee under the Internal Revenue Code and regulations, the employee does not need to provide a receipt to the District; if it exceeds the non-taxable maximum, the employee must provide a receipt to the District.
- Registration and Workshop Fees: Expenses for conference registration and workshop fees for programs in furtherance of District business and education are allowable expenses only if first approved by the District Manager. A copy of the registration must be attached to the Request for Expenses form.
- Accompanied Travel: Any expenses for family members or non-employees who accompany the employee on a trip are not reimbursable.

## Approval Requirements

The District Manager must authorize all conference and or workshop registration, travel and attendance expenditures in writing, in advance.

At least three business days prior to the anticipated travel, the employee should submit a completed Request for Expenses form to the District Manager. This will document advance approval of the requested travel and provide a basis for an advance of per diem funds to the employee.

## Documentation Requirements

The procedures for documenting the expenses involved with employee travel on District related business activities are designed to provide public accountability in two areas:

- Pre-approval of all travel requests to ensure that the travel is appropriate to the needs of the District and that budgeted funds are available for specific travel requests.
- Complete accounting of the actual expenses for the travel ensures that the expenses / receipts reported for reimbursement are appropriate and provide necessary documentation for final approval.

Within one week after the travel has been completed, the employee must turn in receipts for lodging and all other expenses to be paid on an actual basis. In the event that the funds advanced exceed the actual authorized travel expenses, the employee shall be subject to refunding the balance to the District at the time that the employee turns in the receipts and expense verifications. No receipts are required for meals purchased with per diem (see Section 4.6.3 below).

## **Education And Training**

The District Manager may, at his or her discretion, arrange for in-service training for employees as he or she deems necessary and beneficial to the delivery of services and performance of duties. Employees will be compensated for the time spent in training at the District's request, in accordance with applicable laws. Employee may request such training by submitting a written request to the District Manager specifying the details of the training. All training at the District's expense must be approved in advance by the District Manager.

## **Performance Evaluations**

Annual employee performance reviews are an essential communication process between the employee and District Manager. Meaningful performance assessments require employee evaluations, and such reviews provide information relating to the

quality of an employee's job performance, identifying areas of training needs, targeting the strengths and weaknesses of work performance, and measuring the relationship between goals and objectives and job performance. The purpose of evaluations is to let employees know how well they are performing their jobs and whether they have performance problems. Evaluations are also meant to provide an opportunity for employees to provide feedback to the District Manager regarding their job. Evaluations may also serve as a basis for personnel decisions—wages, promotions, demotions, employment status, and termination.

There is no set schedule for performance reviews. The District Manager may sit down with the employee at any time to discuss performance. In addition, the employee may ask to discuss his or her performance with the District Manager at anytime. At least once a year, usually in December, the District Manager will conduct Annual Performance Evaluations with all employees.

## **SAFETY AND ACCIDENTS**

It is our policy to provide safe working conditions for all employees. We rely on our employees to work in a manner that will not produce injury to themselves, persons working with them or the general public. Our goal is to have zero accidents and injuries. Only through complete cooperation will we achieve this goal.

### **Reporting Accidents and Injuries**

Work related accidents and injuries and illnesses must be reported to your supervisor immediately, or the District Manager if your supervisor is not available. The reporting requirement is essential. Even though a work related injury or illness might appear to be of little consequence, it is important that it be reported in sufficient detail to establish a claim should complications follow. Upon incurring a work-related injury, employees are required to complete an accident report form. This form may be obtained from the District Manager or Office Manager.

Employees are also required to immediately report any accident involving other persons or their property, including injuries to co-workers or customers, and any vehicular accidents described below. The report must be made to your supervisor, or to the District Manager if your supervisor is not available. These accidents should be reported in sufficient detail to allow the District to respond. Employees are expected to cooperate fully with all accident investigations.

As is true with other forms of dishonesty, falsification of job-related accidents, as well as false records or reporting, or providing false information in the course of an investigation, will be grounds for disciplinary action up to and including employment termination.

### **Vehicle Safety**

All employees who drive on behalf of the District must use common sense, good judgment, and caution in the operation of the vehicle at all times. Employees are also required to be aware of and comply with applicable traffic and motor vehicle laws and regulations at all times. This includes using safety belts for drivers and passengers at all times, and complying with applicable laws regarding cell phone use.

