

SPMUD Civil Service System Employee Manual



Employee Manual
FINAL 11/25/14

GENERAL MANAGER'S STATEMENT

Purpose

The purpose of the South Placer Municipal Utility District (hereby referred to as "SPMUD" or "District") Employees Manual is to provide the employees guidance for the development and application of personnel policies, and to direct the General Manager to administer our personnel relations accordingly.

The District is a customer owned utility existing under provisions of the Municipal Utility District Act of the State of California (Section 11501 et seq. of the Public Utilities Code) or the *MUD Act*. SPMUD is governed by a five-member Board of Directors, elected by the registered voters of the District. Their primary duty is to protect the sewer interest of its customers and to direct the General Manager, who is responsible for the day to day administration and operations of the District.

It is the Board's policy that its employees shall be selected, retained and promoted on the basis of fitness, merit and ability. The Board expects that its employees shall give their faithful and complete service to the District, and perform in a satisfactory manner the work they are assigned.

About This Manual

The following pages contain information regarding many of the policies and procedures of SPMUD. This Manual is a part of the *SPMUD Civil Service Personnel System*, and is in conformance with, and subordinate to Chapter 4 of the MUD Act. This is not an employment contract and is not intended to create contractual obligations of any kind.

The policies and procedures outlined in this Manual will be applied at the discretion of the General Manager and SPMUD reserves the right to deviate from the policies and procedures of this Manual, or to withdraw or change them, at any time. Employees will be notified per MUD Act requirements, when an official change in policy or procedure has been made.

SPMUD values the many talents and abilities of its employees and seeks to foster an open, cooperative and dynamic environment where employees and the District alike can thrive. If you would like further information or have questions about any of the policies and procedures outlined in this Manual, please feel free to bring them to the attention of the General Manager.



Charles William Clark, P.E.
General Manager, SPMUD

POLICY ACCEPTANCE

Acknowledgement of Receipt, Understanding and Non-disclosure Agreement

I hereby certify that I have read and fully understand the contents of this SPMUD Civil Service - Employee Manual. I also acknowledge that I have been given the opportunity to discuss any policies contained in this Manual with a District official. I agree to abide by the policies set forth in this Manual and understand that compliance with SPMUD's rules and regulations is necessary for continued employment. I agree not to disclose any information considered confidential to the District. My signature below certifies my knowledge, acceptance and adherence to the District's policies, rules and regulations.

I acknowledge that the District reserves the right to modify or amend its policies at any time, without prior notice. These policies do not create any promises or contractual obligations between this District and its employees.

EMPLOYEE SIGNATURE

DATE

*To be placed in Employee File

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1. Standard Employment Practices

1.1 Employment

The General Manager shall have the full power and authority to employ and discharge all employees, other than officers, pursuant to provisions of Section 11937 of the Public Utilities Code.

The General Manager shall establish and adjust compensation of employees subject to approval of the Board of Directors. Unless SPMUD has otherwise expressly agreed in writing, your employment may be terminated by SPMUD for cause or by you at any time, including after the probation period.

1.2 Equal Employment Opportunity

SPMUD is committed to providing equal employment opportunities to all individuals without regard to race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, or any other characteristic protected by law. For further information about the applicability of Federal Equal Opportunity Laws, including the Americans with Disabilities Act, the Equal Pay Act, the Age Discrimination in Employment Act, see EXHIBIT B in the Appendices.

SPMUD does not discriminate on the basis of gender in compensation or benefits for women and men who work in the same establishment and perform jobs that require equal skill, effort, and responsibility and which are performed under similar conditions.

SPMUD will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. An employee with a disability for which reasonable accommodation is needed should contact the General Manager to discuss possible solutions.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the General Manager. Employees can raise legitimate concerns and make good faith reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including discharge.

1.3 Sexual and Other Unlawful Harassment

SPMUD will endeavor to maintain a work environment that nourishes respect for the dignity of each individual. This policy is adopted in furtherance of that tradition, please also see Exhibit H.

It is against the policies of SPMUD for an employee to harass another person because of the person's sex, race, color, religion, national origin, age, disability, sexual orientation, marital status, or other characteristic protected by law. Actions, words, jokes, or comments based on such characteristics will not be tolerated.

Consequently, it is against the policies of SPMUD for an employee to sexually harass another person. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) sub-

mission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or environment.

Any employee who believes that he or she is being unlawfully harassed should immediately contact their Department Manager or the General Manager.

All complaints of harassment will be promptly, thoroughly and confidentially investigated and, where necessary, appropriate corrective action will be taken. Any person found to have unlawfully harassed another employee will be subject to appropriate disciplinary action, up to and including discharge.

1.4 Immigration Law Compliance

SPMUD hires individuals who are either citizens of the United States, or non-citizens that are authorized to work in the U.S. under the Immigration Reform and Control Act of 1986. As a condition of employment, all new and past employees must show valid proof that they are eligible to work in the United States. An overview of the Immigration Reform and Control Act can be found at EXHIBIT C in the Appendices.

1.5 Criminal Convictions

SPMUD reserves the right not to hire or retain anyone that has been convicted of a criminal offense. Conviction of a crime that involves dishonesty may result in an automatic termination of employment. Before any decision is made, the nature of the crime and circumstances surrounding the conviction will be considered.

1.6 Probation Period

During the first six months of your employment with SPMUD, you will be in a "probation period." During this time, your Manager will continually evaluate your performance and compatibility with SPMUD. Should your performance not meet the standards set forth by SPMUD or your Manager, your employment will be terminated. Upon completion of the probation period, you will be eligible for additional benefits, as set forth in the benefits information you received upon employment.

1.7 Standards of Conduct

SPMUD expects that all employees conduct themselves in a professional and ethical manner. An employee should not conduct business that is unethical in any way, nor should an employee influence other employees to act unethically. Furthermore, an employee should report any dishonest activities or damaging conduct to an appropriate Department Manager.

In the event that you become aware of another employee's behavior or actions, which you believe are inappropriate, illegal, problematic, or in any way inhibit or affect your job performance or the SPMUD work environment, you should discuss such behavior or actions with the General Manager or Department Manager. All reasonable concerns will be promptly, thoroughly and confidentially investigated by SPMUD and, where necessary, appropriate corrective action will be taken. You should not discuss such actions or behavior with other SPMUD employees. Your discussing such matters with other employees may – in and of itself – create an unacceptable

work environment for which you will be held responsible and for which you may be disciplined in accordance with SPMUD's disciplinary policy.

1.8 Personnel File

SPMUD keeps personnel files on each of its employees. These files are confidential in nature and are managed by the Administrative Services Manager. They will not be copied or be removed from the premises unless there is a legitimate business reason to do so.

All employees may view his or her personnel file by contacting the Administrative Services Manager during normal business hours. No employee may alter or remove any document in his or her personnel file.

2. General Policies and Procedures

2.1 Orientation

In accordance with federal law, both new employees and re-hires will be required to provide documentation of identity and eligibility to work in the United States. New employees will also receive a copy of the SPMUD Civil Service System, Employee Manual and will be given the time to read it and ask any clarifying questions of a Manager. The signed copy of the "Acknowledgement, Receipt of Understanding & Non-disclosure Agreement" (Exhibit A) will be placed in the employee's personnel file.

2.2 Reporting Changes

You are responsible for promptly notifying the Administrative Services Manager of any change in your name, address, telephone number, marital status, citizenship, tax withholding allowances, emergency contact information, insurance beneficiary, or dependent insurance coverage. Accurate and correct information is vital for benefits, insurance records, and other District files.

2.3 Job Classifications

1. Employee Classification: Employees are classified by two major categories: "Exempt" and "Non-exempt." This Manual applies to both Exempt and Non-Exempt employees.

Exempt employees are so noted in their Job Descriptions and fall into one or more of the following classifications: executive, professional and administrative. These employees are exempt from the applicable provisions of state and federal wage and hour laws (FLSA).

Non-exempt employees are all other employees, which are eligible to receive overtime pay in accordance with state and federal wage and hour laws (FLSA). These employees are required to submit a time record for each pay period, approved by the appropriate Manager, for the purpose of tracking hours worked and calculating compensation.

2. Employee Status: Employees (not including Directors and contract personnel) are also classified within one of the following three statuses:
 1. Full-time: any employee that is regularly scheduled to work a regular workweek. Full-time employees are eligible for standard District benefits.
 2. Part-time: any employee that is regularly scheduled to work less than a regular workweek. Part-time employees may be eligible for reduced District benefits.
 3. Temporary: any temporary work that has a predetermined start and end date and/or does not exceed 1000 hours of employment per fiscal year. Temporary employees are not eligible for any District benefits.

2.4 Pay Periods

A pay period is defined as a two-week period commencing on Thursday and ending on Wednesday. The *Regular Work Week* starts at 11:00 a.m. on Friday through 10:59 a.m. the following Friday.

2.5 Hours of Work

1. Administrative Services Department hours for full time employees is eight hours per day, Monday through Thursday, 8:00 a.m. to 4:30 p.m. and Friday 7:00 a.m. to 3:30 p.m.
2. Field & Technical Services Department hours for full time employees is nine hours per day, Monday through Thursday 7:00 a.m. through 4:30 p.m. and eight hours on one Friday 7:00 a.m. through 3:30 p.m. and off the other Friday (known as a '9/80' work schedule). Schedules may vary based on the District's needs. Employees may not deviate from the District's hours of work, unless a Department Manager specifically approves a request.

a. Breaks: A 10-minute work break with pay will be permitted at the discretion of the supervisor during each period of four (4) consecutive work hours. Work breaks should be staggered among the employees to maintain the efficiency and continuity of work. All work schedules include a 30-minute meal period at mid-day without pay and shall be coordinated to provide continuous service to the public, as necessary.

b. Time Keeping: All employees are required to log hours worked per job code on their electronic time sheets and have it approved by their Department Manager. It is strictly forbidden for an employee to fill out another employee's time sheet. A Department Manager has the authority to use discretion in completing and altering timesheets as necessary. Additional work related details must also be completed on the time sheets as required by their Department Manager.

c. The Business Office is open five days a week:

Monday through Thursday - from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m.

Friday from 7:00 a.m. to 12:00 p.m. and 1:00 p.m. to 3:30 p.m. on Friday.

2.6 Overtime

Exempt employees are not eligible for overtime pay. Nonexempt employees are to be paid time and one-half (1.5) for work time that exceeds the 9/80 work schedule. Employees asked to work overtime are expected to do so. The calculation of overtime hours will not include holiday, sick leave or vacation days during a given scheduled workweek. Employees called to work on their day off, or called out for work after they left the job shall be paid for such time worked at the overtime rate with a two (2) hour minimum per day. The start and end of such compensation will be based upon arrival at the District's Corporation Yard before and after completion of the assignment. All call-outs and overtime worked is subject to the review and approval of the Department Manager before payment of the overtime will be authorized.

