

**OFFICERS**

**Carl Ribaldo, President**  
**Jason Burke, Vice President**  
**Harold Singer, Treasurer**

**DIRECTORS**

**Martin Goldberg**  
**Kathleen McIntyre**

**TAHOE RESOURCE CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING**

**Tuesday, January 10, 2023**

**Location: Zoom**

**South Lake Tahoe, CA 96150**

**10:00 AM – 1:00 PM**

**AGENDA**

**IMPORTANT NOTICE REGARDING COVID-19 AND TELECONFERENCED MEETINGS:**

Based on the mandates by the Governor in Executive Order N-33-20 and the County Public Health Officer to shelter in place and the guidance from the CDC, to minimize the spread of the coronavirus, please note the following changes to the District's ordinary meeting procedures:

- The District offices are not open to the public at this time. (See the District's Promulgation of Rules and Orders)
- The meeting will be conducted via teleconference using Zoom. (See Executive Order N-29-20)
- All members of the public seeking to observe and/or to address the local legislative body may participate in the meeting telephonically or otherwise electronically in the manner described below.

**HOW TO OBSERVE THE MEETING**

**Telephone:** Listen to the meeting live by calling Zoom at (669) 900-6833 or (346) 248-7799. Enter the Meeting ID# 993-703-0547 followed by the pound (#) key. More phone numbers can be found on Zoom's website at <https://zoom.us/u/abb4GNs5xM> if the line is busy. Enter Password (if required): 749701

**Computer:** Watch the live streaming of the meeting from a computer by navigating to <https://us04web.zoom.us/j/9937030547> using a computer with internet access that meets Zoom's system requirements (see <https://support.zoom.us/hc/en-us/articles/201362023-System-Requirements-for-PC-Mac-and-Linux>). Enter Password (if required): 749701

**Mobile:** Log in through the Zoom mobile app on a smartphone and enter Meeting ID# 993-703-0547, Enter Password (if required): 749701.

**HOW TO SUBMIT PUBLIC COMMENTS:**

**Before the Meeting:** Please email your comments to [admin@tahoercd.org](mailto:admin@tahoercd.org), write "Public Comment" in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. If you would like your comment to be read aloud at the meeting (not to exceed five minutes at staff's cadence), prominently write "Read Aloud at Meeting" at the top of the email. All comments received before 5:00 PM on the day before the meeting will be held, will be included as an agenda supplement on the District's website under the relevant meeting date and provided to the Board at the meeting. Comments received after this time will be treated as contemporaneous (Telephonic / Electronic Comments).

**Telephonic / Electronic Comments:** During the meeting, the Board President or designee will announce the opportunity to make public comments and identify the cut off time for submission. A short recess (generally less than 10 minutes) will take place during the time public comment is open to allow the comments to be collected. Please email your comments to [admin@tahoercd.org](mailto:admin@tahoercd.org), write "Public Comment" in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. Once the public comment period is closed, all comments timely received will be read aloud by staff. Comments received after the close of the public comment period will be added to the official record after the meeting.

**ACCESSIBILITY INFORMATION:**

Board Meetings are accessible to people with disabilities and others who need assistance. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to observe and/or participate in this meeting and access meeting-related materials should contact Nicole Cartwright, Executive Director, at least 48 hours before the meeting at (530) 543-1501 ext. 117 or [twalton@tahoercd.org](mailto:twalton@tahoercd.org). Advanced notification will enable the District to swiftly resolve such requests to ensure accessibility.

**PUBLIC RECORDS**

Public Records that relate to any item on the open session agenda for a meeting are available for public inspection. Those records that are distributed after the agenda posting deadline for the meeting are available for public inspection at the same time they are distributed to all or a majority of the members of the Board. The documents will be made available on the Tahoe RCD Website: [www.tahoercd.org](http://www.tahoercd.org).

*Agenda Posted: TRCD Administrative Office and [www.tahoercd.org](http://www.tahoercd.org)*

**AGENDA**

	<u>RECOMMENDATION</u>	<u>PAGE</u>
<b>I. CALL TO ORDER</b>		
<b>II. DIRECTORS' ROLL CALL</b>		
<b>III. COMMUNICATIONS FROM AUDIENCE</b>		
<p>This is an opportunity for members of the public to address the Board on any short non-agenda items that are within the subject matter jurisdiction of the District. No discussion or action can be taken on matters not listed on the agenda, per the Brown Act. Each member of the public who has submitted a comment shall be allotted five minutes.</p>		
<b>IV. CHANGES OR ADDITIONS TO THE AGENDA</b>		
<b>V. APPROVAL OF THE AGENDA</b>	Action/Approve	
<b>VI. FINANCIALS</b>		
1. Financials through November 2022	Discussion Only	5-16
2. Invoice Transmittals	Action/Approve	17-23
• Accounts Payable		
12/05/2022 x2		
12/12/2022		
12/14/2022		

12/19/2022

- Partners Payable
- Credit Card

12/5/2022

3.	Bank Reconciled Cash Balance None	Discussion Only	
<b>VII.</b>	<b>NRCS</b> (Bulleated items will be discussed however no action will be taken)		
1.	General Update	Discussion Only	-
<b>VIII.</b>	<b>CONSENT AGENDA</b> (All items under consent agenda may be approved in one motion. Any Director may have any item on the consent agenda removed and considered separately under consent forward upon request)	Action Approve	24-27
1.	December 13, 2022 Board Meeting Minutes		
2.	December 16, 2022 Finance and Operations Committee Meeting Minutes		
<b>IX.</b>	<b>CONSENT FORWARD</b>		
<b>X.</b>	<b>REPORTS</b> (Bulleated items will be discussed however no action will be taken)		
1.	Executive Director December 2022 Activity Report – Mike Vollmer	Discussion Only	28
2.	Stormwater Program Presentation Andrea Buxton	Discussion Only	-
<b>XI.</b>	<b>NEW BUSINESS</b>		
1.	Tahoe RCD Vacation Tier Structure Change	Action/Approve	29-32
2.	Tahoe RCD Personnel Policy	Action/Approve	33-148
3.	Tahoe RCD Hybrid Telework Policy and Agreement	Action/Approve	149-153
4.	Johnson Meadow Funding and Fund Establishment	Action/Approve	
<b>XII.</b>	<b>OLD BUSINESS</b>		
1.	Resolution 2023-1 Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Tahoe Resource Conservation District Pursuant to Brown Act Provisions	Action/Approve	154-155
2.	With respect of every item of business to be Discussed in closed session pursuant to Section 54957: <b>PUBLIC EMPLOYEE PERFORMANCE EVALUATION</b> For Executive Director, Mike Vollmer	Action/Approve	-

**XIII. CLOSING STATEMENTS** (Statements from the Board and Staff no discussion is permitted)

**XIV. ADJOURNMENT**



Date: January 6, 2023

To: Tahoe RCD Board of Directors

From: Tori Walton, Director of Finance and Administration

## Financial Section Summary

### Bank Reconciliations

There are no bank reconciliations presented this period.