Beginning October 1, 2017, individuals who hold and use a mobile electronic device while driving can be ticketed or fined with a maximum penalty of \$2,000. A mobile electronic device is not permanently installed in a motor vehicle and includes but is not limited to a device capable of text messaging, voice communication, entertainment, navigation, accessing the Internet, or producing electronic mail. Exemptions Drivers can use hand-held mobile devices in the following situations as long as the use is within the scope of the person's employment: Drivers employed as a commercial motor vehicle driver or school bus driver if the use is permitted under regulations promulgated pursuant

to 49 U.S.C. 31136. Two-way radio devices being used to transport forest products or while operating a vehicle to assist in logging operations. Two-way radio devices being used while operating a school bus or school activity vehicle. Two-way radio devices being used while operating a vehicle owned or contracted by a utility for the purpose of installing, repairing, maintaining, operating or upgrading utility service including but not limited to natural gas, electricity, water, or telecommunications. Police officers, firefighters, emergency medical services providers, or those operating an ambulance or emergency vehicle. It's important to remember that these exemptions are only permissible if the driver is acting within the scope of their employment. If it is questionable, it is best practice to pull over to use a mobile device or utilize hands-free capability such as Bluetooth.

Employees are required to carry a valid driver's license and proof of insurance at all times when they are operating a District vehicle, or a personal vehicle on District business.

If an accident occurs while you are using either a District-owned vehicle or your personal vehicle for District business, your first concern should be the safety of everyone involved, including obtaining medical treatment for anyone who is injured.

However, you are also responsible for obtaining the following information from all drivers involved in the accident ***before leaving the scene***:

- Driver's license information (driver's name, date of birth, and license number including state of issuance);
- Vehicle plate number, and registration number;
- Liability insurance policy number, and carrier's name and address

If the driver of the other vehicle cannot or will not provide any of the information listed above, contact the police immediately.

## **Reporting Unsafe Working Conditions**

It is the responsibility of all employees to report any unsafe working conditions. Reports should be made to your supervisor or the District Manager as soon as you are aware of the problem. We rely on our employees to help us maintain safety by alerting us to potentially unsafe conditions.

## **Safety Committee**

We have established a Safety Committee to work with management to prevent accidents and injuries. The Safety Committee meets regularly and minutes will be posted for review by employees.

## **First Aid Kit**

A first aid kit is located in the hallway leading to the back office. If an employee uses the last of a supply from the kit, please report that use to the Office Manager so it can be replenished.

## **Operation of Equipment**

Employees are strictly forbidden from driving or operating any equipment unless they have been pre-qualified and authorized by their supervisor to do so. An employee should not, under any circumstances, operate equipment or vehicles that they feel are not in safe operating condition. If you feel that equipment or a vehicle is not in a safe operating condition, you must notify the supervisor immediately so the equipment can be "tagged out" for repair or replacement.

## **Hazardous Chemicals and Material Safety Data Sheets (MSDS)**

Copies of the MSDS for all hazardous chemicals in the workplace will be maintained in the back office and are available for employee review upon request. MSDS will be updated when new products are used or old products discontinued.

Employees will be trained in proper use, precautions, and emergency procedures prior to handling any hazardous material. Employees will be directed to the location of the MSDS file folder and shown how to read labels and consult MSDSs. The MSDS file folder also contains a list that identifies all the known hazardous chemicals to which individuals might be exposed at the District. Detailed information about the chemical makeup, toxicity, physical and chemical characteristics, and hazard data are included in the MSDSs.

Before employees perform non-routine tasks that might involve the use of hazardous chemicals, they are required to obtain and thoroughly read the MSDS describing these hazards and chemical precautions. Employees are required to strictly adhere to all control measures and precautions listed in the MSDS. He/she must also review emergency procedures, should accidental overexposure occur. The MSDS should then be returned to the file(s) in the main office.

Before working in areas where pipes insulated with asbestos containing material or pipes made of asbestos, the following steps must be taken:

- Locates must be conducted before digging, to prevent exposure to a hazardous material through compromised underground lines.
- Employees must attend a training that covers the following: health risks involved in the handling of asbestos, safe work practices required for minimal exposure to asbestos, and proper disposal protocol.

It is the responsibility of the Office Manager or his/her designee to provide contractors and their employees with the following information if they might be exposed to hazardous chemical in the workplace:

- The identity of the chemicals
- Location of MSDS
- Explanation of hazardous material labeling system
- Proper use and storage of chemicals

Contractors are responsible for obtaining a MSDS for any hazardous chemical he/she brings into the workplace.