1. Compensation Time (For Full Time Positions): Compensation time may be earned in lieu of overtime pay at the rate of 1-1/2 hours earned for each hour of overtime worked. The decision to take compensation time or overtime pay must be made within the pay period earned. Compensation time must be used prior to vacation time and by the end of the calendar year it was earned.

2.7 Standby Duty

To provide for emergencies that occur outside regular or normal work hours, certain job descriptions include weekly tours of stand-by duty. The regular tour of stand-by duty will be for a seven (7) day week commencing at 7:00 AM each Thursday.

1. Availability: Employees on stand-by duty are subject to call whenever needed and they shall keep themselves available for call, and the District informed of the telephone number by which they can be called. Employee on stand-by duty shall keep the pager and District cell phone with them at all times. Employees on vacation leave or sick leave, other than medical appointments, will be excluded from stand-by duty.

2. Duty List: Assignment, distribution and rotation of stand-by duty will be made equally among all employees whose job description includes stand-by duty. Substitutions and switching tours of standby duty must be in accordance with Exhibit D, Standby Duty pg. 38. The duty employee or substitute is required to notify the Administration office at the start of duty. In the case of emergency if the scheduled duty employee is unavailable to work, the next person on the list is responsible for coverage.

3. Standby Pay: Compensation for stand-by duty will be paid at the rate established by the Employer / Employee Memorandum of Understanding (MOU), currently \$50.00 per day. Overtime worked and accrued as a result of a call-out while on stand-by duty will be paid at the rate listed, subject to a two (2) hour minimum per day. If the scheduled duty employee is unavailable to work, the next person on the list is responsible for coverage.

2.8 Salary

Wages and salaries shall advance from time to time based upon individual performance, as designated within salary ranges for individual job classifications. Salary increases are based on performance or promotion. No step increase within a Salary Range is automatic. All salary increases are at the discretion of the General Manager.

The employee's salary schedule is set on the basis of a regular monthly sum. The hourly rate is based on the monthly sum divided by 173.3 (2080 work hours/year divided by 12 months/year).

Management employee's compensation shall be determined by the Board of Directors. All other employees' wages or salaries and benefits will be determined through MOU negotiations with the employees bargaining unit(s), subject to the final approval by the Board of Directors.

2.9 Payroll

Payday will be every other Friday or the day prior when observed holidays fall on payday. For employees who are regularly off on the payday/Friday, every effort will be made to pay those employees on Thursday afternoon, prior to the regular payday. Payroll is made through Direct Deposit, employees will provide account & bank routing information to Administrative Services.

2.10 Performance Reviews

Every SPMUD employee will be subject to a performance appraisal at least once a year. The employee's Department Manager will give these reviews. The reviews will focus on job-related strengths and weaknesses, as well as overall fit with the District. Goals and improvement plans will be mapped out each review period and progress will be measured at the next review.

Performance reviews will be considered for salary step increases and/or promotions. Employees will have the opportunity to thoroughly review all performance appraisals and provide a written opinion. All performance reviews and responses will be reviewed by the General Manager and become part of an employee's personnel file.

2.11 Expense Reimbursement

SPMUD will reimburse employees for reasonable pre-approved business expenses. Reasonable expenses while traveling on District business include travel fares, accommodations, car rental, meals, tips, telephone charges, and purchases on behalf of the District. Local expenses include District purchases and other expenses when on District action.

All expenses must be submitted and approved by the employee's Department Manager prior to submission for reimbursement. Whenever possible and in situations where the employee may question the reasonableness of an expense, the employee should secure approval in advance of incurring the expense. Unreasonable or excessive expenses will not be reimbursed. Any questions should be directed to the employee's Department Manager.

Managers or any employee who is issued a District Credit Card, may utilize the card for business purposes only, receipts must be provided to Administrative Services Department on a regular basis.

2.12 Attendance & Punctuality

Punctuality and regular attendance are important to the smooth operation of SPMUD. If you are consistently late or excessively absent, SPMUD's ability to perform work is affected and an unfair burden is placed on your co-workers. Therefore, unless your absence is permitted or excused under SPMUD's holiday, vacation, sick or other policies, you are responsible for being at work and arriving on time. If you are going to be absent or late, it is your responsibility to call your Manager as soon as possible, in advance of lateness and no later than the start of the workday. If you are absent for several days, you must notify your Department Manager each day.

An employee who is absent for reasons other than those permitted or excused by SPMUD's holiday, vacation, or leave policies, or who repeatedly fails to provide notice as required, will be subject to appropriate disciplinary action, up to and including discharge.

2.13 Availability for Work

Employees must be in proper attire and ready for work at the start of the regular workday. Employees are required to comply with the *Performance and Behavior Standards* found in Exhibit D.

2.14 Holidays

The following are paid holidays for eligible employees:

1. New Year's Day
2. President's Day
3. Memorial Day
4. Independence Day
5. Labor Day
6. Columbus Day
7. Veteran's Day
8. Thanksgiving Day
9. Friday following Thanksgiving Day
10. Christmas Eve Day
11. Christmas Day
12. Personal Leave Day (floating holiday)

Notes:

- a) When an authorized paid holiday falls on a Saturday, the preceding Friday shall be observed as an authorized paid holiday; or when an authorized paid holiday falls on a Sunday, the following Monday shall be observed as an authorized paid holiday.
- b) If a holiday falls on an employee's Friday off and the District is closed, the employee will have 8 hours added to their leave balance as Holiday hours earned and must be utilized within the fiscal year of accrual.
- c) Personal Leave (floating holiday) of nine hours is to be used during the calendar year with the Manager's approval.
- d) SPMUD will make reasonable efforts to accommodate holidays pertaining to an employee's established beliefs that are not included in the above list. Employees should speak with their Manager to obtain approval for taking time off to observe such holidays.

2.15 Vacation

Each employee is required to notify his or her Department Manager, in advance, of the dates of all approved vacation or leave time to be taken. Short notice vacation requests that do not adversely impact daily operations will be considered.

1. Employee Accrual Schedule: Vacation time is offered to full-time eligible employees based on a 'Years of Service' schedule, as outlined below:

0 - 48 months of service	80 hours per year
49 - 108 months (beginning of 5 yrs. to end of 9 yrs. of service)	120 hours per year
109 - 168 months (beginning of 10 yrs. to end of 14 yrs. of service)	160 hours per year
169 - 228 months (beginning of 15 yrs. to end of 19 yrs. of service)	180 hours per year
229 months (beginning of 20 yrs. of service)	200 hours per year

Vacation time does not accrue during a new employee's probationary period. Upon successful completion of the probationary period, the employee will be awarded vacation time in accordance with the above-mentioned provisions, retroactive to the employee's date of hire.

2. Management Employee Accrual Schedule is as follows:

0-3 years of service	120 hours per year
3+ years of service	200 hours per year

3. Maximum Vacation Accumulation

- (i) **for Employees** is as follows:

Earn 80-120 hours per year (first 10 years) – maximum accumulation 240 hours

Earn 120+ hours per year (after 10 years) – maximum accumulation 320 hours

- (ii) **for Management Employees** is as follows:

Earn 120 hours per year (first 3 years) – maximum accrual 240 hours.

Earn 200 hours per year (after 3 years) – maximum accrual 360 hours.

The determination of total accumulated vacation time shall be made at the end of the second pay period in January each year. Management vacation time will be assessed on the Manager's anniversary date, prior to the addition of vacation to their leave balance. If an employee's earned but unused vacation time reaches the maximum amount, the employee will cease earning and accruing vacation time. If the employee later uses enough vacation to fall below the maximum, he or she will resume earning vacation time until the maximum is reached again. All scheduled vacation time is subject to the final approval of the Department Manager.

At termination of employment for any reason (includes retirement, voluntary termination, etc.), the District shall compensate the full time or part-time benefitted employee for his/her accumulated vacation time accrued through the last actual pay period prior to their leaving, at his/her straight time rate of pay at the time of termination.

4. Cash Out: Employees may cash out up to 40 hours (60 hours with 15 years of service) of accrued vacation leave each calendar year; however, a balance of 40 hours must be retained prior to approval of any cash out.

Management Employees may cash out up to 60 hours of accrued vacation leave each calendar year; however a balance of 40 hours must be retained prior to approval of any cash out.

A Vacation Cash-out Form must be completed and submitted to the Administrative Services Manager for approval with your time card for the period you wish to cash out vacation.

Additional Vacation Cash-outs may be approved under special circumstances. A written request along with justification for the cash-out must be made to the General Manager.

5. Hardship Gift: Employees may gift up to 80 hours of accrued vacation leave to another employee with no sick leave and vacation time and requires additional time due to a personal health issue or a family member's health issue. A Vacation Hardship Gift Form must be completed and submitted to the Administrative Services Manager for approval.

2.16 Workplace Restrictions

1. Drugs and Alcohol: SPMUD will not tolerate the use or possession of alcohol or illegal drugs (including the abuse of any legal drug) on the job or on District property during hours of operation. SPMUD's Alcohol and Drug Testing Policy is found in Exhibit E. Employees using or possessing alcohol or illegal drugs on District property or while at work or who report to work under the influence of alcohol or illegal drugs will be subject to disciplinary action, up to and including discharge.
2. Violence & Weapons: SPMUD takes threats of violence extremely seriously. Any act or threat of violence by or against any employee, customer, supplier, partner or visitor is strictly prohibited. This policy applies to all District employees, whether on or off District property. Please see Exhibit G – Workplace Violence Plan.

Any use or possession of weapons, whether illegal or not, is prohibited on District property, or while on District business. This includes knives, guns, martial arts weapons, or any other object that is used as a weapon. Any employee caught possessing a weapon will be disciplined, up to and including termination.

3. Tobacco Use: Tobacco Use is not allowed inside or within 20 feet of any SPMUD office spaces, buildings, doors, equipment, workplace maintenance sites, vehicles or storage areas.
4. Food and Beverages: SPMUD sometimes has customers in the office. The District's surroundings should always reflect a professional appearance. Eating at your desk is acceptable, but should be done unobtrusively and in a manner so as to prevent damage to valuable District equipment and other property. All employees are personally responsible for keeping the area around their workstation clean and presentable. Employees are also responsible for returning meeting areas to a clean and presentable condition after use.
5. Visitors: Only customers and authorized visitors are permitted in SPMUD's offices. Unauthorized sales persons or those collecting for charitable causes must request authorization from the District Headquarters. This is to protect the District from theft or frivolous lawsuits. Visits from friends and family should be kept to a minimum and should not exceed fifteen (15) minutes. Employees are responsible for the conduct of their guests.

All visitors must utilize the front parking lot, enter through the reception area and receive directions. Any employee that notices an unauthorized visitor should notify their Manager immediately.