### LAIF Account

The LAIF account has not been established at this time.

### Profit and Loss

The table below shows amounts from the June 30, 2022, profit and loss. As in prior years, the June 2022 profit and loss will continue to be submitted monthly until the grants are reconciled and the net totals are calculated.

FY 21/22 Budget		
<b>Property Taxes</b>		
Budget	Actual as of 6/30/22	Percentage of Budget
\$ 155,000.00	\$ 182,285.51	118%
<b>Grant Admin Revenue</b>		
Budget	Actual as of 6/30/22	Percentage of Budget
\$ 188,472.57	\$ 187,521.50	99%
<b>Interest Revenue</b>		
Budget	Actual as of 6/30/22	Percentage of Budget
\$ -	\$ 29.89	
<b>Credit Card Incentive Revenue</b>		
Budget	Actual as of 6/30/22	Percentage of Budget
\$ -	\$ 2,160.12	
<b>Total Admin/GF Revenue</b>		
Budget	Actual as of 6/30/22	Percentage of Budget
\$ 343,472.57	\$ 371,997.02	108%

On the next page is the table for fiscal year 2022/2023 through November 30, 2022:

<b>FY 22/23 Budget</b>		
<b>Property Taxes</b>		
Budget	Actual as of 11/30/22	Percentage of Budget
\$ 165,000.00	\$ 4,222.71	3%
<b>Grant Admin Revenue</b>		
Budget	Actual as of 11/30/22	Percentage of Budget
\$ 263,905.23	\$ 88,211.28	33%
<b>Interest Revenue</b>		
Budget	Actual as of 11/30/22	Percentage of Budget
\$ -	\$ 12.30	
<b>Credit Card Incentive Revenue</b>		
Budget	Actual as of 11/30/22	Percentage of Budget
\$ -	\$ 720.18	
<b>Total Admin/GF Revenue</b>		
Budget	Actual as of 11/30/22	Percentage of Budget
\$ 428,905.23	\$ 93,166.47	22%

## Tahoe Resource Conservation District

## Profit &amp; Loss

July 2021 through June 2022

	Jul '21 - Jun 22
Ordinary Income/Expense	
Income	
Property Tax Revenue	
1100 · EDC Property Tax; Current Secure	91,928.56
1160 · Placer County Taxes	89,356.95
Total Property Tax Revenue	181,285.51
1176 · Interest Revenue	
1177 · EDC Interest Earnings	29.89
Total 1176 · Interest Revenue	29.89
1200 · Grant Revenues	
1200.49 · TAHOE FUND SR	120.41
1200.50 · TAHOE FUND TR	314.50
1200.88 · SNPLMA Fire	918,675.10
1200.92 · Placer SWP 17	17,288.64
1200.93 · EDC SWP 17	31,875.52
1201.87 · NTCD NSHH 22	242.66
Total 1200 · Grant Revenues	968,516.83
1201 · Grant Revenues - 2	
1201.09 · NRCS 040	1,111.62
1201.23 · Tahoe Fund JM	5,840.41
1201.25 · Washoe SWP 19	31,875.05
1201.27 · NDOT SWP 19	31,966.10
1201.31 · BOR JM	218,605.29
1201.33 · NDSL AIS 19	1,398.90
1201.40 · CALTRANS SWP 19	31,875.05
1201.41 · TRPA NDSL 19 M	2,901.35
1201.43 · Douglas SWP 20	31,875.05
1201.46 · NDSL AIS 20	57.32
1201.48 · CTC AIS 20	85,032.63
1201.52 · CTCJPA-20-301	90,343.98
1201.53 · CTCJPA-20-001	1,550.42
1201.54 · CTCJPA-20-001-1	12,704.68
1201.55 · CTC Monitoring 20	3,486.29
1201.56 · TRPA TK 20	29,310.71
1201.57 · CTC FEMA	222.34
1201.59 · TRPA DBW Meyers 21	150,735.50
1201.60 · TRPA 21	396,895.48
1201.62 · WRTC FAC 20	8,074.46
1201.63 · CSLT SWP 21	17,288.64
1201.64 · CalRecycle 20	10,105.30
1201.65 · CTC MBTA 20	19,552.90
1201.66 · NTCD NSHH 21	2,950.45
1201.67 · CTC TFFT 21	4,220.98
1201.68 · CTC TK 21	174,371.47
1201.69 · League TK 21	4,128.08
1201.70 · NFWF 21	7,142.55
1201.71 · CTCJPA-21-1490 LM	196,142.04
1201.72 · CARCD TELE 21	868.20
1201.73 · NDOT SR431 21	16,101.74
1201.75 · NTCD Lower Wood Creek	386.51
1201.76 · TRPA DBW Alpine 21	99,579.48
1201.77 · CTCJPA-21-1500 F	199,253.19
1201.78 · NDSL BMP 21	16,158.87
1201.79 · TRPA 22	346,687.31
1201.80 · NDEP BMP 21	16,142.90
1201.81 · CSLT SDA P2	3,780.72
1201.82 · CSLT SDA P1	965.16
1201.83 · CTCJPA-21-1499 R	91,888.14
1201.84 · CSLT SWP 22	14,586.41
1201.85 · Placer SWP 22	14,586.41
1201.86 · CTC Monitoring 22	6,528.74