These guidelines are put in place out of concern for the health and safety of our employees and anyone else working with or for the District and must be followed closely. Together we can keep our workplace safe.

### **Good Housekeeping**

All employees shall keep their work area as clean as practical during the course of a project. At the end of the project or shift, all personal and District tools shall be picked

up and stored in their proper location. The District believes it is important to our image and a direct reflection of the quality and efficiency of our workplace to maintain a clean and safe work environment. Also, any dishes and cups used for food and drinks should be promptly washed and stowed so that the sink and general work surfaces may be kept clear. Employees are expected to clean up after themselves.

## **Workplace Violence**

The District expressly prohibits any conduct (whether on paid or unpaid time) that may be viewed as an act or threat of violence or intimidation by any individual against The District's employees, visitors or other persons connected with The District.

The following are examples of the types of conduct that are prohibited by this policy:

- Provoking, participating in, or encouraging fights or other physical altercations;
- Threatening the safety or well-being of another employee or any visitor, vendor, or others you come into contact with through your job, whether directly or indirectly;
- Vandalizing District property, or the property of any employee or visitor;
- Screaming, intimidating, or other abusive or harassing outbursts of temper, particularly when directed at a co-worker or visitor;
- Advocating or encouraging acts of violence or intimidation toward others;
- Distributing "hate" literature or engaging in other communications that advocate violence;
- Bullying, including repeated taunts, tricks, ridicule, or similar conduct directed at an individual; and
- Engaging in any other conduct that the District considers to be menacing, harassing, threatening, abusive or violent.

## **Reporting Violations and Crisis Intervention**

You should immediately report incidents that involve violations of this policy to both the Office Manager and District Manager. If you are in immediate fear for your safety or the safety of another person, call 911. Any suspicious individuals or activities on District premises should be reported as soon as possible to your supervisor and or other persons in the location.

## **Enforcing this Policy**

The District will promptly investigate all reports of violations of this policy. Violators will be subject to disciplinary and other action as we determine appropriate, up to and including immediate discharge from employment, restriction from our property, and criminal prosecution. Retaliation against those who report incidents or provide information in connection with an investigation also will not be tolerated and will result in disciplinary action up to and including termination of employment.

## **Emergency Action Plan**

In the event of an emergency, as in the case of a fire or release of a hazardous material, for example, all personnel will evacuate the scene and remain at a safe distance. Contact 911 immediately, alerting the local fire and or police department. Staff will do a roll call to make sure that all coworkers are accounted for and at a safe distance from the hazard. Employees will then contact the Safety Committee Chairperson, District Manager or his/her designee. If there are injured victims on the scene, first aid may be administered by coworkers until trained emergency response personnel arrive. Those employees not actively administering help will contact other coworkers in the field to make sure they are safe, aware of the threat, and located at a reasonable distance from the hazard. Personal contact information is posted in the front and back office as well as in the District Manager's office. If hazardous chemicals have been released, the Department of Environmental Quality must be contacted.

Smoke alarms are positioned in every building of the workplace, and are checked semi-annually. The telemetry system is also set up to alert the crew via cell phone of hazardous or potentially hazardous situations related to the water system and power plants. If telemetry alarms are engaged, personnel must respond to the emergency **only if it is safe to do so**.

Employees are also required to attend hazardous materials training and keep up on such training.

# **STANDARDS OF CONDUCT AND DISCIPLINE**

## **In General**

Positive attitude, proper courtesy, and conduct on and off the job are important to the individual as well as to the District. Neatness of work performed is also important. All employees are engaged in public relations. Some deal directly with the public; others, while not in direct personal contact, perform work under the public eye. Employees of the District, regardless of whether contacts are direct or indirect, are expected to be courteous, efficient, and helpful in all their work assignments. Favorable impressions created by the employees' public behavior help develop good will and support for District services.

We believe that most employees prefer to work in an environment where serious or repeated violations of our workplace standards are not permitted. With that in mind, we have established rules that, together with observing all other proper standards of conduct, employees are required to follow. Aside from the District's right and your right to terminate our relationship at any time and for any reason, the District may issue verbal or written warnings, suspend, demote, or take other disciplinary action against employees for violation of our rules or policies as the District Manager or Board deems appropriate.

