



*Solano Transportation Authority*

**Solano Transportation Authority**

# **Human Resources Policies and Procedures**



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**SECTION: LEGAL**  
**SUBJECT: INTRODUCTION/RIGHT TO REVISE**

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The Human Resources Policy Manual contains the human resources policies, practices, guidelines and procedures that the Solano Transportation Authority (“the Authority”) has in effect at the time of publication. All employees should read, understand, and comply with all provisions of the handbook. It describes many of the responsibilities as an employee and outlines the programs developed by the Authority to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

This Policy Manual supersedes all previously issued human resources manuals, handbooks and/or policy statements or memoranda that are inconsistent with the policies described here.

The Authority reserves the right to revise, modify, delete or add to any and all policies, procedures, work rules or benefits stated in this manual or in any other document except for the policy of at-will employment. Any changes must be in writing and must be signed by the Executive Director upon approval of the Authority Board. Any such written changes to this manual will be generally distributed so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this manual.

This manual sets forth the entire agreement between employees and the Authority as to the duration of employment and the circumstances under which employment may be terminated. The policies and practices set out in this manual or in any other personnel document, including benefit plan descriptions, are not intended to imply a contractual relationship, nor are they intended to create a promise or representation of continued employment for any employee.

Reference to the Authority throughout this manual refers to the organization, Solano Transportation Authority, and its staff. It is intended that wherever reference is made in this manual to decisions/recommendations being made or actions taken by the Authority, those decisions/recommendations are being made by the Executive Director and/or his/her designee. These policies supersede and replace all previous personnel policies, procedures and guidelines and shall control all human resource practices of Solano Transportation Authority.

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

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

**SECTION: LEGAL**  
**SUBJECT: EMPLOYMENT AT-WILL**

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All employees are employed on an at-will basis. Employment at-will means that the employee or the Authority may terminate employment, with or without cause, and with or without notice, at any time. The Executive Director is responsible for carrying out all employee relations activities for the Authority.

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

Nothing in this Handbook shall limit the right to terminate at-will employment. No manager, supervisor, or employee of the Authority has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms.

**SECTION: LEGAL**

**SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

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The Authority policy prohibits unlawful discrimination based on race, color, creed, gender, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is unlawful.

The Authority is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in Authority operations and prohibits unlawful discrimination by any employee of the Authority, including supervisors and coworkers. The Authority considers the attainment of equal employment a major Authority objective and is committed to providing equal employment opportunities to all qualified persons.

The Authority will not discriminate with respect to recruitment, hiring, training, promotion, and other terms and conditions of employment. The Authority is an EEO employer and makes employment decisions on the basis of merit. The Authority strives to have the best available persons in every position. All other personnel actions or programs such as compensation, benefits, transfers, layoffs, recalls, Authority-sponsored training, education, tuition assistance, social and recreational programs will be administered in a non-discriminatory manner. All employment decisions shall be consistent with the principle of EEO.

An employee who believes that they have been subject to any form of unlawful discrimination shall provide a verbal or written complaint to the Executive Director. The complaint must be specific and must include the names of the individuals involved and the names of any witnesses. The Authority will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation. If the complaint is against the Executive Director, the employee shall make the complaint to the Chair of the Authority Board or the Authority Legal Counsel.

If the Authority determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. The Authority will not retaliate against the employee for filing a complaint and will not knowingly permit retaliation by management employees or coworkers.

**SECTION: LEGAL**  
**SUBJECT: AMERICANS WITH DISABILITIES**

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It is the Authority's policy and practice to comply with the Americans with Disabilities Act and ensure equal employment opportunity for all qualified persons with disabilities. The Authority is committed to ensuring non-discrimination in all terms, conditions and privileges of employment. The Authority will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue Authority hardship would result.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation as well as equal treatment and reasonable accommodation in job assignments. Employment decisions are based upon the essential job functions of the position, in accordance with defined criteria, not the disability of the individual.

**GUIDELINES**

1. Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Executive Director and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job.
2. The Executive Director or designee will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform the job. The applicant or employee will be required to present a certification from a healthcare provider as to what job functions the applicant or employee can perform, for which job functions he or she needs an accommodation and what accommodation is recommended. The Authority will analyze all information and identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the Authority will make the accommodation.
3. An employee who believes that they have been subject to any form of unlawful discrimination shall provide a verbal or written complaint to the Executive Director. The complaint should be specific and should include the names of the individuals involved and the names of any witnesses.
4. The Executive Director or designee will immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation. If the Executive Director or designee determines that unlawful discrimination has occurred, effective remedial action will be taken to commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination. Whatever action is taken will be made known to the affected employee.

5. The Authority will not retaliate against the employee for filing a complaint and will not knowingly permit retaliation by management employees or coworkers.
6. During the interview process, managers may inquire generally as to whether a prospective employee can perform the essential functions of a job, with or without accommodation, but cannot inquire as to whether or not an individual has any type of disability.

**SECTION: LEGAL**  
**SUBJECT: UNLAWFUL HARASSMENT**

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The Authority is committed to providing a work environment that is free of unlawful harassment. The Authority's policy prohibits sexual harassment and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, registered domestic partner status, age, sexual orientation or any other basis protected by federal, state or local law or ordinance or regulation. All such harassment is unlawful. This policy also prohibits unlawful harassment based on the perception that anyone has any of the above-mentioned characteristics, or is associated with a person who has or is perceived as having any of those characteristics. It is intended that any change or modification to existing law will become part of the Authority's policy.

In keeping with its anti-harassment principle, the Authority strictly prohibits employees from engaging in any such harassment, including but not limited to ethnic slurs, racial epithets, derogatory jokes, physical intimidation, threats of violence or bodily harm and sexual harassment.

The Authority's anti-harassment policy applies to all persons involved in the operation of the Authority, including Authority Board Members/Alternates and consultants working on the Authority-related projects, and prohibits unlawful harassment by any employee of the Authority, including managers and coworkers. This policy also applies to and is meant to protect Authority employees from harassment by non-employees, vendors and other third parties who may come in contact with employees in the course of their work for the Authority.

**DEFINITION**

Prohibited unlawful harassment because of sex (sexual harassment, gender harassment and harassment due to pregnancy, childbirth or related medical condition), race, religion, color, national origin or ancestry, physical or mental disability, medical condition, marital status, registered domestic partner status, age, sexual orientation or any other protected basis protected by federal, state or local law, ordinance or regulation includes, but is not limited to, the following behavior:

1. Verbal conduct such as derogatory comments; epithets; slurs; sexual innuendos; jokes or comments that makes another employees uncomfortable; slurs or unwanted sexual advances, invitations or comments.
2. Visual displays such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures.

3. Physical conduct such as assault, unwanted touching, intentionally blocking normal movement, or interfering with work because of sex, race or any other protected basis.
4. Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors.
5. Retaliation for having reported or threatened to report harassment.

### **RESPONSIBILITY**

If an employee believes that they have been unlawfully harassed, they shall provide a complaint to the employee's own, or any other Authority manager, or the Executive Director, as soon as possible after the incident, and preferably in writing. If the complaint is against the Executive Director, the employee shall make the complaint to the Chair of the Authority Board or the Authority Legal Counsel.

The employee's complaint should include details of the incident or incidents, names of individuals involved and names of any witnesses. Managers will refer all harassment complaints to the Executive Director. The Executive Director or designee will immediately undertake an effective, thorough and objective investigation of the harassment allegations. Confidentiality will be maintained to the fullest extent possible under the circumstances.

If the Authority determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Authority to be responsible for unlawful harassment will be subject to appropriate corrective action up to and including termination. The Authority will advise all parties concerned of the results of the investigation. The Authority will take appropriate action to remedy any loss to the employee resulting from harassment. The Authority will not retaliate against the employee for filing a complaint and will not tolerate or permit retaliation by management, employees or coworkers. Corrective action may also be taken against any supervisor or manager who condones or ignores unlawful harassment or otherwise fails to take appropriate action to enforce this unlawful harassment policy.

The Authority encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. Employees should also be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing might investigate and prosecute complaints of prohibited harassment in employment. If an employee thinks that he/she has been harassed or retaliated against for resisting or complaining, the employee may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

## **COMPLAINT PROCEDURE**

An employee who believes that they have been unlawfully harassed shall report the incident immediately and according to the following procedure so that the complaint can be resolved quickly and fairly.

1. Whenever possible, the employee should confront the harasser and tell the person to stop. If the employee does not feel comfortable doing this, follow step 2 immediately.
2. The employee should notify their own supervisor or the Executive Director as soon as possible after the incident, giving dates and time of the incident(s). Include details on the incident(s), names of individuals involved and the names of any witnesses. If possible, the employee shall provide this information in writing.
3. Supervisors will refer all harassment complaints to the Executive Director of the Authority. The Authority will immediately undertake an effective, thorough and objective investigation of the harassment allegations. If the complaint is against the Executive Director, the employee shall make the complaint to the Chair of the Authority Board or the Authority Legal Counsel.

If an employee has any questions regarding the Authority's policy against unlawful harassment or the procedure for filing complaints, please contact the Executive Director.

**SECTION: LEGAL**  
**SUBJECT: EMPLOYMENT ELIGIBILITY & REGISTRY**

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

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

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

**SECTION: LEGAL**

**SUBJECT: BUSINESS ETHICS AND CONFLICT OF INTEREST**

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

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

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

### **GUIDELINES**

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

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

6. Gifts of cash or cash equivalents are only permissible up to \$50 in value and in accordance with policy 401, “Gratuities”, of this handbook. Gifts or gratuities in excess of \$50 in value must be refused or returned and the offer should be reported to the supervisor. (See policy 401.) Gifts, favors and entertainment may be given to others at the Authority expense only if they are consistent with accepted business practices and are of such limited value that they cannot be considered as a bribe or pay-off.
7. The highest standards of honorable and ethical conduct must be observed in all relationships with other agencies and the public. It is prohibited to make disparaging statements, take any other unfair actions or participate in any activity intended to damage the Authority, other agencies, or the public.
8. If an employee is asked by another employee, supervisor or manager to (a) perform any act that appears improper, (b) make any improper entry on the Authority’s records or reports, (c) omit any entry that should be made, (d) suppress or hide any information that may result in detriment to the Authority or be in violation of the law or (e) disclose information of a confidential nature except when legitimately required, it is that employee's duty and responsibility to bring the matter to the attention of the Executive Director, Authority Legal Counsel or Chair of the Authority Board. An employee will not be retaliated against for disclosing these activities to the appropriate parties.
9. The Authority’s letterhead/stationery may be used only for Authority matters and not for personal or non-official correspondence.
10. Employees are expected to treat each other with courtesy, honesty, respect and understanding. Job-related problems should be discussed openly and differences resolved fairly, professionally and promptly. Confidential matters pertaining to employees will be respected.
11. Employees are expected to be polite, courteous, prompt and attentive to every person who calls or visits the Authority office. When a situation arises where the employee does not feel comfortable or capable of handling an issue from the public, the employee’s supervisor should be contacted immediately for assistance.
12. Employees are responsible for safeguarding confidential information obtained during employment. In the course of the work, employees may have access to confidential information regarding the Authority, its elected officials or fellow employees. It is the employee’s responsibility to protect and in no way reveal any such information unless it is necessary for the employee to do so in the performance of duties or required by law.
13. Employees may be approached for interviews or comments by the news media. Only contact people designated by the Authority may comment to news reporters on policies or events that have an impact on the Authority. (See Policy 406, Public and Media Communications.)