6. Workplace Attire: SPMUD has a casual dress environment. However, employees are expected to use good judgment and taste and to show courtesy to their co-workers and associates by dressing in a fashion that is presentable and appropriate. Employees are to dress in appropriate business attire for meetings with clients or vendors at SPMUD's offices or other locations. Employees issued uniforms are expected to keep them as presentable as their work permits and use District provided 'coveralls' when appropriate.

2.17 Use of District Property / Facilities

1. Telephone Use: District phones (both cell and landline) are provided to enable employees to carry out work assignments in an efficient manner. Personal telephone calls (including

personal cell phones) should be kept to a minimum and personal toll calls should not be made at SPMUD's expense. Cellular phone use while driving is prohibited.

2. Voice Mail and Electronic Mail: All electronic and telephone communication systems and all communications and information transmitted by, received from, or stored in these systems are the property of SPMUD and as such are intended for job-related purposes. Personal use should be kept to a minimum. Electronic or telephone communication systems may not be used to transmit messages that may be considered inappropriate under SPMUD's policies, including those prohibiting harassment.

Employees are not permitted to use a code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from a manager. All pass codes are the property of SPMUD and may be used by SPMUD to access electronic and telephone communications at any time. SPMUD reserves the right to monitor any electronic, telephone, or other communications made using SPMUD systems or property.

3. Use of District Vehicles: All District vehicles are to be used for business purposes only. If a personal vehicle is utilized for District business evidence of insurance must be provided to the District. Employees using an assigned vehicle for personal purposes must receive prior authorization from the General Manager to do so.
4. Use of District Property: All District workspace, including file cabinets and lockers are the property of SPMUD and must be available to management at all times. The use of personal locks on any District property is strictly forbidden. No District property may be used to house personal files or items. No District equipment, including but not limited to computers, photocopiers or printers should be used for personal business. Charity and other non-profit uses may be allowed as approved by the General Manager.
5. Postage, Shipping and Office Supplies: Postage, shipping and office supplies paid for by the District are for business purposes and are not to be used for an employee's personal purposes.

2.18 Personal Property

SPMUD does not assume responsibility for any personal property located on its premises. Employees are to use their own discretion when choosing to bring personal property into the workplace and do so at their own risk. Additionally, employees may not bring or display in the workplace any property that is viewed as inappropriate or offensive to a reasonable person.

2.19 Personal Safety

The District has adopted its *Safety Manual*, which sets minimum standards for injury and illness prevention. The manual explains requirements for both the District and its employees in compliance with Cal-OSHA. Each employee will receive necessary training through the District to perform his/her duties safely. Employees must familiarize themselves with the standards in the safety manual. Unsafe actions by any employee may be cause for disciplinary action. The District provides certain personal safety equipment for each employee in accordance with his/her duties, as prescribed by law.

2.20 Office/Facility Security

Shortly after an employee's start date, he/she may be given keys to gain access to the office. The last employee to leave the office at night is responsible for making certain that all doors are locked and alarms are set. The same applies to the maintenance personnel in the Field Services facility. The Standby employee shall be responsible for ensuring that the Field Services facilities are secure before leaving.

2.21 Monitoring & Searches

All District property is subject to monitoring and review at all times. This includes, but is not limited to, desks, lockers, District vehicles, computers and email files. Reasons for searches and reviews include, but are not limited to, personal abuse of District property, theft investigation and improper disclosure of confidential information.

SPMUD retains the right to conduct searches at any time. This includes the right to search individual computers or files, even if protected by a password. Any employee that attempts to obtain or alter a password for the purpose of accessing restricted files will be subject to disciplinary action, up to and including termination.

2.22 Inventions and Creative Works

You agree that all inventions (as herein defined) shall be and remain the property of SPMUD. "Inventions" shall mean all ideas, inventions, research, plans for products or services, computer software (including, without limitation, source code and object code), computer programs, original works of authorship, characters, know-how, trade secrets, information, data, developments, discoveries, improvements, modifications, technology, algorithms and designs, whether or not subject to patent or copyright protection, made, conceived, expressed, developed, or actually or constructively reduced to practice by you solely or jointly with others in connection with or relating to any work performed by you for SPMUD. You acknowledge that all of said Inventions shall be considered as "work made for hire" belonging to SPMUD.

2.23 Confidential Information

SPMUD requires that employees do not disclose information held to be confidential by SPMUD and also requires new employees to sign a non-disclosure agreement. Any questions about this policy should be addressed to the General Manager.

2.24 Conflicts of Interest

SPMUD requires that employees not compromise the District, its customers, partners or suppliers for personal gain. Examples of conflict of interest include, but are not limited to, accepting personal gifts, requesting or granting favors, or conducting business for *personal* gain. Employees are required to disclose all conflicts of interest to a Manager. Failure to do so may result in disciplinary action, up to and including termination.

2.25 Competing Employment

Subject to SPMUD's prior written approval, you may work for other businesses during the course of your employment with SPMUD; provided, however, you may not: (i) accept or perform work of a nature that conflicts or competes in any way with the business or services of SPMUD; (ii) use any SPMUD resources including, but not limited to, vehicles and equipment, computer hardware and software, phones, copiers and other office items, for or in connection with any non-SPMUD work; (iii) perform any non-SPMUD work on SPMUD premises; or (iv) perform any non-SPMUD work during normal business hours.

2.26 Employment of Relatives

Employment of relatives is not prohibited by SPMUD, provided that the following conditions are met: (i) the applicant is qualified for the position, (ii) the employee and relative will not be in a direct reporting relationship with one another and (iii) the personal relationship will not adversely affect the workflow or processes of the District.

3. Leave Policies

3.1 General Policies

SPMUD provides Eligible Employees with leaves for a variety of reasons. The following discussion summarizes SPMUD's leave policies in a way that SPMUD hopes will be generally helpful. SPMUD abides by the provisions of the Family and Medical Leave Act, as appropriate. An overview of this Act is set out in EXHIBIT A in the Appendices.

As with all policies, SPMUD reserves the right to revise or rescind these policies at its discretion, subject to legal requirements. This statement of leave policies is not intended to create a contract between SPMUD and its employees.

To apply for leave, or to inquire into what leave may be available, an employee should contact their Department Manager. An employee applying for leave will be asked to state why he/she wants the leave, when he/she wants the leave to begin and when he/she wants the leave to end. The employees' Manager will inform the employee what type and duration of leave, if any, has been approved and will also tell the employee which requirements, such as certification of a health condition, the employee must fulfill.

All leaves are granted for a specific period of time. An employee who foresees being unable or unwilling to return to work at the end of the leave period should apply for any other leave for which the employee is eligible, including an extension of the current leave. SPMUD reserves the right to terminate the employment of an employee who does not return to work at the end of the approved leave period.

3.2 Sick Leave Benefits

Sick leave is an employee benefit provided by the District to be granted in circumstances of adversity and for the purpose of promoting the health and welfare of the individual employee. It is not an earned right to time off from work. Abuse of sick leave will be monitored and may lead to disciplinary action. Sick leave is defined to mean the absence from duty of an employee because of *bona fide* illness or injury of the employee.

1. Medical Appointments: Sick leave may also be used for eye, dental, or other scheduled physical or medical examination or treatment.
2. Accrual Policy: Sick leave will accrue for employees, beginning with the date of employment, at the rate of 3.69 hours per pay period or 96 hours for each full year of service, with no limit of accumulation of sick leave credits. Accrued sick leave shall not be lost during a layoff or leave of absence without pay.
3. Use: Sick leave as used herein shall include all sickness or injury of employee which requires the employee's absence from work except for sickness or injury while on a leave of absence without pay. Sick leave with pay will not be authorized or granted for periods in excess of accrued sick leave.
4. Notification: It shall be the responsibility of each employee absent from duty due to an illness or injury to personally notify his Manager prior to the start of the workday on the first day of absence, and each successive day sick leave is used.

5. Doctor's Statement: A statement from a medical Doctor verifying the reason for absence due to illness or injury may be required by the District, without prejudice.
 - a. Culpable Absenteeism: In instances where an employee has been identified as having higher than average or questionable (or pattern) absences disciplinary action may be taken.
6. Medical Release: A medical release may be required before an employee is allowed back on the job to perform normal duties.
7. Kin-Care: Accrued sick leave with pay may be used for care of immediate family related illnesses/medical purposes up to 48 hours per calendar year. Employees do not receive additional sick leave under Kin Care. Sick leave benefits used under these circumstances will apply against the benefits afforded by the Family and Medical Leave Act.

Qualifying "family members" for coverage under Kin Care include the following:

- a. Spouse or Registered Domestic Partner of an employee
 - b. Child of an Employee:
The term "child" includes biological, adopted, foster child, stepchild, legal ward, child of a domestic partner, or a child in loco parentis of the employee. (Note: A "child" is not required to be a minor (under 18 years of age) to be covered under Kin Care.)
 - c. Parent of an Employee:
The term "parent" includes biological, foster or adoptive parent, a stepparent or a legal guardian. (Note: Mothers-in-law, fathers-in-law, and grandparents are not considered "parents" for purposes of Kin Care).
8. Retirement Credit for Accumulated Sick Leave: Upon retirement, unused sick leave may be converted to additional service credits for CalPERS retirement, according to sick leave conversion rates established by PERS and otherwise in compliance with PERS requirements.

3.3 Family and Medical Leave

Employees may request a leave of absence under the Federal Family Medical Leave Act (FMLA). Employee requests for leave shall comply with the requirements of the FMLA criteria; EXHIBIT A provides an overview of the FMLA.

3.4 Personal Leave of Absence

Requests for personal leave without pay are considered individually and granted at the discretion of management. The reason for the request, the employee's length of service, the employee's work record and the demands of the individual's job are examples of the type of factors typically considered in evaluating a request for personal leave of absence. A request for personal leave of absence will be granted only if the employee is not eligible for any other type of leave. An employee may not be on personal leave of absence for more than two (2) months in a calendar year.

3.5 Jury Duty

Employees summoned for jury duty will be allowed the necessary time off from work to perform this civic responsibility. Employees must give SPMUD seven (7) days advance notice. SPMUD will pay such employees the difference between their regular salary and any jury duty fees received minus travel. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. SPMUD will require the employee to supply documentation from the court affirming the employee's jury duty service.

3.6 Military Duty

Employees who are absent from work in order to attend an annual encampment in a recognized reserve branch of the armed forces of the United States will receive a paid leave of absence of up to a maximum of 120 hours per year with certified military orders. Leaves for military service and reinstatement after performing military service will be provided in accordance with the requirements of law.

3.7 Compassionate Leave

When a death occurs in an employee's immediate family*, an employee may take up to three days with pay in order to attend the funeral or make funeral arrangements. In unusual circumstances, additional time off may be granted, with or without pay, at the discretion of the General Manager.

* "*Immediate family*" for purposes of the compassionate leave policy means an employee's spouse, child or other legal dependent, as well as a parent, grandparent, brother or sister of the employee or the employee's spouse.