When we feel a regular employee has committed a minor infraction, the employee will generally receive a written warning prior to termination (temporary and introductory period employees generally will not be given a written warning prior to termination). When we feel an employee has committed a major infraction, that employee is subject to immediate discharge or suspension.

Each situation will be evaluated according to the circumstances involved, and the type of discipline administered may vary from that listed in each group based upon our determination of the seriousness of the offense. Also, a warning for different minor infractions may be combined to determine the type of discipline administered.

Furthermore, an employee's overall record may be considered in determining the appropriate degree of discipline to be imposed in a particular case. We will determine what the facts are, whether discipline is warranted, how serious the violation is, and what level of discipline is appropriate.

## **Examples of Prohibited Conduct**

The following are examples of prohibited conduct that may be viewed as minor or major infractions, depending on the severity of the conduct from the District's perspective:

- Unsatisfactory attendance, including excessive or unauthorized absenteeism or tardiness, or failure to comply with notification procedures;

- Using offensive language toward co-workers or other persons in connection with the employee's job duties or District business;
- Careless, inaccurate, unreliable, unprofessional or otherwise unsatisfactory work performance or productivity;
- Neglecting job duties or interfering with or impeding another employee's work by talking or creating other distractions;
- Failure to follow safe working practices or violation of safety rules or procedures.
- Using the District's property for personal use, or removing the District's property without advance approval;
- Discriminatory behavior, harassment, or retaliation in violation of our Equal Employment Opportunity policies;
- Insubordination in carrying out job duties, including failure to follow any oral or written job instructions issued by a person in a position of authority;
- Violation of the District's Drug and Alcohol Policy;
- Violation of the District's Workplace Violence policy, including threatening or abusive behavior, bullying, or possession of guns, weapons or dangerous items;
- Provoking or instigating fights during working hours or on District premises, or engaging in horseplay or roughhousing;
- Unauthorized release of confidential information;
- Dishonesty of any type, including theft; altering or falsifying any documents (e.g. time records, absence and sickness reports, expense reports, production records, or employment applications); misrepresenting hours worked; or providing false or misleading information in any work-related matter including workplace investigations;
- Destroying or damaging property belonging to District, a co-worker, or other person or business connected with District;
- Failure to immediately report any accident, injury or property damage to your supervisor or the District Manager;
- Any on-duty or off-duty conduct which could reasonably be expected to damage the District's reputation or goodwill in the community, or impair an employee's ability to perform his or her job duties;
- Sleeping on the job;
- Walking off the job or leaving the shift without authorization;
- Violating any District policy, rule or procedure that is presently in effect or subsequently issued; and
- Any other conduct that the District views as serious enough to justify disciplinary action.

Obviously, we cannot list prohibited conduct that covers every situation, and these are merely some common types of conduct that are prohibited by the District. We believe these examples are clear and require little explanation. However, if you have any questions, please seek clarification from the District Manager.

If you feel you have been unfairly disciplined or discharged, we encourage you to utilize the complaint procedure in the “Open Door Policy” in this Handbook. Nothing in this policy is intended to alter the at-will status of employment with the District.

**As stated elsewhere in this Handbook, employment with the District is at-will and can be terminated with or without notice, for any reason that the District Manager or District Board considers sufficient.**

## **DRUG AND ALCOHOL POLICY**

The District is a drug free environment and is committed to maintaining high standards of safety, productivity, and reliability for employees and our patrons. In order to promote these standards and provide a safe working environment, the following Drug and Alcohol Policy has been adopted and applies to all employees of the District. **Employees who engage in any conduct prohibited under this policy will be subject to immediate discharge.**

“Drugs” includes all controlled substances regulated under the federal Controlled Substances Act, as well as other substances that have mind-altering or function-altering effects on a person’s system. Employees who are taking medications, including medications containing controlled substances, should refer to the “Medications” section.

### **Prohibited Conduct**

The following conduct is strictly prohibited:

Reporting to work, working, returning to work following breaks or meals, or being present in or on District premises (including District vehicles and parking lots) with any amount of alcohol or drugs in your system, and/or testing “positive” for drugs or alcohol under this policy. “Testing positive” means a test result showing any detectable amount of drugs or alcohol.