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

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: RECRUITMENT AND SELECTION**

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The Authority follows the following procedure when filling open positions.

**GUIDELINES**

**1. Promotional and Open Examinations**

**A. Internal Recruitment (Promotional Examination)**

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

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

**B. External Recruitment (Open Examination)**

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

**2. Job Announcement and Application Package**

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

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

**3. Application Review**

The Human Resources staff, or designee, shall review all of the application packages and determine which applicants are the most qualified and should be further considered for employment. After such review and selection, all applicants shall be notified of their status.

**4. Examination/Interview Process**

A candidate must successfully pass each part of the examination process to be placed on the Eligibility List. A candidate may be required to participate in a variety of examination processes that may include an interview and/or written examination, physical ability or skills testing, or any combination thereof.

During the interview process, managers may inquire generally as to whether a prospective employee can perform the essential functions of a job, with or without accommodation, but cannot inquire as to whether or not an individual has any type of disability.

**5. Eligibility List**

An Eligibility List, effective for twelve (12) months, shall include all candidates who successfully complete the examination process. The Eligibility List may be extended, or it may be deleted if there are fewer than three (3) candidates remaining on the List, or where, the Authority determines, in its sole discretion, to delete the List and establish a new one.

**6. Reference Checking**

All job applicants shall provide information on previous employment and other references as required on the application form. Candidates shall also sign a release form to permit the Authority to conduct other appropriate background reference information.

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

**7. Background Checking**

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

**8. Contingent Offer of Employment**

For all candidates, a contingent offer of employment will be made in writing stating that a post-job-offer, may include a pre-employment physical examination that includes a drug and alcohol screening that must be passed, fingerprinting and a Department of Motor Vehicles record check (Refer to Driving Policy #411). Candidates failing to meet the requirements of the contingent offer may have the offer of employment rescinded. Candidates who successfully meet the requirements of this contingent offer will receive, and must sign and return to the Authority, a written letter accepting or rejecting the contingent employment offer.

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

**9. Hire Date**

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

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

**10. Applicant Package Retention**

The Authority shall retain all application package documents in accordance with the records retention schedule (Refer to Policy 412).

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: EMPLOYMENT CATEGORIES**

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

New employees shall serve an introductory period (Policy #203) of close supervision and evaluation in order to assess their ability and adaptation. This period shall be six months from the date of hire into a regular position. The Executive Director may terminate introductory employment at any time with or without notice, with or without cause and without the right of appeal.

Completion of the introductory period does not entitle the employee to remain employed by the Authority for any definite period of time, nor does it change the employment-at-will policy in any way. The introductory period merely allows both the employee and the Authority to evaluate whether or not they are the right fit for each other.

An employee promoted or transferred to a new position shall also serve a six-month introductory period before obtaining regular status in that position. If unsuccessful in the new position, the employee may return to the previously held position.

### **Employment Categories**

#### **1. Regular Full-Time Employee**

Employees in this category are those who regularly work forty (40) hours per week on a continuous scheduled basis following satisfactory completion of an introductory period. Employees in this category are eligible to participate in all benefit programs offered by the Authority.

#### **2. Limited Term Employee**

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

Limited term employees may be eligible to participate in any benefits determined by contract and those mandated by state and/or federal laws and regulations applicable to all employees. Limited Term employee status is not considered for seniority or benefit longevity purposes even if the employee is subsequently hired as a regular full time employee.

### **3. Part-Time or Temporary Employee**

Employees in this category are those who work on an at will basis and may be assigned to work various hours as scheduled based on an hourly rate for the classification of work performed as established by the Executive Director.

Part-time or Temporary employees are not eligible to participate in any benefits other than those that are specifically mandated by state and/or federal laws and regulations to be applicable to employees. Part-time or Temporary employee status is not considered for seniority or benefit longevity purposes even if the employee is subsequently hired as a regular full-time employee.

This category also includes PERS retired annuitants subject to the guidelines under the Public Employees' Retirement Law (PERL).

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: INTRODUCTORY PERIOD**

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

**GUIDELINES**

1. With the exception of temporary employees, all other newly appointed employees shall serve an introductory period of six months.
2. During the introductory period, the Executive Director may dismiss an employee at any time, with or without cause and with or without notice. The discharge is at the sole discretion of the Executive Director. Completing the introductory period does not change the Authority's employment at-will policy and does not imply any type of employment agreement between the Authority and the employee.
3. Six (6) months after the initial hiring, the employee is scheduled for his/her initial performance evaluation. Employees hired at Step 1 of the salary schedule shall be considered for a merit increase with subsequent reviews annually thereafter. Employees hired above Step 1 of the salary schedule shall be eligible for consideration of a merit increase after twelve (12) months of employment and annually thereafter.
4. A new employee terminated during the introductory period needs to be told only that the introductory period was not satisfactorily completed and the employee is terminated.
5. Employees promoted or transferred to a new position shall serve an introductory period before obtaining regular status in the position to which the employee was promoted or transferred. If the employee does not attain regular status in the promoted or transferred position, the employee may return to the previously held position with no loss of seniority in that position at the discretion of the Executive Director.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: JOB CLASSIFICATION ADMINISTRATION**

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

A Classification Plan is comprised of individual job class descriptions.

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

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

**PROCEDURE**

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

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: COMPENSATION POLICY**

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

**GUIDELINES**

**1. Salary and Wage Plan**

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

The Authority Board annually reviews the Salary and Benefits Resolution. The Executive Director has overall responsibility for recommending, interpreting, and monitoring the salary and performance management systems.

Managers are responsible for participating and providing input in the performance management program. The Executive Director discusses performance and salary-related issues with all employees.

**2. Salary Structure**

The salary structure assigns each classification to a salary range based on comparable positions in both the public and private sectors, according to the skills, responsibilities and qualifications that the classification requires.

**3. Performance Review**

The employee's supervisor is responsible for reviewing each employee's performance. Based upon the results of the performance review and the recommendation of the supervisor, the Executive Director, may grant merit salary adjustments, within the approved salary ranges, and the adopted budget for the following fiscal year.

Accurate performance reviews are particularly important and will be the basis for any performance based salary adjustments.

**4. Timing of Increases**

Employees hired or promoted at the entry level of the salary schedule shall be considered for a merit increase at the completion of six (6) months, and annually thereafter. Employees hired or promoted above the entry level of the salary schedule shall be considered for a merit increase at the completion of twelve (12) months, and annually thereafter.

**5. Start Salary**

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

On an annual basis that is coordinated with the budget review, the Executive Director determines whether salary increases are appropriate.

**6. Promotions**

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

**7. Out of Rate Pay**

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

Employees assigned shall receive a minimum of five percent (5%). If an employee is temporarily assigned to fill in for a classification of supervisor or higher, the Executive Director may approve out-of-rate pay up to a maximum of ten percent (10%).

Temporary assignments should generally not exceed six (6) months, but may be extended on a case by case basis at the discretion of the Executive Director.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: PERFORMANCE EVALUATION PROGRAM**

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

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

**GUIDELINES**

**1. Feedback**

The Executive Director/supervisor shall give feedback throughout the year regarding an employee's success in achieving job expectations and job requirements. Employees need to know if they are completing performance objectives satisfactorily. Regular feedback also enables managers to determine if performance objectives require adjusting due to changes in authority or job priorities.

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

**2. Performance Objectives**

Goal-oriented performance objectives are mutually agreed upon between the Executive Director/supervisor and the employee at the beginning of the evaluation period and documented on the evaluation form. It is important that employees understand the Authority's expectations. Both performance and behavioral objectives may be established. Supervisors, in conjunction with the employee, may develop a role description to establish and define specific job tasks and objectives within the job classification.

### **3. Types of Review**

#### **A. Introductory Period**

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

#### **B. Informal Feedback and Annual Review**

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

#### **C. Annual Review**

An annual written review is intended for each employee.

The evaluation shall include documented information regarding past performance, the success of meeting goals and objectives previously agreed to and include goals and objectives for the upcoming year. The preparation of a developmental plan is optional. The performance appraisal shall cover the entire period of evaluation.

The Executive Director/supervisor shall complete the Performance Evaluation form during this review referencing the employee's job description and objectives previously agreed to. The Executive Director will review the completed performance evaluation before it is provided to the employee. The employee will then be provided a draft copy of the completed performance evaluation.

After the employee has had an opportunity to review the written evaluation, the employee, his/her supervisor and/or the Executive Director will meet to discuss its contents. If appropriate and agreed to, changes can be made to the draft document.

### **4. Performance Evaluation Form Processing**

After the performance evaluation interview is completed, a copy of the completed performance appraisal form will be provided to the employee. The employee may submit a written response or written comments, which will be attached to the form for retention in the employee's personnel file. After the Executive Director, supervisor and the employee have signed the form, a copy will be made for the employee and the original will be retained in the employee's personnel file.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: PERSONNEL RECORDS**

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**1. Maintenance of Records**

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

**2. Update**

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

**3. Access/Confidentiality**

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

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

**4. Employment Reference/Credit Inquiries**

The Authority is authorized to verify position and employment dates only. No other reference information will be released. Any other information, including address and phone numbers, may be released only with a written authorization from the employee. All reference inquiries regarding the Authority employees shall be referred to the Executive Director.