## Tahoe Resource Conservation District

## Profit &amp; Loss

12/08/22

July 2021 through June 2022

Accrual Basis

	Jul '21 - Jun 22
1201.88 · Edwards Planning 22	367.38
1201.89 · WRTC FAC 22	14,375.86
1201.91 · CTCJPA 22-1731	1,894.58
1201.92 · CTCJPA 22-1732	1,355.28
1201.93 · CTC SSA 22	916.54
1201 · Grant Revenues - 2 - Other	11,622.30
<b>Total 1201 · Grant Revenues - 2</b>	<b>2,429,810.76</b>
1250.2 · Caldor Fire Relief	3,000.00
1500 · Administration Income	
1500.37 · Placer SWP 17	1,028.39
1500.38 · EDC SWP 17	4,781.33
1500.59 · Washoe SWP 19	6,346.17
1500.61 · NDOT SWP 19	4,794.91
1500.66 · NDSL AIS 19	69.94
1500.70 · BOR JM	9,783.88
1500.73 · CALTRANS SWP 19	4,781.26
1500.74 · Douglas SWP 20	4,781.26
1500.76 · CTC AIS 20	12,754.89
1500.77 · CTCJPA-20-301	12,949.74
1500.78 · CTCJPA-20-001	232.57
1500.79 · CTCJPA-20-001-1	1,905.70
1500.80 · NDSL AIS 20	2.87
1500.82 · CTC Monitoring 20	522.95
1500.83 · CTC FEMA	33.35
1500.85 · CSLT SWP 21	2,593.30
1500.86 · CTC MBTA 20	2,867.29
1500.87 · NTCD NSHH 21	442.57
1500.88 · CTC TFFT 21	633.15
1500.89 · CTC TK 21	26,155.73
1500.90 · League TK 21	619.22
1500.91 · NFWF 21	1,428.51
1500.92 · WRTC FAC 20	1,211.16
1500.93 · CTCJPA-21-001	16,483.16
1500.94 · CalRecycle 20	707.36
1500.95 · NDOT SR431 21	1,832.46
1500.97 · CTCJPA-21-1490 LM	25,053.24
1500.98 · CTCJPA-21-1500 F	28,100.78
1500.99 · NDSL BMP 21	807.95
<b>Total 1500 · Administration Income</b>	<b>173,705.09</b>
1501 · Administrative Income 2	
1501.01 · NDEP BMP 21	1,614.29
1501.02 · OPEN	674.64
1501.03 · CSLT SDA P2	567.11
1501.04 · CSLT SDA P1	144.77
1501.05 · CTCJPA-21-1499 R	1,518.45
1501.06 · CSLT SWP 22	2,187.96
1501.07 · Placer SWP 22	2,187.96
1501.08 · CTC Monitoring 22	929.29
1501.09 · NTCD NSHH 22	36.40
1501.10 · WRTC FAC 22	1,437.59
1501.11 · CTCJPA 22-1730	1,743.35
1501.12 · CTCJPA-22-1731	284.19
1501.13 · CTCJPA-22-1732	203.29
1501.14 · NTCD LWC 21	57.98
1501.15 · CTC SSA 22	229.14
<b>Total 1501 · Administrative Income 2</b>	<b>13,816.41</b>
1900 · Miscellaneous Income	
1178 · US Bank Credit Incentive	2,160.12
1600 · CTCJPA Vehicle Maintenance	6,014.52
1940 · Miscellaneous Revenue	7,968.60



## Tahoe Resource Conservation District

## Profit &amp; Loss

12/08/22

July 2021 through June 2022

Accrual Basis

	Jul '21 - Jun 22
Total 1900 · Miscellaneous Income	16,143.24
<b>Total Income</b>	<b>3,786,307.73</b>
<b>Gross Profit</b>	<b>3,786,307.73</b>
<b>Expense</b>	
<b>Benefits</b>	
3020 · Retirement Expense	
3020.1 · CalPERS Unfunded Liability	33,345.00
3020 · Retirement Expense - Other	102,413.98
<b>Total 3020 · Retirement Expense</b>	<b>135,758.98</b>
3023 · Employee CalPERS	0.48
3025 · Employee Nationwide	0.00
3040 · Employer Health Insurance	
3042 · Employee Health	923.65
3040 · Employer Health Insurance - Other	142,867.61
<b>Total 3040 · Employer Health Insurance</b>	<b>143,791.26</b>
3050 · Comp Abs Expense	78,466.44
<b>Total Benefits</b>	<b>358,017.16</b>
<b>Building and Equipment Expense</b>	
4085 · Refuse Disposal	17.03
4140 · Equipment Maintenance	10,927.38
4161 · Vehicle Maintenance	5,358.93
4420 · Rents & Leases; Equipment	6,648.69
4440 · Rent; Building	60,464.10
4462 · Computer Equipment	5,591.97
4606 · Fuel Expense	15,106.42
6610 · CTCJPA Vehicle Mainten	1,895.08
<b>Total Building and Equipment Expense</b>	<b>106,009.60</b>
<b>Grant Expense</b>	
4500 · Project / Grant Supplies	50,429.48
<b>Total Grant Expense</b>	<b>50,429.48</b>
<b>Miscellaneous Expense</b>	
4241 · VOID Expense	0.00
4607 · Fines Fees and Penalties	79.46
<b>Total Miscellaneous Expense</b>	<b>79.46</b>
<b>Office Expense</b>	
4040 · Telephone	12,981.87
4041 · Internet	1,439.88
4060 · Meeting Expense	753.40
4260 · Office Expense	3,624.48
4261 · Postage	1,192.76
4262 · Software Expense	14,391.91
4266 · Printing	3,626.51
<b>Total Office Expense</b>	<b>38,010.81</b>
<b>Operations Expense</b>	
4100 · Insurance	22,627.92
4220 · Membership / Dues	8,783.21
4250 · Licenses and Permits	1,001.60
4502 · Education and Outreach	1,161.95
<b>Total Operations Expense</b>	<b>33,574.68</b>
<b>Payroll Taxes</b>	
3021 · OASDI Expense	106,718.22
3022 · Medicare Expense	24,857.90