Consuming, manufacturing, buying, selling, distributing, using, or possessing drugs, drug paraphernalia, or alcohol in or on the District premises (including District vehicles and parking lots) or while engaged in any activities on behalf of the District. This rule applies regardless of whether or not you are on paid time.

**NOTE:** As a limited exception, consuming alcohol at social gatherings or business functions, if authorized by the District Manager, will not be considered a violation of this policy. Employees must nonetheless exercise good judgment regarding alcohol consumption at these events, comply with the District’s standards of conduct, and comply with applicable laws including motor vehicle laws.

Failing to cooperate with any aspect of this Drug and Alcohol Policy, including but not limited to refusing to promptly submit to required testing; giving false, diluted, or altered urine samples, or assisting another person to do so; failing to comply with lawful rehabilitation conditions imposed by the District or a rehabilitation counselor; or failing to cooperate in investigations or enforcement of this policy.

Failing to promptly report a conviction, arrest, or plea bargaining for an alcohol or drug related criminal offense. All drug and alcohol related convictions, arrests, and plea bargaining arrangements must be reported to the District Manager as soon as possible.

*\*In addition to the above, employees must comply at all times with all federal and state laws and regulations regarding alcohol and the illegal use of drugs. It is important to note that possession of marijuana is illegal under federal law and the prohibitions stated in this policy apply to marijuana even if an employee has a prescription under state law. Any employee using marijuana under a prescription for a disability must discuss this information with the District Manager prior to working with any amount of marijuana in his or her system. Although the District has no obligation to accommodate the use of medical marijuana, we will work with the employee to determine if there are other options that would allow the employee to comply with this policy.*

## **Required Testing**

### **Pre-Employment**

As a condition of employment, including rehire, the District will require a drug test of all applicants for safety sensitive positions (for example, jobs that require an employee to operate hazardous equipment on behalf of the District), after a conditional offer of employment has been made. All applicants who are required to undergo testing must report to the collection site and submit to such testing within a specified period from the time they are notified of their obligation to be tested. Applicants testing positive for drugs, or providing an altered or diluted sample, or testing positive for any type of masking substance, will be disqualified from employment except as prohibited by law.

### **Random**

Random testing of employees in safety sensitive positions may be conducted for the presence of illegal drugs. We will utilize a random selection process, based on a pool of safety sensitive employees, or all safety sensitive employees of the District. If the selection process is based on a pool, all employees in the designated group shall have an equal chance of being selected for testing. There will be no advance notice of testing.

### **Reasonable Suspicion**

An employee will be required to immediately submit to alcohol and/or drug testing whenever the District has a reasonable suspicion that the employee has reported to work, is working, or is present in or on the District premises with **any** amount of alcohol or drugs present in their system. Reasonable suspicion must be based on specific identifiable criteria, which may include observed behavior, witness statements, or employee admissions.

Employees who are required to submit to reasonable suspicion testing are prohibited from transporting themselves to the collection site. A supervisory employee will provide transportation and will arrange for the employee to be taken home after testing, unless the **employee's test results have been confirmed as negative.**

All sample collection and testing must be done at facilities designated by the District, and

the District will pay for the cost of required testing. The time an employee spends undergoing required testing will also be paid and, consequently, should be reported as hours worked.

Employees who are required to submit to reasonable suspicion testing may be placed on administrative leave until confirmed test results are received and a decision has been made regarding employment status.

## **Medications**

Any employee who uses a prescription medication is responsible for consulting with his or her doctor to determine whether there are any side effects that could affect the employee's ability to safely and competently perform the employee's job duties. Similarly, an employee who uses an over-the-counter medication is responsible for reviewing the package insert to determine whether there are any side effects that could affect the employee's ability to safely and competently perform the employee's job duties.

If you believe, or your doctor believes, that you are experiencing such side effects you must notify the District Manager ***prior*** to working with the medication in your system. When this occurs, medical verification of the ability to safely perform job duties may be required before you are allowed to continue the work assignment. Medical verification may also be required if the District has reason to believe that an employee's job performance or job safety is being affected by a medication. You need not disclose the medical condition for which the medication is being taken unless we determine that this is necessary for the District to comply with its legal obligations.

Although the lawful use of prescription or over-the-counter medications is not grounds for disciplinary action by itself, failure to follow the reporting procedure discussed above will subject you to disciplinary action. Lawful use does not include any use that is inconsistent with the prescription or label. Also, if you test positive for alcohol, or shows signs of having alcohol present in your body (e.g. odor on your breath), it will not be an acceptable excuse that you used a medication containing alcohol, such as Nyquil.