## **5. Records Retention**

The Authority will maintain personnel records in accordance with the Records Retention Policy #412. Under the schedule employee personnel files will be retained for a minimum of six (6) years after termination from employment.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: EMPLOYMENT OF RELATIVES**

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

If two employees marry, become registered domestic partners, or become related, causing actual or potential problems such as those described above, only one of the employees will be retained with the Authority, unless reasonable accommodations can be made to eliminate the actual or potential problems. The employees will have 30 days to decide which relative will stay with the Authority. If this decision is not made within the time allowed, the Authority will make the decision, taking the employment history and job performance of both employees into account.

Each situation shall be addressed based on the individual circumstances of that situation.

Relatives of elected or appointed Authority Board members or alternates shall not be appointed to any Authority position, either regular full-time, limited term or part-time/temporary.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: HOURS OF WORK**

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

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

**GUIDELINES**

1. The regular workweek is defined as forty hours between 12:01 a.m. Sunday and 12:00 midnight Saturday, inclusive.
2. The Authority allows the use of makeup time when non-exempt employees need time off to tend to personal obligations. Makeup time worked will not be paid at an overtime rate. Employees may take time off and then make up the time later in the same workweek, or may work extra hours earlier in the workweek to make up for time that will be taken off later in the workweek.

Makeup time requests must be submitted in writing to the supervisor, with the employee's signature, on the Authority -provided form. Requests will be considered for approval based on the legitimate business needs of the Authority at the time the request is submitted. A separate written request is required for each occasion the employee requests makeup time. Any makeup time requests must be submitted at least forty-eight (48) hours in advance. The makeup time request must be approved in writing before the employee takes the requested time off or works makeup time, whichever is first.

All makeup time must be worked in the same workweek as the time taken off. Employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or would be lost due to a personal obligation.

If the employee takes time off and is unable to work the scheduled makeup time for any reason, the hours missed will normally be unpaid. However, the employee's supervisor may arrange with the employee another day to make up the time if possible, based on scheduling needs within the same workweek. If the employee works makeup time in advance of time they plan to take off, they must take that time off, even if they no longer need the time off for any reason.

- An employee's use of makeup time is completely voluntary. The Authority does not encourage, discourage, or solicit the use of makeup time.
3. Employees are required to be at their assigned work locations and ready to begin work at their designated start time.
  4. Two rest breaks of fifteen minutes each are scheduled in an eight (8) hour day, once during the first four (4) hours of a shift and once again during the last four (4) hours of a shift. Break periods shall not be added on to the lunch hour, taken at the end of the workday, or saved for use at another time. Employees who work less than three and one-half hours in a day will not receive a paid rest period.
  5. California Law requires that all non-exempt employees take an unpaid meal period of at least 30 minutes no later than after each five hours in any one shift with one exception. Employees may voluntarily agree to waive rights to a meal period, provided they do not work more than six hours in the workday. Employees are expected to take their meal breaks and not work during that time.
  6. Employees who are breastfeeding may take additional unpaid breaks with their supervisor's approval in order to express breast milk. You will be required to use the paid rest break time already provided to you, if possible. If you need a reasonable amount of additional time, that time will be unpaid and will only be approved if taking the additional time does not seriously disrupt business operations. You may choose to use your lunch break time to express breast milk as well.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: ALTERNATIVE WORKWEEKS**

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The Authority's Personnel Policies and Procedures authorize the Executive Director to approve an alternate work schedule for individual employees based on staffing needs, the employee's performance and the nature of the position.

**GUIDELINES**

1. The purpose of this alternate work schedule policy is to define the alternate work schedule and to define the accrual and use of overtime, sick leave, vacation leave and holiday time as they pertain to a "9/80" work schedule.
2. An alternate work schedule for an employee may be implemented at the sole discretion of the Executive Director and may be thereafter modified or eliminated, at anytime, with the recommendation of the supervisor and/or the Executive Director.
3. The 9/80 Alternate Schedule will be assessed six (6) months after implementation and annually thereafter.

**POLICY**

1. Employees currently working forty (40) hours in a one week period or eighty (80) hours in a two week period and approved to use an alternate work schedule, will work nine (9) hours each day Monday through Thursday, eight (8) hours on one Friday and take the next Friday off. Therefore, during the 2-week work period, the employee will work a total of 44 hours one week and 36 hours the other week.
2. The payroll period, provided by the City of Vacaville payroll system, will continue to be based on a semi-monthly schedule that varies from 72-96 hours.
3. Although the daily schedule is flexible, the "normal" daily schedule shall be between the hours of 7 a.m. and 6 p.m. each day. Employees must be present at their job during the "core hours" of 8 a.m. to 11 a.m. and 1:30 p.m. to 3:30 p.m., unless modified by their supervisor and/or the Executive Director. For employees approved to use an alternate work schedule, the employee and the employee's supervisor shall establish the work hours for the employee based on established guidelines and as determined by the supervisor and Executive Director which shall include a minimum thirty (30) minute non-paid lunch break.

#### 4. **Overtime**

In order to implement a 9/80 schedule, the workweek for affected employees will begin at "mid-day of an employee's scheduled workday on Friday" to "mid-day of the employee's scheduled workday on the following Friday." Using this method, an employee will work a total of 40 hours during the "scheduled workweek". Overtime and compensation time apply to non-exempt employees.

Since the 9/80 schedule provides a significant non-monetary benefit for employees, one goal of the alternate work schedule shall be to minimize overtime and compensation time for non-exempt employees; therefore, employees and their supervisors are encouraged to adjust an employee's weekly schedule to include the time period for evening meetings (e.g., Authority Board, Advisory Committees) without exceeding the 40-hour workweek. In the event that a non-exempt employee must work a scheduled "off" Friday (or portion of the "off" Friday), the employee's schedule for the week should be adjusted to minimize overtime or compensation time, where possible. All employees must receive approval from their supervisor for schedule changes. As always, non-exempt employees will continue to receive overtime or compensation time for any hours worked above their scheduled workweek.

#### 5. **Eligibility**

The employee will be eligible for a 9/80 work schedule following six months of employment and subject to the recommendation of his/her supervisor and the approval of the Executive Director. Employees must complete a signed agreement approved by their supervisor and the Executive Director, to be eligible for the 9/80 work schedule.

In order to provide fairness of workload, the Authority reserves the right to suspend a 9/80 alternate work schedule option for any reason including the following:

- Abuse of privilege.
- Repeated absence during scheduled work time.
- Insufficient compensatory or vacation leave accrued.
- Establish blackout period based on operational needs as determined by the Executive Director.

#### 6. **Vacation and Sick Leave**

The employee will continue accruing vacation and sick leave hours at the same rate they are before being assigned to an alternative work schedule. An employee who is using vacation or sick leave will be charged number of hours of use. For example:

- If an employee is off for 4 hours on vacation or sick leave, they will be charged 4 hours, respectively.
- An employee who is on an approved 9/80 schedule and is off on vacation or sick leave for a whole workday on which they were scheduled to work for 8 hours, will be charged 8 hours, respectively.

- An employee who is on an approved 9/80 schedule and is off on vacation or sick leave for a whole workday on which they were scheduled to work for 9 hours, will be charged 9 hours of vacation or sick leave as appropriate.

## 7. **Holidays**

Compensation for holidays will change when assigned to an alternative work schedule. Employees normally receive 8 hours of holiday pay when assigned to a regular 40-hour per week work schedule. Under the 9/80-schedule option, an employee will continue to receive 8 hours of holiday pay, even if the holiday falls on a day when the employee is scheduled to work 9 hours. The difference between the hours paid and the hours used will be offset by the following method:

An employee shall use their accrued compensation time or vacation time to make up the difference. For example: a 9/80 employee receives Presidents' Day off and on that Monday the employee is scheduled to work 9 hours. The Employee will be paid 8 hours of holiday pay and shall use either one hour of compensation time or one hour of vacation time.

During a work period where a Holiday falls on a Friday, (e.g. Thanksgiving) the 9/80 schedule may be suspended for a two-week period, by the Executive Director.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: OVERTIME PAY**

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All Authority positions shall be classified as either exempt or non-exempt in accordance with the federal Fair Labor Standards Act (see policy 202: Employment Status). In accordance with FLSA, exempt positions are defined as being primarily administrative, professional and/or executive in the performance of their job duties and are not eligible for overtime compensation but are eligible for straight-time compensatory time off. Non-exempt employees are eligible to earn overtime compensation or compensatory time off at overtime rates. The Authority complies with all California and federal overtime requirements.

**GUIDELINES**

**1. Non-Exempt Employees**

For employees working a regular workweek, all hours worked in excess of 8 hours in one workday or 40 hours in one workweek will be treated as overtime.

Compensation for hours in excess of 40 for the workweek or in excess of 8 and not more than 12 for the workday and for the first 8 hours on the seventh consecutive day of work in one workweek, shall be paid at a rate one-and-one-half times the employee's regular rate of pay.

Compensation for hours in excess of 12 in one workday and/or in excess of 8 on the seventh consecutive workday in a workweek shall be paid at double the regular rate of pay.

An employee may elect, by so stating, in writing, on the appropriate time card, a preference to earn compensatory overtime in lieu of overtime pay. An employee may accumulate up to a maximum of sixty (60) hours of compensatory time. Those hours reflect forty (40) hours of straight time worked. An employee who has reached the maximum balance shall be paid overtime until such time that the accrual is below the stated ceiling.

Any overtime must be approved by a supervisor or the Executive Director in advance.

**2. Exempt Employees**

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

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: PAYMENT OF WAGES**

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The Authority pays its employees on a semi-monthly basis. Following are the guidelines used for payment of wages. Employees are notified regarding specific paydays. The pay dates are posted.

**GUIDELINES**

**1. Pay Dates/Pay Periods**

Employees will be paid on the 15th and the last day of the month. If the regular payday falls on a Saturday, Sunday, or holiday, employees will be paid on the preceding workday. The paycheck received on the 15th will reflect work performed for the 16th through the end of the previous month and the paycheck received on the last day of the month will reflect the work performed for the 1st through the 15th of the current month.

**2. Timekeeping Requirements**

All non-exempt employees are required to record time worked on a timesheet for payroll purposes. Employees must record their own time at the start and at the end of each work period, including before and after the lunch break. Employees also must inform their supervisors whenever they leave the building for any reason other than Authority business.

The Executive Director must initial any handwritten marks or changes on the timesheet. Any errors on your timesheet should be reported immediately to the Executive Director, who will attempt to correct legitimate errors.