## Tahoe Resource Conservation District

## Profit &amp; Loss

12/08/22

July 2021 through June 2022

Accrual Basis

	<u>Jul '21 - Jun 22</u>
3041 · SUI	21,005.07
3060 · Workers Compensation	42,215.31
3095 · FIT Liability	0.00
<b>Total Payroll Taxes</b>	<b>194,796.50</b>
<b>Professional Services</b>	
4010 · Advertisement	975.48
4045 · Internet & Web Design	255.28
4300 · Professional Fees	
3090 · Paychex Expense	12,005.42
4300.03 · PayChex	540.75
4300.04 · GriffinSystems, Inc.	2,093.75
4300.09 · Sidelifter.com	4,374.50
4300.16 · Ed Cook Tree Service	4,750.00
4300.18 · Eide Bailly	7,401.00
4300.19 · Premier Water Cleaning	12,864.64
4300.27 · Nigro & Nigro	16,500.00
4300.28 · Associated Crane, Inc.	17,941.25
4300.30 · Scott Swift	1,305.00
4300.31 · Anthony Dimercurio	6,000.00
4300.32 · Don Arthur Weldong	1,050.00
4300.33 · Matrix Consulting Group	7,000.00
4300.34 · CPS HR Consulting	2,420.00
4300.35 · Nettology LLC	2,000.00
4300.36 · Less Stress EMS, LLC	1,400.00
<b>Total 4300 · Professional Fees</b>	<b>99,646.31</b>
4305 · Audit Fees	700.00
4313 · Legal Services	11,733.07
<b>Total Professional Services</b>	<b>113,310.14</b>
<b>Salaries</b>	
3001 · Salaries and Benefits	
3000 · Gross Wages	1,771,791.14
<b>Total 3001 · Salaries and Benefits</b>	<b>1,771,791.14</b>
<b>Total Salaries</b>	<b>1,771,791.14</b>
<b>Training and Travel</b>	
4503 · Staff Development	2,475.00
4600 · Transportation / Travel	1,079.61
4602 · Mileage	2,702.19
<b>Total Training and Travel</b>	<b>6,256.80</b>
<b>ULM Expenses</b>	
6040 · ULM Capital Outlay	20,857.01
6043 · ULM Deferred Maintenance	14,244.92
6600 · ULM Support	13,039.74
ULM Expenses - Other	120.17
<b>Total ULM Expenses</b>	<b>48,261.84</b>
<b>4501 · Contract Project</b>	
4501.07 · Trout Unlimited	30,000.00
4501.14 · Sierra Nevada Alliance	13,363.50
4501.20 · UC Davis	55,592.06
4501.21 · UNR	30,265.75
4501.29 · STPUD	49,709.05
4501.30 · Nevada Tahoe Conservation Dist	1,110.77
4501.31 · Strassenburgh/High Sierra Water	14,400.00
4501.35 · Marine Taxonomic Serv (MTS)	188,575.21
4501.37 · North Tahoe FD	231,794.05
4501.38 · North Lake Tahoe FPD	153,402.35
4501.4 · Clean Tahoe Program	13,996.23

# Tahoe Resource Conservation District

## Profit & Loss

July 2021 through June 2022

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	<u>Jul '21 - Jun 22</u>
4501.40 · Tahoe Douglas FPD	215,331.25
4501.41 · American Rivers	0.00
4501.48 · SDBX	3,110.00
4501.49 · Geosyntec Consultants, Inc.	32,912.57
4501.5 · DRI	27,841.69
4501.52 · KLS Safety Solutions	1,200.00
4501.54 · South Lake Tahoe Fire Rescue	23,101.63
4501.61 · Firestorm Wildland Fire Suppres	9,594.38
4501.91 · Ascent Environmental	120,766.50
<b>Total 4501 · Contract Project</b>	<u>1,216,066.99</u>
<b>Total Expense</b>	<u>3,936,604.60</u>
<b>Net Ordinary Income</b>	<u>-150,296.87</u>
<b>Net Income</b>	<u><u>-150,296.87</u></u>

## Tahoe Resource Conservation District

01/06/23

**Balance Sheet**

Accrual Basis

As of November 30, 2022

	<u>Nov 30, 22</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	1,337,869.03
Accounts Receivable	649,495.00
Other Current Assets	223,539.23
<b>Total Current Assets</b>	<u>2,210,903.26</u>
<b>Fixed Assets</b>	<u>8,126,799.54</u>
<b>TOTAL ASSETS</b>	<b><u><u>10,337,702.80</u></u></b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	284,832.55
Credit Cards	21,395.14
Other Current Liabilities	611,675.99
<b>Total Current Liabilities</b>	<u>917,903.68</u>
<b>Total Liabilities</b>	917,903.68
<b>Equity</b>	<u>9,419,799.12</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u><u>10,337,702.80</u></u></b>

Tahoe Resource Conservation District

Profit & Loss

November 2022

	Nov 22	Jul - Nov 22
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
Property Tax Revenue		
1100 · EDC Property Tax;Current Secure	0.00	2,669.70
1160 · Placer County Taxes	0.00	1,553.01
<b>Total Property Tax Revenue</b>	<b>0.00</b>	<b>4,222.71</b>
1176 · Interest Revenue		
1177 · EDC Interest Earnings	0.00	12.30
<b>Total 1176 · Interest Revenue</b>	<b>0.00</b>	<b>12.30</b>
1200 · Grant Revenues		
1200.84 · PROP 84 R3	0.00	8,740.01
1200.88 · SNPLMA Fire	0.00	388,044.96
1201.87 · NTCD NSHH 22	0.00	2,183.66
<b>Total 1200 · Grant Revenues</b>	<b>0.00</b>	<b>398,968.63</b>
1201 · Grant Revenues - 2		
1201.09 · NRCS 040	0.00	1,793.45
1201.31 · BOR JM	0.00	25,562.91
1201.33 · NDSL AIS 19	0.00	7,730.90
1201.48 · CTC AIS 20	0.00	28,005.49
1201.56 · TRPA TK 20	151,562.68	151,562.68
1201.59 · TRPA DBW Meyers 21	0.00	92,469.93
1201.65 · CTC MBTA 20	0.00	3,745.99
1201.68 · CTC TK 21	0.00	109,630.05
1201.71 · CTCJPA-21-1490 LM	0.00	8,118.61
1201.73 · NDOT SR431 21	0.00	6,797.27
1201.76 · TRPA DBW Alpine 21	0.00	95,230.63
1201.77 · CTCJPA-21-1500 F	0.00	2,300.89
1201.78 · NDSL BMP 21	0.00	6,410.93
1201.79 · TRPA 22	0.00	236,840.74
1201.80 · NDEP BMP 21	0.00	6,240.44
1201.81 · CSLT SDA P2	0.00	903.67
1201.83 · CTCJPA-21-1499 R	0.00	13,212.68
1201.85 · Placer SWP 22	0.00	5,002.98
1201.86 · CTC Monitoring 22	0.00	8,684.94
1201.91 · CTCJPA 22-1731	0.00	137,691.15
1201.92 · CTCJPA 22-1732	0.00	1,921.65
1201.93 · CTC SSA 22	0.00	5,693.59
1201.94 · CDFW JM 21	0.00	2,469.14
1201.95 · USFS JM 21	0.00	4,373.06
1201.96 · Washoe SWP 22	0.00	5,002.98
1201.97 · NDOT SWP 22	0.00	5,024.00
1201.98 · EDC SWP 22	0.00	5,002.93
1201.99 · Douglas SWP 22	0.00	5,002.98
1201 · Grant Revenues - 2 - Other	0.00	86,655.48
<b>Total 1201 · Grant Revenues - 2</b>	<b>151,562.68</b>	<b>1,069,082.14</b>
1202 · Grant Income - 3		
1202.01 · CSLT SWP 22B	0.00	5,002.98
1202.02 · CALTRANS SWP 22	0.00	5,002.98
1202.03 · TRPA DBW MY 22	0.00	5,938.18
1202.04 · CTC CP&T 22	0.00	3,444.15
<b>Total 1202 · Grant Income - 3</b>	<b>0.00</b>	<b>19,388.29</b>
1500 · Administration Income		
1500.66 · NDSL AIS 19	0.00	386.55
1500.70 · BOR JM	0.00	2,292.29
1500.76 · CTC AIS 20	0.00	4,200.82
1500.80 · NDSL AIS 20	0.00	298.60
1500.86 · CTC MBTA 20	0.00	560.71
1500.89 · CTC TK 21	0.00	16,444.51