3.8 Forced Closings and Severe Weather

Unless notified by your Department Manager you are to report to work on all regularly scheduled days, regardless of weather conditions. If you are unable to report to work due to weather conditions, you must notify your Manager as soon as possible.

In the event that the District closes due to severe weather conditions, natural disasters, or another reason, you will not be required to report to work. You will be paid for that day and it will not be counted as a vacation day.

4. Employee Insurance & Retirement Benefits

The following is a list of benefits that SPMUD makes available to Eligible Employees. The descriptions in this Manual are a summary only. The separate plan documents explain each benefit in more detail and the language of the plans' documents controls the various plans. Benefits may be modified, added or terminated at any time by the insurance Company or benefit provider, per the terms of the plan, or by SPMUD, at its discretion.

4.1 Benefits Eligibility

Full-time employees that have successfully completed the probation period are eligible for the benefits outlined below. Part-time employees may receive partial benefits and Temporary employees working less than 1000 hours per year are not eligible for these benefits. (for further eligibility, information please see Exhibit I)

4.2 Insurance Programs

1. Health Insurance Plan Minimum Employer Contribution (MEC): The District will contract with the California Public Employees Retirement System (CalPERS) for medical insurance under the Public Employees Medical and Hospital Care Act (PEMHCA), and shall pay the required Minimum Employer Contribution (MEC) as determined by CalPERS pursuant to PEMCHA for each employee or retiree enrolling him/herself, and where applicable, his/her eligible dependents in one of the medical plans offered by CalPERS.
2. District Supplemental Benefit Stipend for Active Employees – Effective January 1, 2013: The District will contribute the Supplemental Benefit Stipend toward an active employee's cost to participate in the District medical plans. The stipend is a sum of money that will be sufficient, when combined with the MEC, if applicable, to fund a defined health benefit for an active employee enrolling as a "single" employee, "2-party" or "Family". The dollar value of the stipend shall be sufficient, when combined with the MEC, to pay for the following benefits:

Up to the current CalPERS Kaiser HMO medical plan premium, or an equivalent alternative CalPERS plan at or below the Kaiser rate for the employee (single, 2-party or family, as applicable)

Employees may select a medical plan other than Kaiser but shall be responsible for any additional required premium contribution over the amount of the District stipend (currently the Kaiser rate). Active employees may select different medical carriers annually during the CalPERS open enrollment period.

During periods in which an employee demonstrates that he or she is receiving medical coverage from another source (Spouse, Parent, military etc.) and therefore declines District medical coverage, the employee shall receive a District supplemental Benefit Stipend in the amount of \$400 per month, paid on the first payroll of each month. Part-time benefitted employees will receive a proportional percentage of the benefit stipend dependent upon their contracted hours.

3. Retiree Medical Vesting: The District has a Retiree Medical Vesting Schedule as contained in Exhibit I. Specifics on the level of benefits for retirees is also contained in this exhibit.
1. Dental/Vision: The District pays the cost for:
 1. Dental - the cost for the employee and 1/2 of the cost for the employees' dependents.
 2. Vision – the cost for the employee with vision care insurance coverage available for the employee's dependents at the employee's expense. A copy of the dental plan and vision plan will be made available for the employee upon eligibility.
2. COBRA: The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health, dental, and vision coverage under the District's insurance plans, should the employee lose his or her eligibility (e.g., upon termination). Under COBRA, the employee pays the full cost of coverage at the District's group rate, plus an administrative fee. Details of COBRA coverage and how to apply for it will be provided by the Office Manager at the time eligibility is lost.
3. Life Insurance: The cost of Term Life Insurance for the employee will be paid for by the District. A Retired Life Reserve plan is available for qualifying employees. The cost of this plan will also be paid for by the District. Eligibility for Term Life Insurance begins the first of the month after 30 days from date of hire. Enrollment in the Retired Life Reserve Plan is available through an independent insurance agent. Information on the plans will be made available upon eligibility.
4. Unemployment Insurance: The District will provide unemployment insurance coverage through the State of California, Employment Development Department for each employee.
5. Worker's Compensation: Whenever any employee is compelled by direction of a physician to be absent from duty due to an injury or illness arising out of, and in the course of, his/her employment, the employee shall receive compensation from the Worker's Compensation Program.
 1. This insurance plan is paid for by the District. Worker's Compensation covers (i) medical care to cure the injury, (ii) rehabilitation services necessary to return to work, and (iii) cash payment for lost wages.
 2. If an employee is off on sick leave (or other paid leave time) and receives temporary disability payments from Worker's Compensation, he/she must turn such payments over to the District in order to buy back an equivalent amount of leave time, based on the employee's rate of straight time pay.
6. State Disability Insurance (S.D.I.): The District provides disability insurance coverage for each employee through the State of California, Employment Development Department. The cost of coverage including *Paid Family Leave* is deducted from the employee's earnings. An employee may file for S.D.I. benefits whenever he/she is off work for more than seven (7) days due to illness or injury. As it is illegal to collect full benefits from both the employer and S.D.I., subsequent paychecks from the District will be reduced by the amount of S.D.I. benefits received. As an option, the employee may submit the S.D.I. payment to the District to buy back an equivalent amount of leave time.

7. Other Insurance: Additional Insurance is available for all employees. Participants will have the cost of the plan deducted from their earnings.
8. Limitations: The District currently pays all or a portion of the employee insurance program premiums listed above.
 1. When an employee is granted a leave of absence the District will continue to provide the pre-leave level of insurance premium support until the end of the calendar month in which all paid time off benefits, if any, are used up. Paid time off benefits include sick leave, vacation, and compensating time off. When leave time is not paid under these time-off benefits, but the employee is eligible for time loss payment under Worker's Compensation or a long-term disability insurance plan, the District will continue pre-leave levels of insurance premium payments for 90 days for all full time position employees.
 2. At the expiration of these time limits, the employee must meet the insurance contract requirement for continued coverage and pay the full premium charged by the carrier to retain coverage.
9. Notifications: Requests and/or medical authorization for a medical leave of absence shall be in writing. Certifications for such leave shall be made by a licensed medical Doctor, attesting to the employee's sickness, physical disability, and/or inability to perform the duties described in the employee's job description. Such medical certification shall state the expected duration of the employee's absence and give a date when the employee can be expected back on the job to perform full job duties. If such date of return or time period of absence is altered by the employee's Doctor, the employee must notify his/her Department Manager as soon as possible. The employee shall furnish the District with any, and all, medical certifications regarding the employee's absence from the job. The employee's failure to furnish any such certification will result in termination of employment.

4.3 CalPERS Pension Program

1. Tier I – CalPERS 2.7% @ 55 Formula – Final Year Compensation
Applicable for all Employees hired on or prior to April 19, 2012 (also known as Classic members)

Public Employees' Retirement System (CalPERS): The District pays the cost of both the employer and the employee share for the CalPERS pension plan. Eligibility is the first day of the month following employment. Specific information is provided to employees upon request. This benefit shall consist of paying 8% of the normal contributions as EPMC (Employer Paid Member Contributions), and reporting the same percent (value) of compensation earnable** {excluding Government Code Section 20636(c) (4)} as additional compensation.

2. Tier II – CalPERS 2% @ 55 Formula – Highest 36 Months
Applicable for all Employees hired after April 19, 2012 and all employees hired after January 1, 2013 who meet the "Classic" CalPERS member test.

Public Employees' Retirement System (CalPERS): The District pays the cost of both the employer and the employee share for the CalPERS pension plan. Eligibility is the first day of the month following employment. Specific information is provided to employees upon

request. This benefit shall consist of paying 7% of the normal member contributions as EPMC (Employer Paid Member Contributions).

3. Tier III – CalPERS 2% @ 62 Formula – Highest 36 Months

Applicable for all Employees hired after January 1, 2013, who are classified as “New” members to CalPERS. A new member includes:

- (1) A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who has no prior membership in any other California public retirement system.
- (2) A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who is not eligible for reciprocity with another California public retirement system.
- (3) A member who established CalPERS membership prior to January 1, 2013, and who is hired by a different CalPERS employer after January 1, 2013, after a break in service of greater than six months.

Public Employees' Retirement System (CalPERS): The District pays the cost of the employer share for the CalPERS pension plan. The employee shall pay the 6.25% employee share of the normal member contribution through a payroll deduction. Eligibility is the first day of the month following employment. Specific information is provided to employees upon request.

4. CalPERS Contribution Caps

Applicable for all Employees hired after January 1, 2013, who are classified as “New” members to CalPERS would be subject to contribution caps which differ from the caps set for classic members. New member contribution caps became into effect on January 1, 2013. Adjustments to the caps are permitted annually based on changes to the Consumer Price Index for All Urban Consumers. The District provides for Social Security coverage, therefore the cap is currently set at \$113,700.

4.4 Social Security System/Medicare:

The District will make payroll deductions as required by law for each employee. Social Security is more than a retirement program. It can help support your family when you die and provide monthly benefits when you retire or if you become severely disabled. Your Social Security covered employment helps you and your family qualify for those benefits. The benefit amounts are based on the earnings reported to the Social Security Administration.

4.5 Deferred Compensation Program:

The employees of the District may participate in a District approved 457 Deferred Compensation Program. With an employer match to employee contributions. Contributions are made through payroll deductions as follows:

1. Field & Technical Services Employees – the District will match \$50.00 per pay period to a District approved deferred compensation program
2. Administrative Services Employees – the District will match \$75.00 per pay period to a District approved deferred compensation program.

3. Management Employees – the District will match \$100.00 per pay period to a District approved deferred compensation program.

5. Miscellaneous Benefits/Provisions

5.1 Uniforms

1. Field Uniforms: The District will furnish Field Service personnel with uniforms. Uniforms will be issued by the Department Manager. All Field Service Employees working in the field shall wear their uniform during regular working hours. Failure to do so will result in the employee being sent home without pay.
 1. The District will furnish rain boots (safety toe and shank) for personnel who as a matter of regular routine are frequently required to work for prolonged periods in the rain or other unreasonably wet conditions.
 2. The District will issue uniform jackets and caps. Dependent on weather conditions, employees working outside shall wear uniform jackets or caps supplied, to present a consistent SPMUD presence to the general public.
 3. Personal Protection Equipment (PPE): The District will provide all necessary and required PPE for employees.
2. Safety Gear Reimbursement: Full Time Positions that are required to perform work in the field are entitled to reimbursement for approved Safety toe boots and any supplemental safety gear purchased in addition (or in lieu) of District supplied personal protective equipment shall be procured through this allotment each fiscal year. The allotment amount is set per the MOU, currently \$250 per year. The Department Manager shall approve all purchases for boots, rain-gear and additional safety PPE.
3. Office Personnel: The District may provide SPMUD logo attire appropriate to their working conditions as approved by the General Manager to foster team spirit.