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

**3. Automatic Payroll Deposit**

The Authority offers automatic payroll deposit for all employees. You may begin and stop automatic payroll deposit at any time. To begin automatic payroll deposit, you must inform the Executive Director or designee one pay period prior to the pay period that the service is to begin. You should monitor your payroll deposit for the first two pay periods after the service begins. A voided check showing your account number must be submitted with your request for automatic payroll deposit.

To stop automatic payroll deposits, employees should inform the Executive Director or designee one pay period prior to the pay period in which they wish to stop the automatic service.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: ATTENDANCE AND TARDINESS**

---

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

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

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

**GUIDELINES**

1. If an employee is unable to report to work as scheduled due to illness or injury, the employee shall notify the supervisor, or if that person is unavailable, the receptionist by 8 a.m. with a voice mail message stating the reason for the absence. (See Policy, Sick Leave #306, for additional information.)
2. Excessive tardiness or absenteeism, regardless of reason(s), which renders an employee insufficiently available for work or negatively impairs the operations of the Authority, will be evaluated on a case-by-case basis to determine the merits of corrective action, up to and including termination of employment.
3. Employees absent for three consecutive workdays without calling in to report the absence are considered to have voluntarily resigned as of the first day of absence. This "no call/no show" applies to all situations other than extreme emergencies.

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

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: POOR PERFORMANCE AND DISCIPLINE ISSUES**

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

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

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

**GUIDELINES**

**1. Examples for Unacceptable Conduct or Behavior**

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

- A. Violation of the Authority’s policy prohibiting drug and alcohol abuse.
- B. Insubordination, including but not limited to, failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
- C. Falsifying or making a material omission on an employment application or on other Authority records or documents.
- D. Removal of equipment/supplies from Authority property for personal use.
- E. Misusing, destroying or damaging property of the Authority, another employee or an Authority visitor.
- F. Actual or threatened physical violence; threatening, intimidating or coercing any member of the Authority’s community; vulgar or abusive language.
- G. Possession or use of dangerous or unauthorized materials, such as explosives, firearms or other similar items, while on Authority property, while on duty or while operating a vehicle leased or owned by the Authority.
- H. Unsatisfactory performance, including but not limited to, inadequate quantity or quality of work product; failure to complete assigned tasks; lack of cooperation.

- I. Violation of the Authority's policy prohibiting unlawful harassment and discrimination. (See Policy #105)
- J. Dishonesty.
- K. Sleeping while on duty.
- L. Failure to follow instructions or safety guidelines.
- M. Conviction of a felony, based upon the nature of the offense, when it occurred and its relevance to the position.
- N. Violation of any Authority rules, regulations or codes of conduct or otherwise conducting oneself contrary to the interests of the Authority.
- O. Theft and deliberate or careless damage or destruction of any Authority property or the property of any employee or customer.
- P. Removing or borrowing Authority property without prior authorization.
- Q. Provoking a fight or fighting during working hours or on Authority property.
- R. Causing, creating or participating in a disruption of any kind during working hours on Authority property.
- S. Failing to notify a supervisor when unable to report to work.
- T. Unreported absence of three consecutive scheduled workdays.
- U. Failing to obtain permission to leave work for any reason during normal working hours.
- V. Failing to observe working schedules, including rest and lunch periods.
- W. Excessive tardiness or absenteeism, including abuse of any of the Authority's policies or procedures relating to leaves or breaks.
- X. Recording the work time of another employee or allowing any other employee to record one's own work time, or falsifying any time card, either one's own or another employee's.
- Y. Working overtime without authorization or refusing to work assigned overtime.
- Z. Failing to provide a physician's certificate when requested or required to do so.
- AA. Violating any safety, health, security or Authority policy, rule or procedure.
- BB. Committing or involvement in any act of unlawful harassment of another individual.
- CC. Conducting personal business during Authority paid working hours.

## **2. Procedural Steps to Address Poor Performance or Discipline Issues**

### **A. Verbal Counseling**

For relatively minor misconduct or performance problems, the supervisor, or manager, shall counsel the employee orally, specifying the unacceptable behavior and identifying what corrective action or behavior is needed to meet a satisfactory level of performance.

The employee shall be advised that failure to correct the behavior/performance will result in additional corrective action, up to and including termination of employment.

**B. Written Warning**

If the employee's behavior/performance does not improve sufficiently after the verbal counseling, or if, in the sole discretion of the Executive Director, the misconduct/unsatisfactory performance is deemed to warrant more severe steps of mitigation, the employee may receive a written warning.

The written warning shall specify the unacceptable behavior and identify what corrective action or behavior is required to meet a satisfactory level of performance.

The written warning shall be documented and maintained in the employee's personnel file. The Executive Director may agree to remove the written reprimand after a specified period of corrected performance.

**C. Suspension Without Pay**

If the procedure consists of an unpaid suspension, the Executive Director shall notify the employee in writing of the corrective action. The notice shall include:

1. The action taken, the date it will be effective and the specific grounds upon which the corrective action is being taken; and
2. The situation or behavior upon which the action is based.

**D. Termination**

If the employee is being terminated, the employee shall be notified of the Authority's intent and shall be given the opportunity to meet with the Executive Director/designee to discuss the proposed termination prior to its effective date.

The Authority shall:

1. State the intended action to be imposed, the reason for it and the effective date of such action;
2. Include a copy of the charges and materials upon which the corrective action is based, if applicable and/or available;
3. Allow the employee to discuss the decision and make his/her case for overturning the decision.

The Executive Director/designee, after considering the employee's response, if any, has the authority to uphold, reduce or modify the proposed corrective action. The employee shall receive written notification of the Executive Director's decision.

Terminations of full-time regular staff require the approval of the Executive Director and notification to the Authority Board Chair.

The termination of the Executive Director or legal counsel requires action by the full Authority Board.

The terminated employee shall receive payment for all wages, vacation and floating holidays due to him/her on their last day of employment.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: GRIEVANCE PROCEDURE**

---

The Authority has established an internal problem-solving process to provide a prompt and fair review of employee work-related issues.

Employees shall be advised that using this process shall not affect their job status, security or relationship. Employees can exercise this problem solving resolution process without retribution.

**DEFINITION**

A grievance is an alleged violation, misinterpretation, inequitable application or non-compliance, with a policy contained in the Human Resources Policy Handbook, except termination based on the at-will policy.

**GUIDELINES**

**1. Purpose**

The purpose of this grievance procedure is to develop and practice a reasonable and effective means of resolving difficulties that may arise among employees, to reduce potential problems, to establish channels of communication, and to settle differences that arise as close to the point of origin as possible; and to provide a program as fair as possible that will resolve differences promptly and without fear of reprisal.

**2. Verbal Grievance**

If an employee feels that they have been treated unfairly or a policy in the Human Resources Policy Handbook has been violated, he/she shall bring the problem to his/her supervisor for discussion.

Both shall make a real effort to amicably settle any differences by meeting and discussing the problem and possible solutions.

**3. Written Grievance**

**Step I**

If the grievant believes the informal grievance has not been redressed within a reasonable timeframe, he/she may submit a written complaint to the Executive Director. The form shall contain the following information:

- a. Name(s) of grievant;
- b. The date upon which the event giving rise to the complaint occurred;
- c. A clear statement of the nature of the complaint, citing what policy has been allegedly violated, by whom, when and how;

- d. The date the information was discussed informally with the supervisor/ Executive Director;
- e. A proposed solution to the complaint;
- f. The date the written complaint is signed; and
- g. The signature of employee.

Within a reasonable timeframe, the Executive Director or designee will investigate the complaint, confer with persons affected to the extent deemed necessary and meet with the employee in an attempt to resolve the complaint and make a decision in writing. The decision will be given to the employee.

**Step II**

If the situation is not resolved in Step I to the satisfaction of the employee, he/she may request consideration of the complaint by the Authority Board by so notifying the Authority's legal counsel in writing and having the complaint calendared at the next regularly scheduled Board Meeting.

The Authority Board will consider the complaint and confer with persons affected. The Authority Board will take that recommendation under advisement and make a decision regarding the grievance. The decision of the Authority Board is final and binding.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: RESIGNATION/TERMINATION**

---

**1. Last Day of Employment**

The last day worked and/or the last day in paid status is the last day of employment for employees who resign or are terminated from the Authority. All employees shall be paid for accrued and unused vacation and other applicable benefit accruals.

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

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

**2. Notification**

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

**3. Return of Authority Property**

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

**4. Continuation of Group Health Benefits - C.O.B.R.A.**

In accordance with Federal law, employees and their families, at their expense, may have a temporary extension of health coverage at group rates in certain instances where coverage under the plan would otherwise terminate. Contact the Executive Director for more information regarding this benefit.

**SECTION: EMPLOYMENT PRACTICES**  
**SUBJECT: LAYOFF/REHIRE**

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**Layoff**

Under some circumstances, the Authority may need to restructure or reduce its workforce. If restructuring the operations or reducing the number of employees becomes necessary, the Authority will attempt to provide advance notice, if possible, to help prepare affected individuals. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite.

In determining which employees will be subject to layoff, the Authority will take into account, among other things, operation and requirements, the skill, productivity, ability, and past performance of those involved, and also, when feasible, the employee's length of service.

The determination to lay off employees rests in the full discretion of the Authority Board and the Board's decision is final and binding and not subject to grievance.

**Rehire**

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

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

A rehired employee is subject to the same terms and conditions as a newly hired employee and no seniority or prior benefits are retained.

**SECTION: BENEFITS**  
**SUBJECT: RETIREMENT AND SOCIAL SECURITY**

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

**Public Employees Retirement System (PERS)**

Eligible employees are covered under the California Public Employees Retirement System. Under the Public Employees Pension Reform Act of 2013, CalPERS has established membership categories. The categories include “new” members and “classic” members under PERS. The level of benefits is dependent on the employee’s date of hire and category status at the time of hire. Service Credit shall be credited in accordance with PERS guidelines

**PARS Supplemental Retirement Plan**

In addition to PERS, employee’s hired on or before 12/31/2012 shall also be eligible to receive benefits through a supplemental retirement plan under the Public Agencies Retirement System (PARS).

**Social Security**

Employees not eligible for benefits under PERS shall be subject to social security.

**Medicare**

All employees are subject to medicare contribution.

**Deferred Compensation**

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

Additional information on each of these programs can be obtained at the Authority’s administrative offices and within the Employee Benefit Summary document.

**PROCEDURE**

**1. Retirement Planning Workshop**

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

**2. Authority Notification**

It is requested that employees planning to retire from Authority service give both the Authority and PERS, at least ninety (90) calendar days’ written notice prior to the date of intent to retire.