## Tahoe Resource Conservation District

## Profit &amp; Loss

November 2022

01/06/23

Accrual Basis

	Nov 22	Jul - Nov 22
1500.93 · CTCJPA-21-001	0.00	283.63
1500.95 · NDOT SR431 21	0.00	1,019.59
1500.97 · CTCJPA-21-1490 LM	0.00	770.44
1500.98 · CTCJPA-21-1500 F	0.00	345.14
1500.99 · NDSL BMP 21	0.00	320.55
<b>Total 1500 · Administration Income</b>	<b>0.00</b>	<b>26,922.83</b>
<b>1501 · Administrative Income 2</b>		
1501.01 · NDEP BMP 21	0.00	624.04
1501.03 · CSLT SDA P2	0.00	24.32
1501.05 · CTCJPA-21-1499 R	0.00	17,086.21
1501.07 · Placer SWP 22	0.00	750.45
1501.08 · CTC Monitoring 22	0.00	1,291.11
1501.09 · NTCN NSHH 22	0.00	327.55
1501.11 · CTCJPA 22-1730	0.00	12,998.32
1501.12 · CTCJPA-22-1731	0.00	20,653.67
1501.13 · CTCJPA-22-1732	0.00	288.25
1501.15 · CTC SSA 22	0.00	1,423.40
1501.16 · CDFW JM 21	0.00	493.83
1501.17 · USFS JM 21	0.00	437.31
1501.18 · Washoe SWP 22	0.00	750.45
1501.19 · NDOT SWP 22	0.00	753.60
1501.20 · EDC SWP 22	0.00	750.44
1501.21 · Douglas SWP 22	0.00	750.45
1501.22 · CSLT SWP 22B	0.00	750.45
1501.24 · CTC CP&T 22	0.00	667.78
1501 · Administrative Income 2 - Other	0.00	750.45
<b>Total 1501 · Administrative Income 2</b>	<b>0.00</b>	<b>61,572.08</b>
<b>1900 · Miscellaneous Income</b>		
SDRMA Wellness 22	0.00	950.00
1178 · US Bank Credit Incentive	0.00	720.18
1600 · CTCJPA Vehicle Maintenance	-470.97	-545.21
<b>Total 1900 · Miscellaneous Income</b>	<b>-470.97</b>	<b>1,124.97</b>
<b>Total Income</b>	<b>151,091.71</b>	<b>1,581,293.95</b>
<b>Gross Profit</b>	<b>151,091.71</b>	<b>1,581,293.95</b>
<b>Expense</b>		
<b>Benefits</b>		
3020 · Retirement Expense		
3020.1 · CalPERS Unfunded Liability	0.00	40,217.00
3020 · Retirement Expense - Other	4,328.33	41,264.73
<b>Total 3020 · Retirement Expense</b>	<b>4,328.33</b>	<b>81,481.73</b>
3023 · Employee CalPERS	3,852.08	3,852.08
3025 · Employee Nationwide	908.22	908.22
3040 · Employer Health Insurance		
3042 · Employee Health	6,128.43	9,721.71
3040 · Employer Health Insurance - Other	13,148.55	70,907.28
<b>Total 3040 · Employer Health Insurance</b>	<b>19,276.98</b>	<b>80,628.99</b>
3050 · Comp Abs Expense	0.00	27,862.43
<b>Total Benefits</b>	<b>28,365.61</b>	<b>194,733.45</b>
<b>Building and Equipment Expense</b>		
4140 · Equipment Maintenance	257.83	1,528.48
4161 · Vehicle Maintenance	65.16	3,216.25
4420 · Rents & Leases; Equipment	0.00	3,482.65
4440 · Rent; Building	4,033.51	32,967.50
4462 · Computer Equipment	0.00	7,731.75
4606 · Fuel Expense	59.94	12,971.14

## Tahoe Resource Conservation District

01/06/23

## Profit &amp; Loss

Accrual Basis

November 2022

	Nov 22	Jul - Nov 22
6610 · CTCJPA Vehicle Mainten	122.42	152.85
<b>Total Building and Equipment Expense</b>	4,538.86	62,050.62
<b>Grant Expense</b>		
4500 · Project / Grant Supplies	2,613.36	25,890.97
<b>Total Grant Expense</b>	2,613.36	25,890.97
<b>Miscellaneous Expense</b>		
4241 · VOID Expense	0.00	0.00
4607 · Fines Fees and Penalties	0.00	207.03
<b>Total Miscellaneous Expense</b>	0.00	207.03
<b>Office Expense</b>		
4040 · Telephone	1,016.14	5,140.10
4041 · Internet	119.99	599.95
4060 · Meeting Expense	0.00	49.65
4260 · Office Expense	416.62	1,703.29
4261 · Postage	187.64	897.99
4262 · Software Expense	2,264.50	9,733.24
4266 · Printing	223.58	696.32
<b>Total Office Expense</b>	4,228.47	18,820.54
<b>Operations Expense</b>		
4100 · Insurance	0.00	23,967.37
4220 · Membership / Dues	0.00	9,278.88
<b>Total Operations Expense</b>	0.00	33,246.25
<b>Payroll Taxes</b>		
3021 · OASDI Expense	0.00	46,787.66
3022 · Medicare Expense	0.00	10,891.09
3041 · SUI	0.00	4,918.62
3060 · Workers Compensation	0.00	50,207.85
<b>Total Payroll Taxes</b>	0.00	112,805.22
<b>Professional Services</b>		
4010 · Advertisement	0.00	466.65
4300 · Professional Fees		
3090 · Paychex Expense	0.00	4,103.64
4300.04 · GriffinSystems, Inc.	375.00	1,375.00
4300.09 · Sidelifter.com	0.00	1,612.00
4300.18 · Eide Bailly	625.65	1,428.40
4300.27 · Nigro & Nigro	10,500.00	16,500.00
4300.28 · Associated Crane, Inc.	4,945.47	4,945.47
4300.37 · Durkin Tree Service	18,025.00	18,025.00
4300 · Professional Fees - Other	0.00	-1.89
<b>Total 4300 · Professional Fees</b>	34,471.12	47,987.62
4305 · Audit Fees	0.00	700.00
4313 · Legal Services	137.50	3,656.50
<b>Total Professional Services</b>	34,608.62	52,810.77
<b>Salaries</b>		
3001 · Salaries and Benefits		
3000 · Gross Wages	0.00	765,818.71
<b>Total 3001 · Salaries and Benefits</b>	0.00	765,818.71
<b>Total Salaries</b>	0.00	765,818.71
<b>Training and Travel</b>		
4503 · Staff Development	418.75	2,178.75
4600 · Transportation / Travel	441.00	1,685.46