***REMINDER: As stated above, the use of marijuana is unlawful under federal law even if an employee has a prescription, and is considered to be a violation of this policy. Employees who are using marijuana under a prescription for a disability must contact the District Manager to discuss available options.***

## **Searches**

When we believe there is reasonable suspicion that an employee is in possession of drugs or alcohol in or on the District premises or has brought them onto our property, all personal items such as packages, bags, lunch boxes, or other items being carried on or being removed from the District property are subject to search. This includes searches of personal vehicles parked in the District parking lots. Furthermore, all District property such as desks, equipment, lockers, etc., will remain the property of the District and will be subject to search at our discretion.

The District will not search an employee's person, and no employee will be forcibly searched or detained. Reasonable efforts will be made to respect an employee's integrity and privacy during searches; however, refusal to cooperate with searches and investigations will be considered a violation of this policy and will subject an employee to discipline, up to and including immediate discharge. All illegal drugs or drug paraphernalia found in or on the District's property may be released to law enforcement.

## **Safeguards**

The District recognizes the sensitivity of enforcement of this policy. Therefore, the District will arrange for the use of qualified medical personnel and reputable testing facilities, and will provide training to its supervisory personnel to administer this policy.

All positive test results will be confirmed using the GC/MS testing method or another confirmatory testing method approved by law. Test results and other information concerning drug and alcohol investigations will be treated confidentially and released only when there is a legitimate business need-to-know or when required by law.

## **Rehabilitation Assistance**

If you believe you may have an alcohol and/or drug dependency problem, you are encouraged to contact the District Manager **before** the dependency problem results in unsatisfactory performance or attendance, or a violation of the District's rules and policies, and before being instructed to submit to testing under this policy. An employee who voluntarily discloses a substance abuse problem before these problems arise may request a leave of absence to allow for inpatient or outpatient treatment. The District will grant such requests as it deems appropriate or as required by law.

An employee who has taken a leave of absence under this section for treatment will be expected to comply with all requirements and recommendations of the treatment program or a substance abuse professional, including after-care. Before returning to work, the employee must obtain certification by a qualified medical provider or treatment provider that the employee is fit for duty.

The time an employee is off work undergoing rehabilitation is unpaid. However, employees will be required to use any earned and available paid leave, consistent with the District's Leave of Absence policy. Employees who are receiving health insurance coverage through the District will be eligible for insurance benefits as outlined in their plan. The District will not provide any other financial assistance to persons receiving rehabilitation.

## **OPEN DOOR POLICY**

It is the intention of the District to be fair and reasonable with all employees. However, in any interpersonal relationship, problems may develop. Generally, a satisfactory solution to any problem can be worked out between the parties, provided we know about the problem. A satisfactory solution to a problem will not result if an employee merely discusses it with his fellow employees, friends or family. Remember, the longer you keep the problem to yourself, the more unhappy you will be. The District can only deal effectively with problems or complaints that it is made aware of.

Therefore, to provide an effective and acceptable means for employees to bring problems and complaints to the District's attention, we have established an informal complaint procedure.

***NOTE: This policy does not apply to concerns regarding harassment, discrimination or retaliation. Employees who have complaints or concerns about those issues must follow the Reporting Procedure under the District's Equal Employment Opportunity policies in this Handbook. This policy also does not apply to disciplinary actions that have been approved by the District Manager.***

### **Step 1 - Supervisor**

You are encouraged to discuss the problem informally with your supervisor. Your supervisor should listen to your concerns and provide an informal response after consulting the District Manager. If you are not comfortable discussing the problem with your supervisor for any reason, you may proceed to Step 2.

### **Step 2 – District Manager**

If your concern is not resolved to your satisfaction at Step 1, you may schedule a meeting to discuss and or present a complaint in writing to the District Manager. Complaints that are not reported within ten (10) business days of the event will generally be considered untimely. The District Manager will attempt to investigate the facts and will strive to provide a written response to the complaint within a reasonable time. The District Manager may consult with the Board on such matters, at his or her discretion. The District Manager's decision is final.

## **LEAVES OF ABSENCE**

### **In General**

When employees are hired, it is expected that they will work continuously as needed. On occasion, uncontrollable conditions may arise which require employees to take a temporary absence from employment.