### **3. Retiree Medical Insurance**

Eligible retiring employees shall be provided with the option to elect medical coverage for themselves and family members, if applicable, in accordance with the Authority's contract with PERS. Contact the Executive Director for more information about this benefit.

## **SOCIAL SECURITY INFORMATION (SSA-1945)**

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

When an employee retires, or if they become disabled, they may receive a pension based on earnings from this job. If the employee does, and they are also entitled to a benefit from Social Security based on either their own work or the work of their husband or wife, or former husband or wife, that pension may affect the amount of the Social Security benefit the employee receives. Medicare benefits, however, will not be affected. Under the Social Security law, there are two ways a Social Security benefit amount may be affected:

### **1. Windfall Elimination Provision**

Under the Windfall Elimination Provision, Social Security retirement or a disability benefit is figured using a modified formula when an individual is also entitled to a pension from a job where they did not pay Social Security tax. As a result, the individual will receive a lower Social Security benefit than if they were not entitled to a pension from that job. For example, if the individual is age 62 in 2013, the maximum monthly reduction in Social Security benefit as a result of this provision is \$395.50. This amount is updated annually. This provision reduces, but does not totally eliminate, the Social Security benefit. Additional information can be found in the Social Security publication, "Windfall Elimination Provision."

### **2. Government Pension Offset Provision**

Under the Government Pension Offset Provision, any Social Security spouse or widow(er) benefit to which an individual becomes entitled will be offset if they also receive a Federal, State or local government pension based on work where they did not pay Social Security tax. The offset reduces the amount of the Social Security spouse or widow(er) benefit by two-thirds of the amount of the individual's pension.

For example, if the individual receives a monthly pension of \$600 based on earnings that are not covered under Social Security, two-thirds of that amount, \$400, is used to offset the Social Security spouse or widow(er) benefit. If the individual is eligible for a \$500 widow(er) benefit, they will receive \$100 per month from Social Security,  $\$500 - \$400 = \$100$ . Even if the pension is high enough to totally offset the spouse or widow(er) Social Security benefit, the individual is still eligible for Medicare at age 65.

Additional information can be obtained from the Social Security publication, "Government Pension Offset."

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

**SECTION: BENEFITS**

**SUBJECT: HEALTH AND WELFARE BENEFITS**

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

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

**GUIDELINES**

**1. Health Benefits**

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

All full-time employees and their qualified dependents are eligible for coverage. If the employee does not enroll in a plan within 31 days of date of hire, coverage maybe denied or delayed and the employee may not be eligible to enroll in a health insurance plan until the next open enrollment period. The health benefit is annually updated to reflect changes on health benefit premium effective January 1 of every year. The Executive Director can provide additional information, plan documents and literature regarding this benefit.

In addition, employees who can provide proof of other insurance coverage may elect to receive cash in lieu of the Authority's health coverage. Employees electing to decline the health coverage will receive an amount approved by the Board in the Employee Benefit Summary.

**2. Dental Benefits**

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

The Authority pays a majority of the premium costs for employees plus family but the employee is responsible for any deductibles or co-payments. The Executive Director can provide additional information, plan documents and literature regarding this benefit.

In addition, employees who can provide proof of other insurance coverage may elect to receive cash in lieu of the Authority's dental coverage. Employees electing to decline dental coverage will receive an amount approved by the Board in the Employee Benefit Summary.

**3. Vision Benefits**

A fully paid vision insurance plan is offered to full-time regular employees and eligible dependents. Employees may enroll their spouse, eligible children or registered domestic partners and eligible children of registered domestic partners.

The Authority pays the premium costs for employees plus family but the employee is responsible for any deductibles or co-payments. The Executive Director can provide additional information, plan documents and literature regarding this benefit.

**4. Group Term Life Insurance**

Full-time regular employees are provided, at Authority cost, group term life insurance coverage (Refer to Employee Benefit Summary). The Executive Director can provide additional information, plan documents and literature regarding this benefit.

**5. Long-Term Disability Insurance (LTD)**

Full-time regular employees are provided, at Authority cost, long-term disability insurance coverage (Refer to Employee Benefit Summary). The Executive Director can provide additional information, plan documents and literature regarding this benefit.

**6. Unemployment Insurance Benefits (1857D)**

The Agency is registered under the California Unemployment Code and reports wage credits that are accumulated as a basis for unemployment benefits. Unemployment insurance provides compensation payable to individuals unemployed through no fault of their own who are actively seeking employment and are available and able to work. The Authority pays the entire cost of unemployment benefits for former employees through taxes paid to the state. The Executive Director can provide additional information regarding this benefit.

**7. Health Insurance Portability and Accountability Act (HIPAA)**

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

**8. Consolidated Omnibus Budget Reconciliation Act (COBRA)**

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

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

**SECTION: LEGAL**  
**SUBJECT: WORKERS' COMPENSATION PROGRAM**

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

For more information about the Authority's Workers' Compensation insurance policy and insurance carrier, please ask the Executive Director or designee.

**GUIDELINES**

1. Employees who are injured in a work-related incident will be referred to a medical facility of the Authority's choice.

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

2. The injury or illness must be reported immediately to the employee's supervisor and the Executive Director. The supervisor/ Executive Director will see that the employee receives immediate medical attention.
3. A written Employee's Claim Form (DWC Form 1) must be completed by the employee and returned to the Executive Director. If an employee does not report the accident/illness within forty-eight (48) hours, Workers' Compensation Insurance benefit rights may be lost.
4. Assuming that the insurance administrator has accepted an injury or illness as being industrial, Workers' Compensation benefits will normally begin after the third day the employee was injured and off of work. If the disability continues for more than 14 calendar days or if hospitalization occurs as a result of the injury, the benefits begin on the first day after the onset of illness/injury.

There shall be no deduction from the employee's sick leave account for the first day of the job injury if the treating physician sends the employee home. The second and third day shall be charged to the employee's sick leave account unless the employee is hospitalized in which case the employee will not be charged for the first three days. Thereafter, sick leave benefits are integrated with Workers' Compensation benefits.

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

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

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

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

**SECTION: BENEFITS**  
**SUBJECT: HOLIDAYS**

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

Regular full time employees receive twelve (12) paid holidays per year:

New Year's Day	January 1
Martin Luther King, Jr. Birthday	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Monday before October 12
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve (4 hours)	December 24
Christmas Day	December 25
New Year's Eve	December 31

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

If Christmas Eve and New Year's Eve fall on a Friday, Saturday, or Sunday, the employee shall receive a credit of eight (8) hours into their vacation balance in lieu of taking the time off. Hours shall be credited on July 1<sup>st</sup>.

In addition, the Authority grants each employee three (3) floating holidays per year (see guidelines number 3. and 4. below).

**GUIDELINES**

1. Employees are required to work on their regularly scheduled workday preceding and following the holiday to receive payment for the holiday, unless the employees are on approved leave or a regularly scheduled day off.
2. Holiday pay is at straight time wages.
3. Floating Holidays are credited to the employee's vacation account on July 1 of each year. Full-time regular employees hired between July 1 and December 31 will receive credit for three (3) Floating Holidays. Full-time regular employees hired between January 1 and June 30 will receive credit for two (2) Floating Holidays for that initial year.
4. Unused accrued floating holiday time credited to vacation hours shall be paid off at the time of an employee's separation of employment.

**SECTION: BENEFITS**  
**SUBJECT: VACATION AND MANAGEMENT LEAVE**

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

Full-time employees working 40 hours per week accrue vacation from date of hire in accordance with the schedule shown below. Vacation may not be taken until the employee has successfully completed six (6) months of employment unless approved by the Executive Director.

**GUIDELINES**

**1. Vacation Accrual**

Vacation is accrued monthly in accordance to the following schedule for full-time employees:

<b>Years of Service</b>	<b>Annual Entitlement</b>	<b>Annual Vacation Hours</b>	<b>Maximum Accrual Hours</b>
0 through 5 years	10 working days	80	320
5+ through 10	15 working days	120	320
11 years	16 working days	128	320
12 years	17 working days	136	320
13 years	18 working days	144	320
14 years	19 working days	152	320
15+ years	20 working days	160	320

Employees shall work at least one half of the working days in the month to accrue vacation in that month.

**2. Scheduling & Usage**

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

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

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

If an employee or his/her immediate family member suffers a bonafide illness or injury in accordance with Sick Leave Policy #306 during a vacation and is able to provide a doctor's certification regarding that illness or injury, the employee may request that sick leave be substituted for vacation leave. Granting sick leave in lieu of vacation is at the discretion of the Executive Director.

### **3. Maximum Vacation Accrual**

Once an employee reaches the maximum vacation accrual hours, vacation earnings shall cease accruing until such time that the accrued unused vacation is below the maximum vacation hours allowed.

## **MANAGEMENT LEAVE POLICY**

The Executive Director and Department Directors are classified as exempt employees under FLSA, are not entitled to overtime, and are eligible to receive management leave.

The Executive Director and the Department Directors shall be credited up to a maximum of eighty (80) hours into a management leave bank each July 1<sup>st</sup> to be used at the employee's discretion within the fiscal year and not later than June 30<sup>th</sup>. Unused management leave does not accrue.

Mid-management employees classified as exempt under FLSA, shall be credited up to a maximum of forty (40) hours into a management leave bank each July 1<sup>st</sup> to be used at the employee's discretion within the fiscal year and not later than June 30<sup>th</sup>. Unused management leave does not accrue.

**SECTION: BENEFITS**  
**SUBJECT: SICK LEAVE**

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

Sick leave with pay is a form of insurance or protection granted in circumstances of adversity to promote the health of the individual employee. It is not an earned right to time off from work and is not to be confused with vacation or other types of leave. It is a request for a benefit to be exercised under appropriate circumstances. Sick leave with pay is granted for the following reasons: employee's own personal illness, injury or physical incapacity resulting from causes beyond the employee's control; or to keep a doctor's or dentist's appointment.

The Authority will not tolerate abuse or misuse of sick leave privileges. Excessive absenteeism, regardless of reason(s), which renders an employee insufficiently available for work, will be evaluated on a case-by-case basis to determine the merits of corrective action up to and including termination of employment.

**GUIDELINES**

**1. Accrual and Usage of Sick Leave**

Regular full-time employees accrue sick leave at the rate of one day for each full month of active employment. Sick leave may be accrued up to ninety (90) working days, or 720 hours. Accrual of sick leave shall begin at the end of the employee's first full month of service. The minimum sick leave taken at any one time shall not be less than one (1) hour.