## Tahoe Resource Conservation District

01/06/23

## Profit &amp; Loss

Accrual Basis

November 2022

	Nov 22	Jul - Nov 22
4602 · Mileage	177.50	1,283.02
<b>Total Training and Travel</b>	<b>1,037.25</b>	<b>5,147.23</b>
<b>ULM Expenses</b>		
6040 · ULM Capital Outlay	1,419.09	8,295.28
6043 · ULM Deferred Maintenance	3,358.08	7,255.16
6600 · ULM Support	1,859.03	4,957.88
<b>Total ULM Expenses</b>	<b>6,636.20</b>	<b>20,508.32</b>
<b>4501 · Contract Project</b>		
4501.03 · Hauge Brueck Associates	0.00	1,300.00
4501.14 · Sierra Nevada Alliance	0.00	7,916.50
4501.20 · UC Davis	0.00	-4,266.61
4501.21 · UNR	0.00	12,137.68
4501.31 · Strassenburgh/High Sierra Water	0.00	3,240.00
4501.35 · Marine Taxonomic Serv (MTS)	106,211.05	251,479.09
4501.37 · North Tahoe FD	0.00	106,257.33
4501.38 · North Lake Tahoe FPD	0.00	68,426.78
4501.4 · Clean Tahoe Program	1,163.58	6,981.56
4501.40 · Tahoe Douglas FPD	0.00	116,356.14
4501.49 · Geosyntec Consultants, Inc.	0.00	12,281.52
4501.5 · DRI	0.00	12,485.14
4501.54 · South Lake Tahoe Fire Rescue	0.00	17,298.16
4501.91 · Ascent Environmental	0.00	2,640.00
<b>Total 4501 · Contract Project</b>	<b>107,374.63</b>	<b>614,533.29</b>
<b>Total Expense</b>	<b>189,403.00</b>	<b>1,906,572.40</b>
<b>Net Ordinary Income</b>	<b>-38,311.29</b>	<b>-325,278.45</b>
<b>Net Income</b>	<b>-38,311.29</b>	<b>-325,278.45</b>





## Tahoe RCD Transmittal Request

Date:	12/5/2022		Transmittal Total:	
Prepared By:	Sarah Bauwens		\$	3,014.16
Contact Phone:	530-543-1501 ext.100			
I HEREBY CERTIFY THAT THE INVOICE(S) LISTED BELOW WERE NECESSARY FOR USE BY THE DISTRICT AND HAVE BEEN DELIVERED OR PERFORMED AND THAT NO PRIOR CLAIM HAS BEEN PRESENTED FOR SAID ARTICLES OR SERVICES:				
Board Signature:			Tahoe RCD Signature:	
Date:				
				Date:
Object	Vendor Name	Invoice Date	Invoice Number	Amount
4040	AT&T	11/13/2022	000019062828	\$ 23.77
4606	Flyers Energy	11/30/2022	CFS-3243052	\$ 511.16
4300	Griifin Systems	12/5/2022	20221101	\$ 500.00
4140	Langenfeld	11/29/2022	A449266	\$ 54.06
4500	Langenfeld	11/29/2022	B514214	\$ 16.13
4500	Langenfeld	11/22/2022	C346611	\$ 2.82
ULM Split	United Site Services	5/3/2022	0-2196258	\$ (1,264.53)
ULM Split	United Site Services	8/25/2022	114-13320769	\$ 1,014.40
ULM Split	United Site Services	11/21/2022	114-13435944	\$ 507.20
ULM Split	United Site Services	11/21/2022	114-13435947	\$ 507.20
ULM Split	United Site Services	11/21/2022	114-13435941	\$ 1,014.40
4260	US Bank EF	11/26/2022	488206392	\$ 127.55
<div style="color: red; font-weight: bold; font-size: 1.2em;">PAID</div> <div style="color: blue; font-weight: bold; font-size: 1.2em;">DEC 05 2022</div>				
			<b>TOTAL:</b>	\$ 3,014.16



# Tahoe RCD Transmittal Request

<b>Date:</b> 12/5/2022		<b>Transmittal Total:</b>
<b>Prepared By:</b> Sarah Bauwens		<b>\$</b>
<b>Contact Phone:</b> 530-543-1501 ext.100		<b>223.76</b>

I HEREBY CERTIFY THAT THE INVOICE(S) LISTED BELOW WERE NECESSARY FOR USE BY THE DISTRICT AND HAVE BEEN DELIVERED OR PERFORMED AND THAT NO PRIOR CLAIM HAS BEEN PRESENTED FOR SAID ARTICLES OR SERVICES:

<b>Board Signature:</b> <i>Harold Sam</i>	<b>Tahoe RCD Signature:</b> <i>[Signature]</i>	12/6/2022
<b>Date:</b> Dec 7, 2022	<b>Date:</b>	

Object	Vendor Name	Invoice Date	Invoice Number	Amount
4602	Gus Tjernagel	4/12/2022	41222ERF_Tjernagel	\$ 133.38
4602	Michael Allin	6/29/2021	62921ERF_Allin	\$ 90.38
			<b>TOTAL:</b>	<b>\$ 223.76</b>

PAID

DEC 05 2022



## Tahoe RCD Transmittal Request

Date:	12/12/2022		Transmittal Total:	\$ 26,495.67
Prepared By:	Sarah Bauwens			
Contact Phone:	530-543-1501 ext.100			

I HEREBY CERTIFY THAT THE INVOICE(S) LISTED BELOW WERE NECESSARY FOR USE BY THE DISTRICT AND HAVE BEEN DELIVERED OR PERFORMED AND THAT NO PRIOR CLAIM HAS BEEN PRESENTED FOR SAID ARTICLES OR SERVICES:

Board Signature: <i>Harold Sun</i>	Tahoe RCD Signature: <i>[Signature]</i>
Date: <i>Dec 13, 2022</i>	Date: <i>12/13/2022</i>