5.2 Professional Development Program

1. Employees are encouraged to continue to improve themselves as an enhanced asset to the District. The District will reimburse the employee for the cost of tuition and fees, textbooks, and supplies for job related courses, upon successful completion of courses, when approved in advance by their Department Manager.
2. California Water Environment Association (CWEA) Collection System Maintenance Certification is required for all maintenance and technical positions. SPMUD job descriptions will predicate the certification level requirements. The District will provide training materials and coordinate attendance to study sessions and fund the CWEA testing fees.
3. Specified positions will receive a cash incentive upon successful completion of two hundred fifty dollars (\$250.00) for each level above the minimum certification level plus reimbursement for testing fees.
4. The District will pay annual CWEA certification and membership dues for all certified Employees.

5. The District will pay other annual membership dues for District related associations upon approval by the General Manager.

5.3 Miscellaneous Benefits

1. Direct Deposits: District Payroll checks will be made via direct deposit.
2. Tenure Adjustment/Longevity:
Upon completion of fifteen (15) years of consecutive employment with the District, an employee shall be granted a two and one half percent (2.5%) increase to their base pay. Their class and step shall predicate the increase amount at the time of the fifteen-year anniversary.
3. Upon completion of twenty-five (25) years of consecutive employment with the District, an employee shall be granted a two and one half percent (2.5%) increase to their base pay. Their class and step shall predicate the increase amount at the time of the twenty-fifth anniversary and will remain a fixed amount established at that time.
4. Management longevity is included within the Manager's negotiated salary.
5. Employee Assistance Program: An Employee Assistance Program (EAP) through Concern EAP is available to all full time position employees and their dependents.

6. Disciplinary Policies

6.1 Problem Resolution

SPMUD seeks to deal openly and directly with its employees and believes that communication between employees and management is critical to solving problems.

1. Co-workers: Co-workers that may have a problem with one another should attempt to resolve the problem themselves. If a resolution cannot be agreed upon, both employees should approach their immediate supervisor(s), who will work with the employees to determine a resolution. In these instances, the decision of the immediate supervisor is final.
2. Supervisors: Employees that have a problem with an immediate supervisor should first go to the supervisor and state the problem. If a resolution cannot be agreed upon, the employee should present his or her problem, in writing, to the Department Manager. The Department Manager will present the issue(s) to the General Manager for consideration. The decision of the General Manager will be final.
3. The Employee Action form, attached as Exhibit J shall be utilized to communicate the level of corrective action necessary.

6.2 Discipline

SPMUD's policy is to attempt to deal constructively with employee performance problems and employee errors. The disciplinary process shall be in compliance with Chapter 4, Article 4 of the MUD Act and will be determined by SPMUD in light of the facts and circumstances of each case. Depending upon the facts and circumstances, the discipline applied may include, among other things, oral or written warnings, probation, suspension without pay, demotion, or immediate discharge. Each situation will be considered in light of a variety of factors including, but not limited to, the seriousness of the situation, the employee's past conduct and length of service, and the nature of the employee's previous performance or incidents involving the employee.

1. Cause: No person employed under civil service provisions of this Personnel Manual or of any rules and regulations in a full time position shall be removed, discharged or suspended except for cause.
2. Suspension: The General Manager or Department Manager with approval of the General Manager, may for disciplinary purposes, suspend a subordinate for a period not to exceed 15 working days with a loss of salary for the period of suspension.
 1. The Department Manager may suspend an employee for 1 (one) day without General Manager approval.
 2. The Superintendent may suspend an employee for 5 (five) days without General Manager approval.

6.3 Corrective Action

Corrective action is taken against an employee in response to a rule infraction or a violation of District policies. Corrective action will continue until the violation or infraction is resolved.

1. Progressive Process: Corrective Action usually begins with a verbal warning, followed by a written warning that is placed in the employee's personnel folder. If more serious corrective action is required, the employee may be put on probation, placed on suspension without pay, demotion, or have his or her employment terminated. Each step in the progressive process shall be documented on the Employee Action Form.
2. Infractions: Removal or discharge shall be made by the General Manager only, and in such cases, upon recommendation by a Department Manager. Removal or discharge may be made for any one or more of, but not limited to, the following causes: incompetence, habitual intemperance, use of any illegal substance, failure to carry out responsibilities of the job description, insubordination, immoral conduct, dishonesty, discourteous treatment of the public, willful negligence, action and/or slanderous language inimical to the District, inattention to public safety and/or service, failure to comply with any District rule or policy.

The validity of any of the above infractions or any other valid cause for discharge or suspension shall be at the discretion of the General Manager.

6.4 Appeals

Request for hearing regarding removal, discharge or suspension shall be in accordance with the provisions of Section 12164, 12165 and 12166 of the Public Utilities Code and that hearings on said matters will be conducted by the Board of Directors pursuant to the provisions of Section 54957 of the Government Code. The decision of the Board of Directors is final.

7. Separation Policies

7.1 Job Abandonment

Employees of SPMUD that are absent for more than two consecutive days without notifying their Department Manager are considered to have voluntarily abandoned their employment with the District. The effective date of termination will be the last day the employee reported for work. If an employee abandons a job, he or she will not be entitled to accrued vacation days, unless required by law.

7.2 Job Abolishment

In the event of the abolishment of any position or class now approved by the Board, or as may be subsequently approved by the Board, an employee or employees in such position or class shall be given thirty (30) days written notice setting forth the terminal date of employment and the reason(s) for such abolishment. Insofar as possible, in the event of job abolishment the District will give consideration to placing an employee whose position has been abolished in any permanent classification of equivalent level or lower level, provided an opening exists. Such approval may only be granted if the employee meets the entrance requirements established for the new class.

7.3 Termination

SPMUD does not have tenure or guaranteed employment. SPMUD may terminate your employment with cause at any time for any reason. An employee may terminate their employment with SPMUD for any reason.

Termination may result from any of the following: (i) Corrective action measures, which include infractions for violation of District policies, (ii) layoffs, which include the elimination of an employee's job function or headcount reduction due to redundancy or cost reduction and (iii) involuntary dismissal, which may include poor performance reviews or failure to demonstrate an acceptable attitude in the workplace or (iv) not meeting minimum job qualification requirements.

7.4 Termination Process

SPMUD requires that employees return all documents, files, computer equipment, uniforms, District tools, business credit cards, keys and other District owned property on or before the last day of work. When all District owned property has been collected, the employee will receive his or her final paycheck and any accrued vacation pay, if applicable. Employees leaving the District will have the option of having an exit interview with the General Manager.

7.5 Employment References

Due to confidentiality considerations, SPMUD does not provide employment references for former employees. SPMUD will provide dates of employment and positions held only.

8. Appendix

EXHIBIT A: Overview of the Family and Medical Leave Act

The U.S. Department of Labor's Employment Standards Administration, Wage and Hour Division, administers and enforces the Family and Medical Leave Act (FMLA) for all private, state and local government employees and some federal employees. Most Federal and certain congressional employees are also covered by the law and are subject to the jurisdiction of the U.S. Office of Personnel Management or the Congress.

FMLA became effective on August 5, 1993, for most employers. If a collective bargaining agreement (CBA) was in effect on that date, FMLA became effective on the expiration date of the CBA or February 5, 1994, whichever was earlier. FMLA entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. The employer may elect to use the calendar year, a fixed 12-month leave or fiscal year, or a 12-month period prior to or after the commencement of leave as the 12-month period.

The law contains provisions on employer coverage; employee eligibility for the law's benefits; entitlement to leave, maintenance of health benefits during leave, and job restoration after leave; notice and certification of the need for FMLA leave; and protection for employees who request or take FMLA leave. The law also requires employers to keep certain records.

EMPLOYER COVERAGE

FMLA applies to all:

- Public agencies, including state, local and federal employers, local education agencies (schools) **and**
- Private-sector employers who employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year **and** who are engaged in commerce or in any industry or activity affecting commerce — including joint employers and successors of covered employers.

EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee **must**:

- Work for a covered employer;
- Have worked for the employer for a total of 12 months;
- Have worked at least 1,250 hours over the previous 12 months; and
- Work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed by the employer within 75 miles.

LEAVE ENTITLEMENT

A covered employer must grant an eligible employee up to a total of 12 workweeks of **unpaid** leave during any 12-month period for one or more of the following reasons:

- For the birth and care of the newborn child of the employee;
- For placement with the employee of a son or daughter for adoption or foster care;
- To care for an immediate family member (spouse, child, or parent) with a serious health condition; **or**
- To take medical leave when the employee is unable to work because of a serious health condition.
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.
- To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

Spouses employed by the same employer are jointly entitled to a **combined** total of 12 workweeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care and to care for a parent who has a serious health condition. Leave for birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement.

Under some circumstances, employees may take FMLA leave intermittently — which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule. If FMLA leave is for birth and care or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval. FMLA leave may be taken in-

termittently whenever **medically necessary** to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

Also, subject to certain conditions, employees **or** employers may choose to use accrued **paid** leave (such as sick or vacation leave) to cover some or all of the FMLA leave. The employer is responsible for designating if an employee's use of paid leave counts as FMLA leave based on information from the employee. "**Serious health condition**" means an illness, injury, impairment, or physical or mental condition that involves either:

1. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility and any period of incapacity or subsequent treatment in connection with such inpatient care; **or**
2. Continuing treatment by a health care provider which includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) due to a health condition (including treatment therefore, or recovery there from) lasting more than three consecutive days and any subsequent treatment or period of incapacity relating to the same condition, that **also** includes:
 - Treatment two or more times by or under the supervision of a health care provider; **or**
 - One treatment by a health care provider with a continuing regimen of treatment; **or**
 - Pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; **or**
 - A chronic serious health condition, which continues over an extended period of time, requires periodic visits to a health care provider and may involve occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence; **or**
 - A permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; **or**
 - Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

"**Health care provider**" means:

1. Doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice; **or**
2. Podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice and performing within the scope of their practice, under state law; **or**
3. Nurse practitioners, nurse-midwives and clinical social workers authorized to practice and performing within the scope of their practice, as defined under state law; **or**
4. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; **or**
5. Any health care provider recognized by the employer or the employer's group health plan benefits manager.

MAINTENANCE OF HEALTH BENEFITS

A covered employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the employer may recover premiums it has paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

JOB RESTORATION

Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits and other terms and conditions of employment.

In addition, an employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to **before** using FMLA leave, nor be counted against the employee under a "no fault" attendance policy. Under specified and limited circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, an employer may refuse to reinstate certain highly-paid "**key**" employees

after using FMLA leave during which health coverage was maintained. In order to do so, the employer must:

- Notify the employee of his/her status as a "key" employee in response to the employee's notice of intent to take FMLA leave;
- Notify the employee as soon as the employer decides it will deny job restoration and explain the reasons for this decision;
Offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice;
and
- Make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.

A "**key**" employee is a salaried "eligible" employee who is among the highest paid ten percent of employees within 75 miles of the work site.