**2. Definitions**

**A. Personal Sick Leave**

Sick leave is the absence from duty of an employee because of illness, injury, or exposure to a contagious disease that incapacitates the employee and prevents the employee from performing assigned duties.

**B. Family Sick Leave**

An employee may use up to five (5) days of accrued sick leave to care for an immediate family member who is ill and requires the employee's personal attention. Employees are expected to make arrangements for other care as soon as possible in order to return to work. Normally up to five (5) days of sick leave may be granted to an employee whose wife is giving birth to a child or in the case of adoption. Up to five (5) days may also be granted for guardians to take care of seriously ill dependents or care for children with childhood diseases.

**C. Immediate Family Members**

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

**D. Medical Appointments**

Employees may use earned sick leave for routine physical checkups, medical and dental examinations for themselves and their immediate family members. Whenever possible, requests for preventative sick leave usage shall be made sufficiently in advance to provide the supervisor with proper notification for scheduling considerations.

**3. Administration**

**A. Notice of Illness**

It is the responsibility of the employee to personally notify his/her immediate supervisor before 8 a.m. of illness or injury on any workday that he/she cannot come to work. If the supervisor is not available, the employee shall notify an alternative contact of absence. If unable to reach a supervisor or alternative contact, employee must leave a voice mail message for the supervisor and should also contact the receptionist to inform the Agency that he/she will not be in. Failure to provide proper notification may result in the denial of sick leave with pay.

**B. Documentation**

The employee's supervisor or the Executive Director may request a doctor's certification for any illness for which an employee requests sick leave, including family sick leave. Absences of three or more days require a doctor's certification when returning to work.

**C. Denial of Sick Leave Benefits**

Sick leave with pay may be denied if it is substantiated that the employee's absence did not meet the definitions as specified in Section 2, Definitions, of this Sick Leave Policy and may be grounds for corrective action.

An employee who is on unscheduled sick leave and has no sick leave accrual in his/her account and who has been counseled and noticed for sick leave abuse may not use vacation for that time off. The employee shall be on a leave of absence without pay.

**D. Sick Leave Abuse Review**

In reviewing each employee's sick leave usage, the supervisor and the Executive Director will pay particular attention to specific indicators to determine if abuse of sick leave may be occurring. The indicators to be reviewed include, but are not limited to:

1. Patterns of sick leave usage (including Monday/Friday absences, absences occurring in conjunction with authorized days off or in conjunction with paydays);
2. Unscheduled sick leave usage; and
3. Demonstrated use of sick leave when neither employee nor family member is ill.

Based upon a review of the above indicators, the supervisor and the Executive Director will determine if counseling and/or corrective action is appropriate.

**4. Accrued Sick Leave Cash-out**

Employees are eligible to participate in an annual cash-out program. Employees with at least 30 days (240 hours) of accrued but unused sick leave who used less than 4 days (32 hours) of 12 days (96 hours) earned in the fiscal year, can elect to receive 50% in cash of the unused portion earned, in excess of 30 days.

Eligible employees electing to participate shall be paid in July of every year.

In addition, upon service retirement, 25% of the employee's remaining sick leave balance may be paid, at the Authority's sole discretion.

**5. Termination of Employment**

Employees are not paid for any accrued sick leave at termination of employment other than employees leaving for a service retirement.

**6. Required Use of Paid Sick Leave Before Unpaid Leave**

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

**SECTION: BENEFITS**  
**SUBJECT: LEAVE OF ABSENCE**

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

**GUIDELINES**

**1. General Provisions**

- A. A leave of absence may include both paid and unpaid days. An employee will continue to receive health insurance benefits as long as the employee is on a paid status. An employee who is granted an unpaid leave of absence that exceeds thirty (30) days and who wishes to continue health insurance coverage may do so at his/her expense at the Authority's group rates. The employee should contact the Executive Director for the necessary COBRA forms.
- B. An authorized leave of absence does not represent a break in employment for a regular employee. The employee retains all accrued leave. Seniority, vacation, sick leave and holiday benefits do not accrue during periods of unpaid leave of absence.
- C. The length of the leave of absence shall delay scheduled salary increases. The employee shall return to the same salary step or relative placement in the salary range upon return.
- D. If an employee's leave exceeds thirty (30) days, the performance evaluation and regular merit increase shall be delayed for the length of time for which the employee is on the leave of absence.
- E. An employee who is granted a leave of absence, which exceeds thirty (30) days leave, shall provide the Authority with two (2) weeks notice prior to his/her anticipated return to work date.
- F. An employee who requires an extension to a leave of absence shall request the extension a minimum of two (2) weeks before the original leave expires.

- G. Depending on the type of leave, the employee shall complete the appropriate section of their time sheet and/or the appropriate Leave of Absence Request Form. (Forms are available from the Authority). The Authority may also request additional documentation explaining the need for a leave, prior to granting such leave.
- H. The introductory period of a new employee granted a leave of absence will be extended for the period of the leave of absence.
- I. In accordance with the Americans With Disabilities Act (ADA), the Authority shall make every reasonable accommodation to provide a modified duty assignment to a disabled employee covered under the ADA who is unable to perform the essential functions of his/her job.
- J. Failure to return to work on the next scheduled workday following the expiration of an approved leave of absence may result in termination.
- K. An employee may request an unpaid personal leave of absence, if needed for compelling reasons. The employee shall submit to the Authority a Leave of Absence Request Form at least thirty (30) days before the desired leave date, stating the reason for the leave and the length of time being requested. The employee must use all available accrued paid time-off as part of the total leave time requested. A leave requested by the Executive Director shall be submitted to the Authority for consideration and approval. Regular employees who have completed their introductory period are entitled to position guarantee if the leave does not exceed thirty (30) days. For leaves more than thirty (30) days, there is no guarantee of position upon return. If a suitable vacant position is not available within sixty (60) days of the end of the leave, the employee will be separated from the Authority. Upon return to work from an approved personal leave of absence, the Authority will make a reasonable effort to reinstate the employee in the same or a similar position.

## **2. Bereavement Leave**

In the event of a death in the “immediate family member” of an employee, the employee may request a paid leave of absence, up to twenty-four (24) hours per incident for travel within California, and forty (40) hours per incident for travel outside of California. If more time is needed, the employee may request additional days off, which may be charged to the employee’s accrued vacation time or may be taken unpaid. The employee may not use sick leave for bereavement purposes.

For the purpose of this policy, immediate family member includes father/mother, spouse, child, grandparent, father/mother-in-law, step father/mother, brother/sister, step brother/sister, brother/sister in-law, stepchild, member of the household, registered domestic partner, or legal guardian.

Leave in the case of death of persons other than “immediate family member” may be granted upon approval of the Authority. If granted, such leave may be charged to the employee’s accrued vacation or compensatory time or unpaid at the employee’s option and with the approval of the Executive Director.

The employee must submit a written leave request and have it approved prior to taking the leave.

### **3. Military Leave**

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

- A. An employee who is called to military service is entitled to up to thirty (30) calendar days per fiscal year, with full pay and benefits, provided he/she has been employed for one (1) year.
- B. An employee requiring military leave must provide advance written notice of the need for a leave, unless prevented from doing so by military necessity or if providing notice would be impossible or unreasonable. A copy of the military orders must be attached to the employee’s completed Leave of Absence Request Form.
- C. An employee returning from military leave of less than thirty-one (31) days shall report to work on the first full regularly scheduled work day following completion of service, plus time for safe transportation back to the employee’s residence plus an additional eight (8) hours. An employee whose military leave exceeds thirty (30) days must submit an application for re-employment within fourteen (14) days after the completion of service from thirty-one (31) to one hundred eighty-one (181) days. An employee whose military leave exceeds one hundred eighty (180) days must submit an application for re-employment within ninety (90) days after completion of service.
- D. An employee returning from a military leave shall be reinstated in the position held previously and at the salary he/she would have received had employment with the Authority been continuous, exclusive of step increases/shift assignments.
- E. If an employee becomes disabled as a result of military service and is no longer able to perform the essential functions of the job held previously, and if, after the Authority provides reasonable accommodation, the employee is still unable to perform the job, the Authority shall provide another position of equivalent seniority, pay and status for which the employee is qualified. If neither of these options is possible due to the disability, the Authority shall provide another position of lesser status and pay but with full seniority.

**4. Volunteer Civil Service Personnel**

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

**5. Jury Duty and Witness Leave**

Any employee ordered to appear as a witness in court other than as a litigant, to serve on a jury or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee shall be entitled to his/her regular pay provided the employee deposits fees received for such services, exclusive of mileage, with the Authority within thirty (30) calendar days after his/her excused absence for such duty. Requests for Jury Duty leave should be made by presenting the official court summons to the employee's immediate supervisor as soon as possible after receipt. Jury Duty is not considered as time worked for purposes of overtime compensation.

In advance of the requested time off, employees shall complete the appropriate leave request form indicating the day(s) required for attendance and submit it to their immediate supervisor, along with a copy of the subpoena. Upon return, employees shall submit documentation of attendance for those dates.

If a subpoena is received without advance warning, and the employee is unable to submit appropriate leave forms, employees shall notify their supervisor as soon as possible and submit the appropriate documentation upon return to work. If an employee is excused and there are still at least two (2) hours left to their scheduled workday, the employee shall telephone their supervisor to determine if he/she should return to work.

The employee is expected to bring in the Court waiver authorization form upon return.

**6. School Visits Leave**

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

- A. Employees must provide their supervisor with reasonable notice for the planned time off by completing the appropriate leave request form.
- B. Employees may elect to use available paid time off to cover the time taken for the school visit(s).
- C. Employees must provide, upon the Authority's request, written verification from the school of parental participation specifying the date and time of the activity.

**7. Child's Suspension**

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

**8. Voting Time**

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

**9. Family/Medical Leave (FML)**

**A. General**

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

**B. Calculating FML**

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, the Authority uses a rolling 12-month period, which means each time an employee takes family leave, the remaining leave entitlement is any balance of the 12 workweeks that has not been used during the immediately preceding 12 months. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

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

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

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

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

**D. Intermittent FML**

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

Employees may take FML intermittently (in blocks of time, or by reducing their normal weekly or daily work schedule) if the leave is for the serious health condition of the employee's child, parent, or spouse, or of the employee, and the reduced leave schedule is medically necessary as determined by the healthcare provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is one hour.