**Leaves of absence must be requested by the employee in writing and approved in writing by the District Manager.** During the period of any leave of absence, no wages or benefits are accrued or paid, unless specifically stated in this Handbook or required by law. All accrued vacation and sick leave shall be used prior to taking the leave of absence as unpaid time.

It is the employee's responsibility to report to work at the end of the approved leave. An employee who fails to report to work on the day after the leave expires, and has not submitted a written request for extension to the District Manager in advance, will be considered absent without authorization and subject to termination.

Unless required by law or otherwise authorized, the District does not pay for group insurance premiums during any portion of a leave of absence. Accordingly, the premiums for such coverage are the complete responsibility of the employee.

### **Personal Leave**

Employees who have been continuously employed with the District for at least one year may be granted an unpaid personal leave of absence for up to sixty (60) days at the discretion of the District Manager. Requests for a personal leave of absence must be submitted to the District Manager in writing at the earliest opportunity, and these requests must specify a starting and ending date as well as the reason for the requested leave. Requests for leaves of absence will be considered on the basis of the employee's length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave, and the expected impact of the leave on the District.

There should be a compelling personal reason for the leave. Personal leave may not be taken for the purpose of working for another employer or self-employment. Unless required by law, employees returning from personal leaves of absence are not guaranteed re-employment.

## **Medical Leave**

Occasionally, employees need to be absent from work for extended periods of time due to serious on or off-the-job medical conditions. In such circumstances, employees should contact the District Manager regarding extended leave of absence. Employees who are absent from work due to work-related illnesses and injuries may be eligible to receive workers' compensation benefits. Employees who are absent from work due to non-work-related illnesses or injuries may use their accumulated sick or vacation leave and may be eligible for disability insurance payments under the health insurance plan.

Employees on medical leave of absence must keep the District Manager apprised of their anticipated date of return to work and of changes in their medical status. **All employees on a medical leave of absence for on or off-the-job injuries and illnesses are required to call the District Manager to report their medical status, progress and anticipated date of return to work at least once a week unless the employee has received written approval to be absent until a specific date.** Reporting to a co-worker does not sufficiently comply with this reporting requirement.

All employees who are released to return to work from on-the-job injuries or illnesses must request return to work within seven (7) days after receipt of notice by certified mail from the District's workers' compensation insurer that the employee has been released to return to work by the employee's doctor. This applies to limited and full duty releases. All employees who are released to return to work from a medical leave for extended-off-the-job injuries or illnesses must, likewise, request return to work within seven (7) days after receipt of a full or light duty release from the employee's doctor.

## **Jury Duty**

Employees who will be required to miss work because of jury duty service must immediately advise the District Manager upon receipt of the jury duty summons and provide verification. These employees will be granted time off for the jury duty service. If an employee is excused from jury duty service during work hours at a time that reasonably permits the employee to report to work, the employee shall call in to see if the employee should report to work that day.

Full-time employees will be paid their regular wages for the work hours missed due to jury duty service, up to a maximum of 40 hours. Part-time employees who are required to serve on jury duty will be paid for hours missed due to jury service, based on their regularly scheduled work hours, up to a maximum of 16. Temporary employees are not eligible to receive pay when serving on jury duty.

An employee whose jury service is not compensated by the District as stated above may elect to use accrued paid time off for the jury service.

## **Bereavement Leave**

If a death occurs in an employee's immediate family, the employee may be granted a paid leave of absence for up to 3 working days. Part-time employees will be paid for the time that they would have been regularly scheduled to work, up to a maximum of 24 working hours. Employees may also use accrued vacation time for authorized bereavement leave which exceeds the 3 day limit. Time off to mourn or to attend the funeral of persons who are not immediate family members may be granted at the discretion of the District Manager, and accrued vacation time may be used.

"Immediate family" includes: spouse, children (including stepchildren), parents, siblings, current parent-in-law, current son-in-law or daughter-in-law, current sister-in-law or brother-in-law, grandparents, grandchildren, domestic partner, and immediate family members of domestic partner.

## **Military Leave**

The District complies with applicable state and federal laws regarding military leave.