NOTICE AND CERTIFICATION

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. Employers may also require employees to provide:

- Medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;
- Second or third medical opinions (at the employer's expense) and periodic recertification; **and**
- Periodic reports during FMLA leave regarding the employee's status and intent to return to work.

When intermittent leave is needed to care for an immediate family member or the employee's own illness and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the employer's operation.

Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. An employer that willfully violates this posting requirement may be subject to a fine of up to \$100 for each separate offense.

Also, covered employers must inform employees of their rights and responsibilities under FMLA, including giving specific written information on what is required of the employee and what might happen in certain circumstances, such as if the employee fails to return to work after FMLA leave.

UNLAWFUL ACTS

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to FMLA.

ENFORCEMENT

The Wage and Hour Division investigates complaints. If violations cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individuals may also bring a private civil action against an employer for violations.

OTHER PROVISIONS

Salaried executive, administrative and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under Regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to "eligible" employees' use of leave required by FMLA.

The FMLA does not affect any other federal or state law, which prohibits discrimination, nor supersede any state or local law, which provides greater family or medical leave protection. Nor does it affect an employer's obligation to provide greater leave rights under a collective bargaining agreement or employment benefit plan. The FMLA also encourages employers to provide more generous leave rights.

EXHIBIT B: - AMERICAN DISABILITIES ACT, EQUAL PAY, AGE DISCRIMINATION

Overview of Federal Equal Opportunity Laws, including the Americans with Disabilities Act, the Equal Pay Act, the Age Discrimination in Employment Act

The EEOC enforces the following laws:

- **Title VII of the Civil Rights Act of 1964 (Title VII)** - prohibits race, color, religion, sex and national origin discrimination. Title VII applies to employers with fifteen (15) or more employees.
- **Age Discrimination in Employment Act of 1967 (ADEA)** - prohibits age discrimination against individuals who are forty (40) years of age or older. The ADEA applies to employers with twenty (20) or more employees.
- **Title I of the Americans with Disabilities Act of 1990 (ADA)** - prohibits employment discrimination against qualified individuals with disabilities. The ADA applies to employers with fifteen (15) or more employees.
- **Equal Pay Act of 1963 (EPA)** - prohibits wage discrimination between men and women in substantially equal jobs within the same establishment. The EPA applies to most employers with one or more employees.

These laws prohibit employment discrimination based on race, color, sex, religion, national origin, age, disability and prohibit retaliation for opposing job discrimination, filing a charge, or participating in proceedings under these laws.

A business is covered by the EEOC laws if:

- All employees, including part-time and temporary workers, are counted for purposes of determining whether an employer has a sufficient number of employees.
- An employee is someone with whom the employer has an employment relationship. The existence of an employment relationship is most easily shown by a person's appearance on the employer's payroll, but this alone does not necessarily answer the question. Determining whether an employer has enough employees to be covered by these laws is, ultimately, a legal question.

Independent contractors are not counted as employees. Determining whether an individual is, under the law, an independent contractor, also is a legal question that may not be as easy to answer as you might think. If you are unsure whether a business or individual is covered, you may wish to consult with an attorney.

The following may file a charge of discrimination with the EEOC:

- Anyone who believes that his or her employment rights have been violated because of race, color, sex, religion, national origin, age, disability or because of retaliation may file a charge of discrimination with EEOC. By law, EEOC must accept the filing of a charge.
- If the discrimination took place in a state or locality that has a fair employment practices law, you have 300 days to file a complaint with EEOC (although only a state law will extend the deadline for an age discrimination charge). Otherwise, the deadline is 180 days. In California, the Department of Fair Employment and Housing requires a complaint of employment discrimination to be filed within one year from the date that the alleged discriminatory act occurred.

EXHIBIT C – OVERVIEW OF THE IMMIGRATION REFORM & CONTROL ACT

The Immigration Reform and Control Act of 1986 (IRCA) makes it unlawful for an employer to hire any person who is not legally authorized to work in the United States and it requires employers to verify the employment eligibility of all new employees.

IRCA also prohibits discrimination in hiring and discharge based on national origin (as does Title VII) and on citizenship status. IRCA's anti-discrimination provisions are intended to prevent employers from attempting to comply with the Act's work authorization requirements by discriminating against foreign-looking or foreign-sounding job applicants.

IRCA's anti-discrimination provisions apply to smaller employers than those covered by EEOC-enforced laws.

IRCA's national origin discrimination provisions apply to employers with between 4 and 14 employees (who would not be covered by Title VII).

IRCA's citizenship discrimination provisions apply to all employers with at least 4 employees.

IRCA is enforced by the U.S. Department of Justice. For information on IRCA's anti-discrimination provisions, contact:

United States Department of Justice
Office of Special Counsel for Immigration-Related
Unfair Employment Practices
(800) 255-8155 (employer hotline/voice)
(800) 237-2515 (TDD)

EXHIBIT D: FIELD SERVICES DEPARTMENT - Performance and Behavior Standards

The following items and respective criteria are the behavioral standards that are used by your supervisor to evaluate your personal progress and performance levels.

Attendance

Items 2.5 Hours of Work and 2.12 Attendance & Punctuality of the Employee Manual define the regular work hours and the importance of compliance thereof. You must be in uniform (as applicable) and ready to accept your assignment by 7:00 a.m. Excessive absenteeism or tardiness is unacceptable and may result in disciplinary action. If you are unable to report to work, call your Manager prior to 6:45 a.m. Management must be notified of any scheduled Doctor's appointments at least 30 hours prior to your appointments. Failure to comply may result in dismissal. Item 2.15 defines the Vacation policy - A completed absence request form must be submitted to your Department Manager 3 days prior to use of any vacation or CTO time.

Compliance with Rules and Regulations

Work shall be accomplished in accordance with District policy and/or pertinent regulations as defined by OSHA – Cal OSHA. Consult your immediate supervisor/manager for any needed clarification.

Safety Practices

Work assignments shall not proceed before all requirements for safety have been addressed. Contact your Supervisor/Manager if you feel a hazard does exist. Do not attempt to set shoring, or operate a piece of equipment until you have attended the appropriate training class. Personal safety equipment must be used as directed.

Care of Equipment

Equipment properly cared for and maintained not only makes our work safer and easier, but also expedites the job. Make yourself familiar with a piece of equipment's capabilities and limitations. Do not operate equipment unless you are qualified to do so. Report and replace unsafe/worn equipment as soon as you are aware of the condition. **Do not put a piece of malfunctioning or unsafe equipment away when you are through using it; "Red Tag" it and report it to your Manager.** It may soon be desperately needed in an emergency situation.

Oral and Written Expression

Oral expression should be as brief and accurate as possible. If you do not understand an instruction, ask to have it repeated. Make certain that your message is understood. Written communications in reports, logs and journals shall be as clear, concise and accurate as possible. They may become critical if subjected to legal scrutiny.

Performance in New/Emergency Situation

Maintain your composure; think positively. Contribute what you feel may be the solution to the problem. Listen closely to instructions for the solution of the problem. Following instructions as directed may be critical when under duress.

Acceptance of Supervision

Each of us has a job to do. Your supervisor has the responsibility of seeing to the safe completion of jobs in a timely manner. Part of the supervisor's job is to see that you are adequately trained and that appropriate equipment has been provided for your use. You are responsible for using the equipment and performing the work in a safe manner. Make suggestions or point out matters of which you feel the supervisor may not be aware. Think of how best to accomplish your assignment in a safe, efficient fashion.

Willingness to Accept Assignments

Your daily assignments are dictated by the District's needs. You will be assigned to work with various crews in order to gain as much experience and training as possible. Occasionally you will be required to work overtime and/or emergency assignments.

Standby Duty

Item 2.7 identifies the policy for Standby Duty. The Standby Duty calendar will be established prior to the beginning of each year, to enable staff to arrange vacation schedules. The Duty roster will be entered into the Districts "Leave Calendar". All employees required to perform Standby Duty shall perform their tour, throughout the calendared year. In the event that Standby Duty conflicts with a pre-scheduled vacation, that employee shall find a replacement worker to exchange tours with, and notify the Superintendent, so that it can be recorded in the Leave Calendar. Additionally, the Standby Employee is required to secure the Corporation Yard and complete the security log, with the exception of your Friday off.

Completion of Assignments

As the District has grown from a "Small to Medium sized District", our work culture requires modification. Per Section 2.5 – Hours of Work of the SPMUD Civil Service System Employee Manual, you are entitled to a 30 minute (1/2 hour) un-paid lunch break. Field Services Staff shall take their lunch break during the course of their work assignments, in the area assigned for Operations and Maintenance. At no time should work vehicles be taken to restaurants, places of businesses, or personal residence's during lunch breaks. Lead Workers have the responsibility to run errands for lunch-runs as necessary.

Cooperation with Co-Workers

Being able to get along with others is a very important aspect of District service. This is easily met by having respect for other people and their ideas. It is essential that you are able to cooperate and communicate. Teamwork is essential to a high functioning work force.

Meeting and Dealing with the Public

Be as courteous and helpful as you are able to be when dealing with the public. Do not assume they know who you are or why you are there. Your conduct represents the District, as such in many instances you are "the Face" of the District. The District provides handouts that spell out our mission and vision; such handouts can be very helpful when dealing with a curious ratepayer; use them as a resource.

Job Initiative and Interest

Sanitary Sewer service has been proclaimed THE most important invention since the Industrial Revolution. Your job provides an essential, important service to the public. They depend on us for un-interrupted sewer service, effecting both life and health. Each individual's contribution is important to this end.

Self Improvement /Job Related

Become familiar with all of the elements of your occupation through training classes offered through the Office of Water Programs – California State University Sacramento. Take advantage of courses offered by community colleges, the extension courses listed above, and local training through California Water Environment Association (CWEA). Computer familiarization, college level English, and Operation and Maintenance of wastewater collection systems are highly recommended and will be utilized for consideration for advancement.

Personal Appearance

Your uniform should be complete, clean and well fitting; your shirt should be tucked in. If your uniform needs attention, make sure your Leadworker or the Field Services Manager knows you've turned the article of clothing in for repair; if the Uniform Company isn't diligent in replacement, we'll need this information to ensure it has been resolved. You must be clean-shaven where the job assignment requires the use of a respirator.

Physical Fitness

Keep yourself physically fit. Often the job subjects your body to physical demands, which you must be able to meet. A proper mental attitude in regard to the work will serve as a guide to the degree of physical conditioning you should maintain. The District Employee Assistance Program (EAP) is available to all employees and their dependents.

Personal Phone Use

Item 2.17 of the SPMUD Civil Service System Employee Manual addresses telephone use; both District issued, and personal. The District acknowledges that personal cell phones are an employee's "life-line" to their family and friends; however the operation and needs of the District take precedence over staying engaged in cyber-space. If you carry a personal cell phone, use it during your break periods and lunch. Excessive personal cell phone use during work hours is subject to disciplinary action.