**E. Notice Requirements**

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

## **F. Second Opinion**

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

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

## **G. Certification Requirements**

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

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

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

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

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

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

The Authority will require certification by the employee's health care provider that the employee is fit to return to his or her job.

Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

#### **H. Continuation of Health Benefits**

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

Employees on FML who are not eligible for continued paid coverage may continue their group health insurance coverage through the Authority in conjunction with the federal COBRA guidelines by making monthly payments to the Authority for the amount of the applicable premium(s). Employees should contact their supervisor for further information. Payment is due when it would be made by payroll deduction.

#### **I. Using Accrued Paid Leave**

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

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

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

#### **J. Return to Work**

Under most circumstances, upon return from FML, an employee will be reinstated to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave. For example, if an employee

on FML would have been laid off had he or she not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of FML will not result in the loss of any employment benefit that the employee earned before using family/medical leave.

#### **10. Pregnancy Disability Leave (PDL)**

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

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

- A. Employees who need to take PDL must inform the Authority when a leave is expected to begin and how long it will likely last. If the need for a leave or transfer is foreseeable, employees must provide notification at least 30 days before the PDL or transfer is to begin. Employees must consult with the Authority regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Authority. Any such scheduling is subject to the approval of the employee's healthcare provider. If 30 days' advance notice is not possible, notice must be given as soon as practical.
- B. Upon the request of an employee and recommendation of the employee's physician, the employee's work assignment may be changed if necessary to protect the health and safety of the employee and her child.
- C. Requests for transfers of job duties will be reasonably accommodated if the job and security rights of others are not breached.
- D. Temporary transfers due to health considerations will be granted when possible. However, the transferred employee will receive the pay that accompanies the job, as is the case with any other temporary transfer due to temporary health reasons.
- E. PDL usually begins when ordered by the employee's physician. The employee must provide the Authority with a certification from a health care provider. The certification indicating disability should contain:
  - The date on which the employee became disabled due to pregnancy;
  - The probable duration of the period or periods of disability; and

- A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.
- F. Leave returns will be allowed only when the employee's physician sends a release.
- G. An employee will be allowed to use accrued sick time (if otherwise eligible to take the time) during a PDL. An employee will be allowed to use accrued vacation or personal time (if otherwise eligible to take the time) during a PDL.
- H. Duration of the leave will be determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to 17 1/3 weeks (693 hours) . Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.
- I. Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in increments of one hour.
- J. Employees on PDL who are eligible under the federal or state family and medical leave laws, are also eligible to maintain group health insurance coverage for up to a maximum of 16 workweeks (if such insurance was provided before the leave was taken) on the same terms as if the employee had continued to work. Leave taken under the pregnancy disability policy runs concurrently with FML under federal law, but not FML under California Law. If the employee is ineligible under the federal and state family and medical leave laws, while on pregnancy disability the employee will receive continued paid coverage on the same basis as other medical leave that the Authority may provide and for which the employee is eligible. In some instances, the Authority may recover premiums it paid to maintain health coverage if the employee fails to return to work following pregnancy disability leave.
- K. If the employee is on PDL and not eligible for continued paid coverage, or if paid coverage ceases after 16 workweeks, the employee may continue her group health insurance coverage through the Authority in conjunction with federal COBRA guidelines by making monthly payments to the Authority or the amount of the relevant premium. Contact the Executive Director for further information.

- L. Under most circumstances, upon submission of a medical certification that the employee is able to return to work from a PDL, the employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a PDL has no greater right to reinstatement than if the employee had been continuously employed.

### **11. Victims of Domestic Violence**

Employees who are victims of domestic violence are eligible for unpaid leave. The employee may request leave if he/she is involved in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure his/her health, safety, or welfare, or that of his/her child.

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

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

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

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

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

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

### **12. Victims of Violent Crimes**

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

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

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

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

**SECTION: BENEFITS**  
**SUBJECT: EDUCATIONAL ENHANCEMENT**

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

**GUIDELINES**

**1. Eligibility**

All regular full-time employees are eligible for educational enhancement. The course must be job-related. The employee shall obtain approval from the immediate supervisor and the Executive Director prior to starting the class. Class and study time must be outside the employee's regular working hours.

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

**2. Reimbursement Amount**

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

Tuition reimbursement shall be limited to a maximum of \$500 per employee per fiscal year.

**SECTION: BENEFITS**

**SUBJECT: PROFESSIONAL TRAINING AND DEVELOPMENT**

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

**GUIDELINES**

**1. Professional Associations/ Technical Groups**

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

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

**2. Seminars/Workshops**

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

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

**3. Overtime**

**A. Non-Exempt Employees**

Employees attending an Authority requested one-day meeting shall be paid for any overtime hours spent traveling to and attending the meeting. Overtime will not be paid for any non-business portion of a seminar or workshop program, including meal breaks, and/or staying overnight if the program is out of town.

Employees who voluntarily choose to attend a seminar or conference on their regularly scheduled day(s) off shall not be paid for attendance.

**B. Exempt Employees**

The Authority will not pay overtime to exempt employees for any time related to attendance at conferences, seminars or other professional meetings.

**SECTION: BENEFITS**  
**SUBJECT: EXPENSE REIMBURSEMENT**

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The Authority has established the following procedure regarding reimbursement for travel and other Authority related business expenses.

**PROCEDURE**

1. Employees shall obtain supervisory approval prior to incurring any Authority reimbursable expenses related to travel or other business functions.
2. The decision of the Executive Director shall be final in cases where conflict of opinion about the appropriateness of reimbursement exists. The following guidelines shall govern such approval:
  - A. While attending approved functions, the burden of responsibility for sound judgment in spending Authority funds rests on the attending employee.
  - B. A fixed reimbursement amount is set in advance by the Executive Director or designee to cover all meals not otherwise included in the registration fee. (Refer to Accounting Policies.)
  - C. The employee shall fill out an Employee Travel and Meeting Expense Report and submit receipts, whenever possible, with itemizations and explanations in order to receive reimbursement.
  - D. Reimbursement requests with receipts shall be submitted to the supervisor for approval on the expense reimbursement form. Approved reimbursement requests shall be forwarded to the department manager and Executive Director for payment.
3. Vehicle Use/Reimbursement: prior approval of the Executive Director/designee must be obtained for use of an Authority vehicle. Employees are required to use an Authority vehicle when available while traveling on Authority business. If there is no Authority vehicle available, employees may request to use their own vehicle.

Employees approved to use their personal vehicles shall receive mileage reimbursement at the rate currently established by the Internal Revenue Service.

Whenever possible, employees shall pool rides when traveling on Authority business.

### **TRIP REDUCTION INCENTIVE PROGRAM (TRIP)**

The Authority offers a financial incentive to promote the use of alternate means of transportation when commuting to and from work, which helps improve air quality, reduces traffic congestion, and conserves energy by reducing the number of single occupancy vehicles on the road.

Employees using an authorized transportation method, which includes trains, buses, vanpools, and ferries, will receive a direct subsidy to apply toward their monthly transportation cost. The Authority will offer reimbursement of travel costs up to a maximum amount per month approved by the Board (Refer to Employee Benefit Summary) to those employees who provide proof of using one of these alternative transit modes of transportation and of their monthly commute cost. These transit vouchers or commuter checks can be used to buy transit tickets, passes, and tokens and are valid for all transit systems and most vanpools in the greater Bay Area.

The following are some of the resources that are available to Authority employees:

- Carpool matching service: [commuterinfo@sta-snci.com](mailto:commuterinfo@sta-snci.com)
- Emergency Ride Home Program (upon implementation)
- Public transit information: 1 -800-53-KMUTE
- Close proximity to Amtrak Capitol Corridor station in Suisun City
- Close proximity to local and inter-city bus routes
- Bike racks on site

### **MONTHLY MILEAGE ALLOWANCE**

The Executive Director and Department Directors shall receive a monthly mileage allowance in accordance with the Employee Benefit Summary approved by the Authority Board.

Employees who receive a monthly mileage allowance shall not otherwise be reimbursed for travel within the surrounding Regional/Bay Area.

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: GRATUITIES**

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

An employee may not receive a gratuity from any individual, organization, or vendor doing business with the Authority that has an estimated aggregate value of more than fifty dollars (\$50) per occasion. All gratuities received or offered to the employee shall be reported to the employee's supervisor.

Gratuities in excess of \$50 in value should be refused or returned and the offer should be reported to the supervisor.

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

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

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: SMOKING**

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Smoking is prohibited within any public building or in Authority vehicles. Smoking is only permitted in designated areas.

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: SUBSTANCE ABUSE**

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

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

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

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

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

**GUIDELINES**

The following policy on substance abuse is adopted as an initial step toward reaching this goal:

1. Employees are expected and required to report to work on time, free of any mental or physical impairment that may be attributed to the abuse of drugs or alcohol.
2. Employees shall not possess, use, furnish, sell, or offer alcohol, illegal drugs or other controlled substances while on the job or on Authority premises. An employee, who purchases, possesses uses, furnishes, distributes, sells or offers illegal drugs or controlled substances while on the job or on the Authority premises is subject to corrective action, up to and including termination of employment.

- The sole exception to this item is where, at an Authority-sponsored event, the Authority permits consumption of alcoholic beverages. In such event, employees are required to use good judgment with respect to the use of alcohol (e.g., limited consumption; identification of a “designated driver,” etc).
3. Use of prescription drugs or other medication, in accordance with physician’s instructions, is not a violation of this policy as long as the medications do not interfere with the safe and effective performance of duties. Employees who are using prescription medication that may affect their ability to work safely are responsible for bringing the matter to their supervisor’s attention. Supervisors should be alert to the effects of medication or illness on an employee’s capabilities to perform work safely and efficiently. Employees who are deemed by the Authority to be temporarily unable to perform their job safely because of their use of medication will be removed from their job during the period they are required to take the medication.
  4. An employee reasonably believed to be under the influence of alcohol or drugs shall be prevented from engaging in further work and removed from the work site. The employee shall be transported to an Authority-designated medical clinic for the appropriate substance abuse testing procedure, unless the employee admits to the substance abuse and corrective action can be taken, up to and including termination. If the employee refuses to take a test the Authority will take corrective action, up to and including termination.
  5. Employees who engage in off-the-job or off-premises alcohol or illegal drug activity that impairs their work performance, causes damage to the Authority premises, jeopardizes their own safety or that of co-workers, or the general public, or undermines the public’s confidence in the Authority to provide service will also be subject to corrective action, up to and including termination of employment.
  6. Employees who observe or encounter evidence, or who otherwise have reason to believe than an Authority employee, while on the job or on Authority property, has possession of, is using, or is involved in furnishing, selling or offering illegal drugs must report that information to the Executive Director/designee.
  7. Employees and supervisors are encouraged to seek assistance before drug or alcohol abuse affects job performance. If an employee comes forward, prior to corrective action, and requests time off without pay to address that problem, the Authority may provide assistance in identifying appropriate treatment programs and will make reasonable accommodation to assist the employee. Participation in a program is at employee expense, although some health plans may partially cover some expenses.
  8. An employee’s participation in an assistance program does not relieve the employee of responsibility to meet work performance requirements.