Object	Vendor Name	Invoice Date	Invoice Number	Amount
4313	BB&K	10/31/2022	950929	\$ 880.00
4313	BB&K	11/30/2022	953006	\$ 137.50
4060/4602	Cheyenne Neuffer	12/6/2022	12622ERF_Neuffer	\$ 66.67
4602	Jason Brand	12/2/2022	12222ERF_Brand	\$ 104.38
3040	SDRMA	12/12/2022	H40260	\$ 19,698.06
4440	Select Property Management	12/12/2022	010123	\$ 5,093.43
4060	Tahoe Bowl	12/9/2022	005	\$ 515.63
<b>PAID</b> <b>DEC 13 2022</b>				
<b>TOTAL:</b>				\$ 26,495.67



## Tahoe RCD Transmittal Request

Date: 12/14/2022		Transmittal Total:
Prepared By: Sarah Bauwens		\$
Contact Phone: 530-543-1501 ext.100		515.63

I HEREBY CERTIFY THAT THE INVOICE(S) LISTED BELOW WERE NECESSARY FOR USE BY THE DISTRICT AND HAVE BEEN DELIVERED OR PERFORMED AND THAT NO PRIOR CLAIM HAS BEEN PRESENTED FOR SAID ARTICLES OR SERVICES:

Board Signature: <i>Harold Sun</i>	Tahoe RCD Signature: <i>M. V. S.</i>
Date: <i>Dec 14, 2022</i>	Date: <i>12/14/2022</i>

Object	Vendor Name	Invoice Date	Invoice Number	Amount
4060	Tahoe Bowl	12/9/2022	005	\$ 515.63
<div style="color: red; font-weight: bold; font-size: 1.2em;">PAID</div> <div style="color: blue; font-weight: bold; font-size: 1.2em;">DEC 14 2022</div>				
<b>TOTAL:</b>				\$ 515.63



# Tahoe RCD Transmittal Request

Date:	12/19/2022		Transmittal Total:	
Prepared By:	Sarah Bauwens		\$	1,357.50
Contact Phone:	530-543-1501 ext.100			

I HEREBY CERTIFY THAT THE INVOICE(S) LISTED BELOW WERE NECESSARY FOR USE BY THE DISTRICT AND HAVE BEEN DELIVERED OR PERFORMED AND THAT NO PRIOR CLAIM HAS BEEN PRESENTED FOR SAID ARTICLES OR SERVICES:

Board Signature:	<i>Huwald Simon</i>	Tahoe RCD Signature:	<i>[Signature]</i>
Date:	Dec 20, 2022	Date:	12/20/2022


Object	Vendor Name	Invoice Date	Invoice Number	Amount
4501	Clean Tahoe Program	11/28/2022	17	\$ 760.79
4501	Clean Tahoe Program	11/29/2022	8/19-106	\$ 402.79
4500	DIY	11/22/2022	21843/21	\$ 2.14
4500	DIY	11/22/2022	21842/21	\$ 3.71
4606	Flyers	12/15/2022	CFS-3263339	\$ 170.69
4500	Liberty Utilities	12/6/2022	6559222	\$ 17.38
<b>PAID</b>				
<b>DEC 19 2022</b>				
<b>TOTAL:</b>				\$ 1,357.50



# Tahoe RCD Transmittal Request

Date:	12/5/2022 - Credit Card		Transmittal Total:	16,142.45
Account Number:	4246044555707840		\$	
Prepared By:	Sarah Bauwens			
Contact Phone:	530-543-1501 ext.106			

I HEREBY CERTIFY THAT THE INVOICE(S) LISTED BELOW WERE NECESSARY FOR USE BY THE DISTRICT AND HAVE BEEN DELIVERED OR PERFORMED AND THAT NO PRIOR CLAIM HAS BEEN PRESENTED FOR SAID ARTICLES OR SERVICES:

Board Signature:  Date: Dec 7, 2022	Executive Director Signature:  Date: 12/6/2022
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Invoice Date	Vendor Name	Invoice Number	Amount
11/7/2022	Adobe	2304150250	\$ 14.99
11/7/2022	Adobe	2304181915	\$ 14.99
10/24/2022	Adobe	2293960454	\$ 34.99
11/6/2022	Adobe	2303323908	\$ 14.99
10/22/2022	Adobe	2292094091	\$ 19.99
11/14/2022	Amazon	114-696916R	\$ (37.28)
11/14/2022	Amazon	114-918259R	\$ (8.69)
11/18/2022	Amazon	114-114344R	\$ (25.00)
11/20/2022	Amazon	114-4493277	\$ 101.46
10/30/2022	Amazon	111-6719489	\$ 56.79
10/30/2022	Amazon	111-0251778	\$ 9.64
10/31/2022	Amazon	114-6969168	\$ 281.49
10/31/2022	Amazon	114-0331834	\$ 64.14
10/31/2022	Amazon	114-6326734	\$ 57.88
11/1/2022	Amazon	114-9182596	\$ 442.64
11/8/2022	Amazon	114-1143448	\$ 103.24
11/1/2022	Amazon	114-3093023	\$ 15.98
10/19/2022	Amazon	111-2903932	\$ 54.36
10/21/2022	AmeriGas	3142332645	\$ 1,177.25
10/22/2022	AmeriGas	3142369578	\$ 1,220.32
12/9/2022	Broadvoice	365904	\$ 550.10
11/15/2022	CARCD	REGI1MORTQ	\$ 375.00
10/8/2022	Charter	49187100822	\$ 119.99
11/7/2022	Drip Depot	1265160	\$ 61.20
11/2/2022	Eley	594475	\$ 228.32
10/25/2022	Esri	94352842	\$ 4,600.00
11/4/2022	FedEx	7-935-89039	\$ 5.31
11/10/2022	Gopher Industrial	100000947	\$ 156.58
11/16/2022	Harbor Freight	510011	\$ 100.84
11/16/2022	Home Depot	7011585	\$ 300.97
10/21/2022	Hotel Tonight	2ZL26N	\$ 381.00
11/21/2022	Lake Tahoe Community College	000091899	\$ 43.75
6/15/2022	Langenfeld	B494730	\$ 75.83
7/13/2022	Langenfeld	A435234	\$ 17.39
7/13/2022	Langenfeld	B498147	\$ 66.51
6/27/2022	Langenfeld	B496129	\$ 43.48
6/23/2022	Langenfeld	A432382	\$ 258.78
6/15/2022	Langenfeld	B494805	\$ 44.57
6/6/2022	Langenfeld	B493917	\$ 25.96
10/31/2022	Lowe's	901731879	\$ 74.91
5/12/2022	Meeks	1716143	\$ 32.59
5/12/2022	Meeks	4365912	\$ (32.59)
11/4/2022	Microsoft	E0600KVC95	\$ 10.00
11/4/2022	Microsoft	E0600KV7CU	\$ 267.50
11/7/2022	Oil Changers	3226814	\$ 61.21
11/7/2022	Oil Changers	3226802	\$ 61.21