## **Domestic Violence Leave**

If you are the victim of domestic violence, criminal harassment, sexual assault or stalking, or are the parent of a minor child or dependent who is the victim of domestic violence, criminal harassment, sexual assault or stalking, you may be eligible for reasonable time off for the following purposes:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of you or your minor child or dependent (including preparing for and participating in protective order proceedings or other criminal or civil proceedings) related to domestic violence, sexual assault or stalking of the employee or his/her minor child or dependent;
- To seek medical treatment or recover from injuries caused by domestic violence or sexual assault or stalking of the employee or his/her minor child or dependent;
- To obtain or assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, sexual assault or stalking;
- To obtain services from a prosecutor provided or non-profit victim services provider for the employee or his/her minor child or dependent; or
- To relocate or take steps to secure an existing home to ensure the health and safety of the employee or his/her minor child or dependent.

Eligible employees who need domestic violence leave should contact the District Manager. Certification of the need for leave will generally be required. Domestic violence leaves are unpaid. However, employees may use any earned and unused personal leave time benefits for periods of domestic violence leave. Requests for domestic violence leave and all supporting documentation will be treated confidentially. Domestic violence leaves will not be counted for attendance and disciplinary purposes.

The District also makes reasonable safety accommodations for victims of domestic violence, sexual assault or stalking as required by law. Employees who need workplace safety accommodations should promptly contact the District Manager to discuss reasonable alternatives and options.

Verification of the need for accommodation may be required. Requests and all supporting documentation will be treated confidentially.

### **Crime Victims Leave**

This leave provides reasonable time off to attend criminal proceedings for an employee who is a crime victim and has worked an average of at least 25 hours per week for 180 days immediately before the leave begins. "Crime victim" is defined as a person who has suffered financial, social, psychological or physical harm as a result of a personal felony. The leave also applies if an "immediate family member" of the employee is a crime victim. "Immediate family member" includes the spouse, domestic partner, father, mother, sibling, child, stepchild or grandparent of the employee. For additional information, please contact the District Manager.

## **LEAVING EMPLOYMENT WITH THE DISTRICT**

### **Layoffs**

Should a reduction in the District work force become necessary, layoffs may be implemented on a District-wide basis, or on an individual employee basis, depending on the needs of the District, at the sole discretion of the District Manager and or Board of Directors. It is the District's policy to announce layoffs as soon as possible, and to keep employees up-to-date on any change in status.

If a layoff becomes necessary, management reserves the right to select the appropriate persons, in its sole discretion, based on factors such as job performance, skills and abilities, overall work record, and the District's needs. If all other factors are relatively equal, the District may choose to consider an employee's seniority. Employees who are laid off have no recall rights and no "bumping" rights to replace less senior employees.

In lieu of layoff, the District may reduce the hours of work for all or any individual District employee at any time.

### **Voluntary Resignations**

While an employee may choose to voluntarily resign at any time, the District would appreciate at least ten working days' advance notice. An employee who voluntarily resigns is encouraged to participate in an exit interview.

### **Final Pay**

An employee terminating employment with the District will be paid in accordance with state law any earned and unpaid wages then due plus any accumulated unused vacation pay at the employee's hourly rate calculated as of the date of separation.

### **References**

When contacted by prospective employers, our policy is to only provide an employee's dates of employment and position(s) held, unless we have received a release signed by the employee authorizing us to provide additional information. All reference requests must be directed to The District Manager.

**EMPLOYEE HANDBOOK**  
**ACKNOWLEDGMENT OF RECEIPT**

**(Employee Copy to be kept with Handbook)**

I acknowledge that I have received a copy of the Farmers Irrigation District Personnel Policies and Procedures Handbook, which is effective August 1, 2014. I understand that these policies apply to me and that I am expected to be familiar with them.

I have carefully read the policies and procedures outlined in this Handbook. I understand that my employment with the District is “at-will,” and that it may be terminated by me or the District at any time and for any reason not prohibited by law.

I understand that this Handbook is not intended to be a contract for the terms and conditions of my employment, and that the District has the right to modify the policies and procedures stated in this Handbook at any time, as it deems necessary. I also understand that no one has authority to guarantee future employment or modify the terms or conditions of my employment on behalf of the District, other than the District Manager or the Chairperson of the Board. I understand that any such modifications must be in writing signed by the District Manager or the Chairperson of the Board in order to be valid.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (Print Name)

**EMPLOYEE HANDBOOK**  
**ACKNOWLEDGMENT OF RECEIPT**

**(Employer Copy to be returned to the Employee's Personnel File)**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (Print Name)