Disciplinary Action

The Disciplinary action process is indicated in Section 6.2 of the SPMUD Civil Service System Employee Manual. The General Manager has simplified this process and implemented the Corrective Action form. If your behavior requires an oral reprimand, your Supervisor, Field Services Manager, or the Superintendent will document the incident on this form. This is the beginning of the discipline process. Dependent upon the severity of your actions, a written reprimand may be necessary and furthermore, time off without pay may ensue.

EXHIBIT E: Alcohol and Drug Testing Policy

In addition to the pre-employment drug testing policy currently maintained by the District, recent changes in federal and state law require the District to expand drug and alcohol testing among employees performing "safety-sensitive" functions. Employees in safety-sensitive positions will be subject to drug and alcohol testing in full compliance with applicable law, which includes random testing, post-accident testing and reasonable suspicion testing, as described below.

A. RANDOM TESTING

Effective January 1, 1996, the District is required to comply with the controlled substances and alcohol use and testing requirements of the United States Secretary of Transportation (DOT) as set forth in Part 382 (commencing with Section 382.101) of Title 49 of the Code of Federal Regulations, as mandated by California Vehicle Code 34500 et seq. Pursuant to these requirements, all District employees whose job descriptions include the operation of motorized vehicles for which a Class A or B license issued by the California Department of Motor Vehicles is required, or who are otherwise subject to applicable DOT regulations as employees performing safety-sensitive functions, must submit to random drug and alcohol testing. Employees subject to this policy will be selected for testing in accordance with the random selection criteria set forth in Section 382.305 of Title 49 of the Code of Federal Regulations. All testing methods and procedures will be conducted in accordance with Part 40 (commencing with Part 40.1) of Title 49 of the Code of Federal Regulations, or the applicable statute or regulation as may be amended. Management will notify the selected employee of the time and place of the drug and/or alcohol test, and provide the employee with information regarding the selection method and testing procedures.

B. POST-ACCIDENT TESTING

If an employee is subject to the random drug and alcohol testing policy described above, the employee is subject to post-accident drug and alcohol testing. As soon as practicable following an accident involving a vehicle for which a Class A or B license is required, the District shall cause to be tested for alcohol and controlled substances each surviving employee-driver under the following circumstances:

1. The employee was operating the vehicle, if the accident involved the loss of human life; or
2. The employee received a citation under state or local law for a moving traffic violation arising from the accident.

An employee who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. However, nothing in this policy shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care. The District will provide the necessary post-accident information, procedures and instructions to enable employees to comply with this Policy.

C. REASONABLE SUSPICION TESTING

If Management has a reasonable suspicion that any employee is working in an impaired condition or otherwise in violation of this Policy, the employee will be asked about any observed behavior and offered an opportunity to give a reasonable explanation. If the employee is unable to

explain his or her behavior, the employee will be requested to take a drug and/or alcohol test in accordance with the procedures outlined below.

For purposes of this Policy, "reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; on information provided to management by an employee, by law enforcement officials, by security service, or by other persons believed to be reliable; or on other surrounding circumstances.

D. EFFECT OF EMPLOYEE'S REFUSAL TO COMPLY WITH TESTING POLICY

If an employee refuses to cooperate with the administration of any drug and/or alcohol test required under this policy, his or her refusal will be handled in the same manner as a positive test result, subjecting the employee to discipline, up to and including discharge. The employee will also be immediately suspended from performing any safety-sensitive functions pending disciplinary action.

E. PROCEDURES FOR DRUG AND ALCOHOL TESTING

As indicated above, all testing methods and procedures will be conducted in accordance with Part 40 (commencing with Part 40.1) of Title 49 of the Code of Federal Regulations, or the applicable statute or regulation as may be amended. The District will refer the employee to a Department of Health and Human Services (DHHS) certified laboratory which will administer the drug and/or alcohol test. The District will pay the cost of the test and reasonable transportation costs to the testing facility. The employee will have the opportunity to alert the clinic or laboratory personnel to any prescription or non-prescription drugs that the employee may have taken which may affect the outcome of the drug test. Positive results of drug and/or alcohol tests will be confirmed in accordance with Part 40 (commencing with Part 40.1) of Title 49 of the Code of Federal Regulations.

The clinic or laboratory will inform the District as to whether the employee passed or failed the drug and/or alcohol test.

F. EFFECT OF POSITIVE TEST RESULT

If the employee fails a drug and/or alcohol test, he or she will be considered to be in violation of the policy and will be subject to disciplinary action, up to and including discharge. Any employee failing a drug and/or alcohol test will be immediately suspended from performing any safety-sensitive functions pending disciplinary action.

G. ACKNOWLEDGMENT AND CONSENT

Any employee subject to testing under this policy will be asked to sign a form acknowledging and consenting to the procedures governing drug and alcohol testing, and consenting to the release to the District of medical information regarding the test results. Refusal to sign the Agreement and Consent form, or to submit to a drug and/or alcohol test, will subject the employee to disciplinary action up to and including discharge.

H. CONFIDENTIALITY

All drug and alcohol testing records will be treated as confidential.

EXHIBIT F – Driver Pull Notice Program

DRIVER PULL NOTICE PROGRAM

The Employer Pull Notice (EPN) Program was established to provide employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records.

The EPN Program (CVC 1808.1)

An employer enrolled in the EPN program is assigned a requester code. The requester code is added to an employee's driver license (DL) record. When an employee's DL is updated to record an action/activity, a check is made electronically to determine if a pull notice is on file. If the action/activity is one that is specified to be reported under the EPN program, a driver record is generated and mailed to that employer.

The EPN program allows the organization to monitor DL records of employees who drive on your organization's behalf. This monitoring accomplishes the following:

Improves public safety.

Determines if each driver has a valid DL.

Reveals problem drivers or driving behavior.

Helps to minimize your liability.

EPN Action/Activities Reports

The EPN program automatically generates a driver record when any of the following actions/activities occurs:

Upon enrollment of driver in the EPN program.

Annually from the date of enrollment or 12 months from the last action/activity printout.

When a driver has any of the following actions/activities added to his/her driver record:

Convictions

Failures to Appear

Accidents

Driver License Suspensions or Revocations

Any other actions taken against the driving privilege

EXHIBIT G: Workplace Violence Policy

South Placer Municipal Utility District will take all appropriate and timely steps to prevent acts and threats of violence against employees and other individuals while on District property or in the course of doing business with the District. The following behavior will not be tolerated:

1. Threats or threatening behavior towards fellow employees, visitors, guests or other individuals. All threats will be considered serious.
2. Acts of violence against fellow employees, visitors, guests or other individuals.
3. Possession of a weapon at work.

PURPOSE

The purpose of this policy to preserve a violence-free workplace for all employees.

DEFINITIONS

Weapon - Includes firearms, a fixed blade knife or knives greater than three and one-half inches in length, explosives, hazardous materials, or any item that could be reasonably be defined as a weapon.

PROCEDURE

Reporting: Every District employee has an obligation to immediately report any violence or threat of violence against any District employee, visitor, or other individual. This report should be made as quickly as possible—by radio, in person, or by telephone—regardless of the time of day or night that the threat or violence occurs. Emergencies should be reported immediately to a manager or supervisor. If the situation warrants, the City of Rocklin Police Department or Placer County Sheriff shall also be notified.

Any person who makes substantial threats, exhibits threatening behavior, is found to be in possession of a weapon, or engages in violent acts on District property or during the course of conducting District business, shall be removed from the premises as quickly as safety permits, and shall remain off District premises pending the outcome of an investigation.

Investigation: All such reports will be investigated and corrective action will be taken as deemed necessary. The investigation will be immediate, thorough, and objective. Documentation of the investigation will be maintained in a confidential file. To protect the privacy of the people involved, detailed information regarding investigations and subsequent actions will be confidential.

Confidentiality: To the extent possible, an employee reporting an act of violence or the threat of violence will be accorded confidentiality. However, depending on the circumstances, disclosure of identities of individuals making such reports may be required (i.e., when discipline results from such reports). Investigation records will be held in the strictest confidence, to the extent permissible by law. The privacy rights of all parties involved in an investigation will be protected to the greatest extent possible.

Truthfulness: Information provided by employees must be factual at all times, based on witnessed events, accurate and complete. It is against District policy to make false or malicious statements about other employees, and doing so can result in disciplinary action being taken

against the offending employee.

Retaliation: All employees may report an actual or potentially violent incident or participate in any investigation under this policy without fear of retaliation by the District, a management staff person, or another employee. Regardless of disciplinary action resulting from an investigation of a reported incident of violence, retaliation of any kind will not be tolerated. Acts of retaliation or behavior suggestive of retaliation shall be reported to a manager.

Training: All employees shall be trained on general workplace violence prevention issues and on the specifics of this policy. Training shall be provided when this policy is first implemented and periodically thereafter. Training shall also be provided to new employees on hire. Additional training will be provided to all employees whenever the District is made aware of new or previously unrecognized hazards, or whenever a significant change to this policy is deemed necessary. The District may also conduct additional training for managers and supervisors, so they can better deal with potentially violent situations. Records of all training performed will be maintained for a minimum of three years.

Training will include the following:

1. Explanation of the District's Workplace Violence Prevention Policy, including measures for reporting any violent acts or threats of violence.
2. Identification and recognition of the risk factors associated with workplace violence.
3. Measures to prevent workplace violence, including procedures for reporting to management workplace security hazards or threats.
4. Suggested ways to defuse hostile or threatening situations.

EMPLOYEE RESPONSIBILITY

Every District employee has an obligation to immediately report any violence or threat of violence against any District employee, visitor, or other individual. If the situation warrants, the City of Rocklin Police Department or Placer County Sheriff shall also be notified. Employees are required to behave in accordance with all aspects of this policy, which includes cooperating with and being truthful in any investigation of potential or actual workplace violence; maintaining confidentiality; participating in training; and refraining from engaging in retaliation.

MANAGEMENT RESPONSIBILITY

1. Take appropriate and immediate action to prevent injury.
2. Managers must notify the General Manager of all acts or threats of violence.
3. Investigate every reported threat or act of violence. Include another manager when possible. The investigation will be immediate, thorough, and objective.
4. Document the investigation in a confidential file to be maintained by the Office Manager.
5. Maintain confidentiality. To protect the privacy of the people involved, detailed information regarding investigations and subsequent actions will be confidential.
6. Take appropriate preventive and disciplinary action.

EXHIBIT H: Harassment Policy

South Placer Municipal Utility District condemns and prohibits harassment of any individual because of that individual's sex, race, religious creed, color, age, national origin, ancestry, marital status, medical condition, genetic information, sexual orientation, or physical or mental handicap. It is the District's policy to provide a productive and pleasant working environment and to maintain an atmosphere of mutual respect that is free of harassment. The kind of conduct which is characterized as harassment will not be tolerated.

PURPOSE

The purpose of this policy is to protect employees, to the extent possible, from reported harassment by employees or non-employees in the work place.