9. Employees are expected to fully cooperate in any interview or investigation of possible violation of the substance abuse rules. The Authority reserves the right to require employees, while on duty or on the Authority owned or leased properties, including the parking lot, to agree to inspections of Authority property or employees and/or their personal property and to implement other measures necessary to deter and detect abuse of this policy. An employee's refusal to consent to such an inspection or to otherwise cooperate in a proper investigation conducted under this policy is grounds for corrective action, up to and including termination.
10. Employees must, as a condition of employment, abide by the terms of this policy statement.
11. As part of a conditional offer of employment with the Authority, a candidate is required to undergo an alcohol and drug-screening test.

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: SECURITY AND PRIVACY**

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

**GUIDELINES**

**1. Neatness**

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

**2. Right of Inspection**

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

**3. Prior Authorization**

Prior authorization must be obtained before any the Authority property may be removed from the premises.

**4. Use of Telephones**

The Authority recognizes that employees may occasionally find it necessary to use the Authority telephones for personal use. Such calls must be kept to a minimum. Abuse of telephone privileges may result in corrective action, up to and including termination. Any personal long distance call shall only be made using a phone card.

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

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

**1. Use of the Authority Equipment**

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

No publishing is allowed if the content or purpose is personal. This policy bars personal web pages published by way of Authority systems, as well as bars personal postings to Internet groups, chat rooms, web pages or search services using Authority computer systems.

**2. Review of Computerized Information**

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

**3. Computer Privacy**

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

**4. Software Usage**

Authority owned computer software may not be copied for personal use. Copies of computer software shall be in accordance with the software license. Only authorized employees may install software on the computers or network. Employees shall not install any personal non-work related software (screen savers, games) on the computer equipment without the express approval of the Executive Director/ designee.

**5. Use of Electronic Media**

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

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

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

**6. Computer Passwords**

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

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: PUBLIC AND MEDIA COMMUNICATIONS**

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

**1. Media**

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

**2. Media Contact**

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

### 3. How to Talk to Reporters

- A. **Simply.** The media, for the most part, do not have the same technical expertise as Authority staff.
- B. **Concisely.** Most reporters are bright but must deal with a multitude of issues. Errors are likely to occur with questions answered in an unclear manner. Staff should keep in mind that newspapers are written for the sixth grade level reader, that TV and radio news stories are typically concise (30-90 seconds), and that disclaimers, exceptions, and qualifying factors are often left out of news stories.
- C. **Willingly.** The media are the eyes and ears of the public. Public acceptance of the Authority and its programs depends on public understanding, facilitated through honest and open dealings with the media.
- D. **Honestly.** Employees should always assume they are talking “on the record.” There is no such thing as “off the record” when talking to the media. Employees must make sure facts are correct. If the employee doesn’t know, they should say so but that they will find out and follow through. On rare occasions the employee may know but does not wish to comment. The employee must not lie but simply say they do not wish to comment.
- E. **Promptly.** Media calls and requests should receive highest priority. Media deadlines are absolute, and news is news for a short time. If the employee does not answer promptly, the reporter will complete the story without the information, and errors or omissions may occur.
- F. **Sensitively.** A spokesperson for the Authority, dealing with politically sensitive issues, must consider the political implications of what is said. Any staff person who does not have a grasp of the facts or political implications should ask a more senior staff person to handle the request. Information given to the news media cannot be retracted.

### 4. Dos and Don’ts

- A. Do assume that the press is present at every public meeting and formulate comments to the Authority Board or committee accordingly.
- B. Do keep two or three key points in mind and present at every opportunity in an interview.
- C. Do assume that members of the press are looking for a story, even during casual conversation.

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

## **5. Timely Response to Phone Messages and Written Questions**

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

### **A. Telephone Messages**

Employees should make every effort to respond to a telephone message as soon as possible, preferably within 24 hours. If the caller requires information currently unavailable or expects a detailed response an employee is unprepared to offer, the employee should return the call within 24 hours and provide a schedule by which resolution can be achieved.

**B. Written Requests**

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

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: COMMUNICATION WITH THE AUTHORITY BOARD**

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All Authority policies are initiated and upheld by the Authority Board. While staff may propose a policy or suggest policy options, a policy is official only after action and approval by the Authority Board. Staff may produce technical reports as information to the Authority Board. These reports should be written simply and concisely.

**1. Contact with the Authority Board**

Contact with the Authority Board is limited to the Executive Director, Authority Legal Counsel and Clerk of the Board, unless authorized by the Executive Director. Contact includes, but is not limited to: oral and written communications and scheduling of meetings requiring attendance by an Authority Board member. Under no circumstances are written communications to the public published without prior review and approval by the Executive Director or Authority Legal Counsel.

In the event a Board member contacts an Authority employee, such contact must be reported to the Executive Director.

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: SAFETY AND WORKPLACE VIOLENCE**

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

**GUIDELINES**

**1. Violence in the Workplace**

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

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

Employees must be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits. Employees must report any suspicious persons or activities to the Executive Director or designee.

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

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

## **2. Use of Personal Items on the Job**

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

Before employees may use their own equipment on the job, they must request written approval from their supervisor.

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

## **3. Property Damage/Theft**

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

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

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

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

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: DRESS CODE**

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

Depending upon position responsibility and for health and safety reasons, employees may be provided, at Authority expense, uniforms and related safety equipment (hard hat/safety boots/safety glasses) for use only while on duty.

Employees are not permitted to alter the appearance of provided uniforms. The purpose of providing uniforms/hard hat is to present a standardized, neat appearance to the public and assure the safety of employees. Protective clothing must be worn at all times as directed by each department's supervisor and shall not be worn for any other purpose than in the service of the Authority.

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: VISITORS AND SOLICITATIONS**

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To prevent inconvenience and disruption in operations and to ensure efficient operation of Authority business, it is necessary to control visitations and solicitations on the Authority property.

**GUIDELINES**

**1. Visitors**

All visitors must be met at the reception desk by the employee and escorted to and from the employee's worksite.

Personal visits by friends and relatives shall be kept to a minimum and be of short duration, preferably during break and lunch time. Visitors who are disruptive to the office or its employees should be reported to the Executive Director/or department Directors and will be asked to leave.

**2. Employee Solicitation**

It is against the Authority policy to use the Authority stationery, supplies or equipment (including bulletin boards, photocopy machines, fax machines, interoffice mail, etc.) for solicitation or distribution of other business or charitable items or offers.

Employees may not solicit during working time for any purpose. Employees may not distribute literature at any time for any purpose in working areas. Working time includes the working time of both the employees doing the soliciting or distributing and the employee to whom the solicitation or distribution is being directed. Working time does not include break periods, meal periods, or any other specified periods during the workday when employees are not engaged in performing their work tasks.

**3. Non-Employee Solicitation**

Solicitation or distribution of literature by non-employees of the Authority is prohibited. Access to working areas is limited to employees, on-site consultants to the Authority, and authorized personnel.

Individuals from organizations representing outside interests may not conduct their business on the Authority premises. This includes service organizations; community and education groups; product and sales organizations; and any other club, group or organization.

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: DRIVING POLICY**

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All employees and applicants for jobs are subject to the State of California Department of Motor Vehicles' Employer Pull Notice (EPN) program at the time of hire and on an annual basis thereafter. Employees in classifications that require driving a vehicle on Authority business must possess and maintain the appropriate valid California driver's license and maintain acceptable driving standards to be covered under the Authority's insurance carrier. It is the employee's responsibility to notify the supervisor of any changes in their driving status and licensing immediately. Employees failing to maintain a valid California driver's license or acceptable driving standards may be subject to disciplinary action, up to and including termination.

**1. Reimbursement When Using Own Vehicle for Authority Business**

Employees required to drive their own vehicle on the Authority business shall be reimbursed for actual miles at the annually established rate by the Internal Revenue Service.

**2. Use of Staff Car**

A staff car is to be used for Authority business purposes only.

The use of driver and passenger seat belts is mandatory.

The staff car is to be driven only by licensed Authority staff while performing Authority business.

The staff car shall be kept at the Administration office. The only exception shall be when an employee has authorization to use the vehicle for an over-night business trip and/or late night or early morning meetings that would cause a significant inconvenience to return the car.

When an employee retains the car overnight, or over a weekend, leaving his/her personal vehicle at the Administration Office, the employee is permitted to use the car for necessary local errands.

**3. Injury/Accident When Driving on Authority Business**

If the employee is injured in an automobile accident, while driving on Authority business, the employee should contact the Executive Director for more information. Employees are required to maintain their own car insurance and a valid California Driver's License if they drive their own personal vehicle.

**4. Vehicle Accident**

An employee involved in an accident, however slight, while driving an Authority vehicle, must advise his/her supervisor immediately and complete a written report as soon as possible after the incident.

It is the responsibility of the employee's supervisor to ensure that this report is complete and submitted to the insurance carrier.

**SECTION: RULES AND REGULATIONS**  
**SUBJECT: RECORDS RETENTION POLICY**

Pursuant to State and Federal regulations\*, the Authority has established the following records retention schedule:

Complaint Files	5 years after final determination
Disciplinary Files	2 years after final determination
Disciplinary Logs	Indefinitely
Employee Personnel Files	6 years after termination
EEO4 Reports	3 years
Pre-Employment Background Files	2 years after non hire or 5 years after hire
Recruitment Files	3 years
Retired Employee Personnel Files	2 years after death of final beneficiary
Other Personnel Records	2 years

\*Reference: Sections 12946 and 34090, California Government Code; Title 29, Code of Federal Regulations, Sections 1602 and 1627.3; Title 29 United States Code 211(c); and the Local Governments Records Retention Guidelines-California Records Retention Guidelines issued by the City Clerks' Association of California dated August 1999.