DEFINITIONS

Harassment includes, but is not limited to:

- Verbal harassment, such as epithets, derogatory comments, or slurs.
- Physical harassment, such as assault, impeding or blocking movement, or any physical interference with normal work or movement directed at an individual.
- Visual forms of harassment, such as derogatory posters, cartoons, or drawings.
- Sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, such as name calling, suggestive comments, or lewd talk and jokes when:
 1. submission to such conduct is made a term or condition of working at South Placer Municipal Utility District
 2. submission to or rejection of such conduct is the basis for employment decisions
 3. such conduct unreasonably interferes with the individual's work performance or has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

Personal Liability - Any individual who engages in harassing conduct contrary to this policy may be personally liable in any legal action brought against him or her.

PROCEDURE

Reporting: If any employee believes that he or she is a victim of harassment, that employee should immediately report the incident to his or her manager. If the manager is involved in the reported conduct, or, if for some reason the employee feels uncomfortable about making a report to that manager, the report should be made to the General Manager.

Investigation: The District will investigate any such report and will take whatever corrective action is deemed necessary, including disciplining or discharging any individual who is believed to have violated this prohibition against harassment.

Disciplinary Actions: Harassment of any kind will not be tolerated and the District will take appropriate disciplinary action whenever such harassment is demonstrated.

Non-employee Harassment: A non-employee who subjects an employee to harassment in the work place will be informed of the harassment policy by the employee's manager or the General Manager; other action may be taken as appropriate.

EMPLOYEE RESPONSIBILITY

It is each employee's responsibility to conduct him or herself in a manner consistent with a harassment-free workplace. Any harassment should be reported to a manager or the General Manager.

MANAGEMENT RESPONSIBILITY

It is management's responsibility to ensure a workplace free from harassment and to implement and maintain this policy.

EXHIBIT I: Health Benefits

CAFETERIA PLAN	
HEALTH INSURANCE	
Medical for Active EE	Kaiser Plan @ Party Rate
Medical for Retirees hired before 1/1/13	Same as Active Employees
Medical for Retirees hired after 1/1/13	Kaiser Plan [EE+1 Party Rate (Max) see Exhibit A for the District's Retiree Medical Vesting Schedule
Other Available Insurance	
Accident, Cancer, Life, etc.	Employee Paid
Long Term Disability	Employee Paid

For all active employees the District will pay for Health benefits up to the Kaiser Family rate plan of the CalPERS, Sacramento Area Region health benefits rates. Any amount in excess of the Kaiser plan is the responsibility of the employee.

All retirees hired prior to July 1, 2011 and retired prior to July 1, 2012 will be reimbursed by the District up to the Highest HMO – Family rate plan of the CalPERS, Sacramento Region health benefits rates.

For those employees hired before July 1st, 2011 going into retirement after July 1, 2012, benefits will be reimbursed up to the Kaiser Family rate plan of the CalPERS Sacramento Region health benefits rates. Any amount in excess of the Kaiser plan is the responsibility of the retiree.

For those employees hired after July 1st, 2011, but before January 1st, 2013, going into retirement: The retiree medical vesting schedule will apply. Benefits will be reimbursed by the District up to the Kaiser Family rate plan of the CalPERS Sacramento Area Region health benefits rates. Any amount in excess of the Kaiser plan is the responsibility of the retiree.

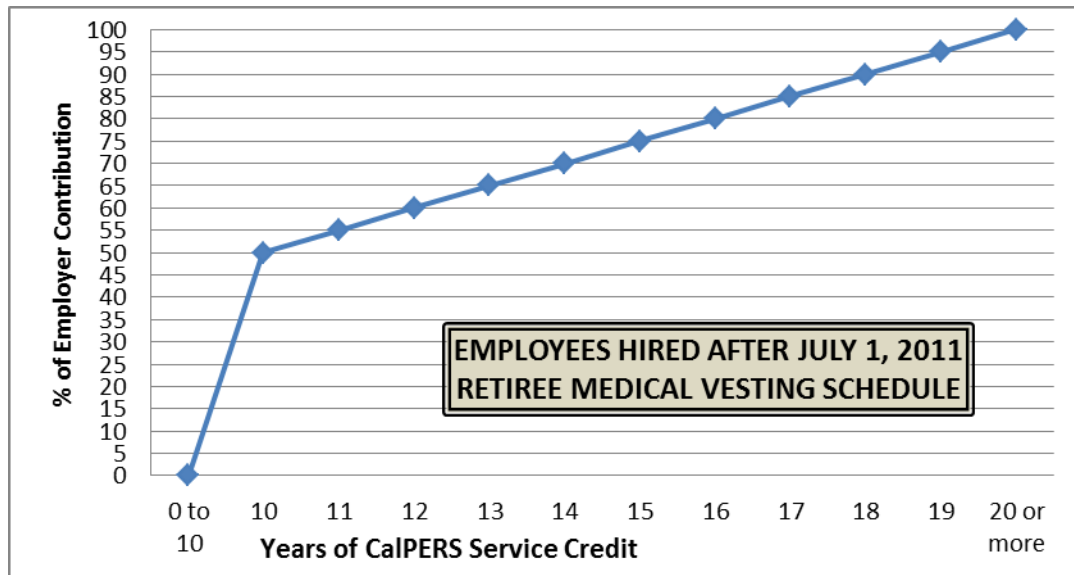
For those employees hired after January 1st, 2013, going into retirement, the retiree medical vesting schedule will apply. Benefits will be reimbursed by the District up to the Kaiser Employee plus 1 dependent rate plan of the CalPERS Sacramento Area Region health benefits rates. Any amount in excess of the Kaiser plan is the responsibility of the retiree.

Other optional insurance such as Accident, Cancer, Long Term Disability and flexible spending accounts are offered to the employee, at the employees own expense and can be paid through payroll deductions.

RETIREE VESTING SCHEDULE

1. Employees hired before July 1, 2011 must meet the CalPERS minimum vesting requirement of five (5) years of service credit as a CalPERS member and will be entitled to retiree medical contributions equal to the active employees at the time of vesting.
2. Employees that are hired after July 1, 2011 and retire after January 1, 2013, that have been CalPERS members for ten [10] years (five [5] of which must be as an employee of SPMUD) are entitled to retiree medical contributions in accordance with the vesting schedule below.

EMPLOYEES HIRED AFTER JULY 1, 2011 RETIREE MEDICAL VESTING SCHEDULE	
Credited Years of Service	% of Employer Contribution
0 to 10	0
10	50
11	55
12	60
13	65
14	70
15	75
16	80
17	85
18	90
19	95
20 or more	100



FAQ

What is Open Enrollment?

Open Enrollment is your chance to:

- Re-enroll if you have dropped your health coverage
- Change your health plan
- Add qualified dependents to your existing health/dental plans if they were not added during the initial 30-day period

When can I add a new dependent?

New dependents must be added within thirty (30) days of the qualifying event.

What is a qualifying event?

- Marriage
- Birth
- Adoption
- Legal guardianship
- Registering as a domestic partner
- Returning to full-time student status

What are the guidelines for enrolling family members?

Your spouse or domestic partner can be added to your health plan if done within 60 days after the date of your marriage or registration of your domestic partnership. A copy of your marriage certificate or Declaration of Domestic Partnership and your spouse's or domestic partner's Social Security number are required. (Review CalPERS publication for Enrolling Domestic Partners for specific requirements.) Former spouses and former domestic partners are not eligible.

Your children, adopted children, or stepchildren must be under age 26 - regardless of whether or not they are living with you.

A child over age 26, who is incapable of self-support due to a mental or physical condition that existed prior to age 26, may be included when you first enroll. A Questionnaire for Disabled Dependent Benefit Form (HBD-98) and Medical Report for the CalPERS Disabled Dependent Benefit Form (HBD-34) must be approved by CalPERS prior to enrollment and must be updated upon request.

Another person's child under age 26 may be eligible for coverage if a parent-child relationship exists. An Affidavit of Parent - Child Relationship form (HBD-40) must be filed prior to enrollment and must be updated upon request.

You can add the following family members at the time of enrollment or at a later date:

- Spouse or registered domestic partner not living in your home.
- Children age 18 or older.
- Eligible children who are not in your custody.
- Dependents in the military, when they return to civilian life.

When must I delete ineligible dependents?

An enrollment change form deleting ineligible dependents must be completed and submitted to Administrative Services within thirty days of the following events:

- Divorce
- Reaching maximum dependent age – currently set at age 26.
- No longer a dependent
- Entering regular, full-time military service
- Death

Note: If Administrative Services are not notified within thirty days of the disqualifying event, the employee will be liable for the cost of all premiums paid by the District for the ineligible dependent

Divorce or Termination of Domestic Partnership

If you divorce or terminate a domestic partnership, your former spouse/domestic partner is no longer eligible to be enrolled in your health coverage, even if the court orders you to provide health coverage for them. The coverage terminates on the first day of the month in which the final decree of divorce or termination is granted. Former spouses may be eligible for coverage under a COBRA or an Individual Conversion Policy. You must submit a copy of your final divorce decree or Notice of Termination of Domestic Partnership form to Administrative Services (if active) or CalPERS (if retired).

Newborn or Newly Adopted Child

Your newborn child is covered from the date of birth. Adopted children are covered beginning the date formal adoption takes effect.

Death of a Member

If the member is still employed, contact Administrative Services.

Death of a Retiree

In the event of a retired member's death, please report this information by contacting CalPERS **888 CalPERS** (or **888-225-7377**).

Surviving retiree family members may be eligible for health coverage, as long as they:

- Qualify for a monthly survivor check from CalPERS.
- Were enrolled or were eligible to enroll as dependents at the time of the member's death.
- Continue to qualify as eligible family members.

What if I want to change health plans?

You can change health plans during open enrollment. If you're happy with the plan you are currently enrolled in and the plan will be available the next year, you don't have to do anything. You'll continue to receive your health care in the same way you always have. Any changes you do make will become effective the following January 1.

EXHIBIT J: Employee Action Form

EMPLOYEE ACTION FORM			
Employee Name:		Date of Issuance:	
Job title:		Supervisor/Manager:	
Level of Corrective Action			
<input type="checkbox"/> 1 st Verbal Warning/Counseling <input type="checkbox"/> 2 nd Verbal Warning/Counseling - Enter date of previous action <input type="checkbox"/> Written Warning/Reprimand - Enter date of previous action <input type="checkbox"/> Other Action (see below)			
Description of Infraction:			
Date/Time of Incident/Infraction: (If applicable)			
Description of Warning/Counseling:			
Other Corrective Action Plan:			
Next Action if Issue Continues:			
I acknowledge receipt of this disciplinary action and that its contents have been discussed with me. I understand that my signature does not necessarily indicate agreement			
Employee Signature:		Date:	
Supervisor Signature:		Date:	
Manager Signature:		Date:	
A copy of this corrective action will be placed in your personnel file for reference			