PAID

DEC 05 2022

10/18/2022	Phone.com	12853581	\$	61.97
11/7/2022	Pitney Bowes	3105795880	\$	94.84
10/26/2022	Pressure Washers Direct	PWD3305457	\$	450.18
11/1/2022	Redwood Printing	33305	\$	223.58
10/26/2022	Renaissance Hotels	023550752	\$	685.36
10/25/2022	Round Hill GID	10-25-2022	\$	145.70
10/14/2022	Sidelifter.com	1101422	\$	1,612.00
10/28/2022	Spotify	Fraudulent	\$	9.99
11/14/2022	Spraywell	25735	\$	189.20
10/24/2022	UC Davis Science Center	4594688139	\$	13.14
9/23/2022	Verizon	9916564496	\$	300.46
10/23/2022	Verizon	9918936121	\$	300.50
10/25/2022	Western Nevada Supply	39385558	\$	82.24
10/24/2022	Western Nevada Supply	39405261	\$	60.58
10/28/2022	Zoom	INV173142423	\$	14.99
11/8/2022	Zoro	SO29178754	\$	282.54
11/8/2022	Zoro	SO29178511	\$	70.60
		<b>TOTAL:</b>	\$	16,142.45

10/20/2022

# Tahoe Resource Conservation District

## Board Meeting Minutes

Tuesday, December 13, 2022

### Attendees:

**District Directors:** Carl Ribaudo, President  
Jason Burke, Vice President  
Harold Singer, Treasurer  
Martin Goldberg, Director

**District Staff:** Mike Vollmer, Executive Director  
Mollie Hurt, Director of Programs  
Tori Walton, Director Administration and Finance  
Meg Peart, Human Resources/Grant Manager  
Andrea Buxton, Program Manager  
Andrew Schurr, Program Manager  
Chris Kilian, Program manager  
Jason Brand, Program Manager

**Guests:** None

### **I. Call to Order**

President Ribaudo called the meeting to order at 10:02 a.m. The meeting was held in the Conference room located at 870 Emerald Bay Road, South Lake Tahoe, CA.

### **II. Directors' Roll Call**

Present: President Ribaudo, Vice President Burke, Treasurer Singer, and Director Goldberg  
Absent: Director McIntyre

### **III. Communications from audience**

None

### **IV. Changes or Additions to the Agenda**

None

### **V. Approval of the Agenda**

Motion by Vice President Burke, seconded by Treasurer Singer; President Ribaudo, Director Burke, Treasurer Singer, and Director Goldberg, voted yes, for approval of the agenda.

### **XI. Financials**

#### **1. Financials through August 2022**

Discussion only

#### **2. Invoice Transmittals**

Motion by Director Goldberg, seconded by Vice President Burke; President Ribaudo, Director Burke, Treasurer Singer, and Director Goldberg, voted yes, for approval of the invoice transmittals.



### 3. Bank Reconciled Cash Balance

Discussion only

## XII. NRCS

None

## XIII. Consent Agenda

Motion by Vice President Burke, seconded by Director Goldberg; President Ribaldo, Director Burke, Treasurer Singer, and Director Goldberg, voted yes, to approve the consent agenda.

## XIV. Consent Forward

## XIV. Reports

1. Executive Director October – November 2022 Activity Report – Mike Vollmer  
Discussion Only
2. Watercraft Inspection Program Update – Chris Kilian  
Discussion Only

## XIV. New Business

1. **Agreement CTA 22014L between California Tahoe Conservancy and Tahoe Resource Conservation District in the amount of \$470,000 to purchase, manage, and support partners use of Land Tender software to identify and prioritize projects for the Community Wildfire Protection Plan Update.**

Motion by Vice President Burke, seconded by Treasurer Singer; President Ribaldo, Vice President Burke, Treasurer Singer, and Director Goldberg, voted yes to approve agreement CTA 22014L between California Tahoe Conservancy and Tahoe Resource Conservation District in the amount of \$470,000.

2. **Agreement between California Department of Transportation and Tahoe Resource Conservation District to purchase two 59 sq/ft easements located on Johnson Meadow to facilitate street/sidewalk light installation.**

Motion by Director Goldberg, seconded by Vice President Burke; President Ribaldo, Vice President Burke, Treasurer Singer, and Director Goldberg, voted yes to approve agreement between California Department of Transportation and Tahoe Resource Conservation District to purchase two 59 sq/ft easements located on Johnson Meadow to facilitate street/sidewalk light installation with the additional statement that this project is not subject to CEQA.

3. **Board positions and committee appointment**

Motion by Vice President Burke, seconded by Director Goldberg; President Ribaldo, Vice President Burke, Treasurer Singer, and Director Goldberg, voted yes, to approve the following:

- Officers
  - President – Carl Ribaldo
  - Vice President – Jason Burke
  - Treasurer – Harold Singer
- Executive Committee
  - Carl Ribaldo and Jason Burke

- Finance and Operations Committee
  - Harold Singer and Kathleen McIntyre
- Revenue Development Committee
  - Carl Ribaldo and Martin Goldberg

**4. Tahoe RCD strategizing and planning for future funding and expenditures**

The following items were discussed as future board meeting agenda topics:

- Johnson Meadow Fund – January Board Meeting
- Tahoe RCD COLA implementation – February Board Meeting
- Vehicle Replacement Schedule – March Board Meeting

**XIV. Old Business**

**1. Resolution 2022-11 authorizing remote teleconference meetings of the legislative bodies of the Tahoe Resource Conservation District pursuant to Brown Act Provisions.**

Motion by Treasurer Singer, seconded by Director Goldberg; President Ribaldo, Vice President Burke, Treasurer Singer, and Director Goldberg, voted yes, to approve Resolution 2022-011.

**2. With Respect of every item of business to be discussed In closed session pursuant to Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Property: APN 031-290-037 and 031-290-039;**

**2375 Lake Tahoe Boulevard and 940 Sunset Avenue**

**Agency negotiator: Mike Vollmer, Executive Director**

**Negotiating parties: Helen Elizabeth Kolbe and Mary Anne McCall**

**Under negotiation: Price and terms of payment**

No action taken.

**3. With respect of every item of business to be discussed in closed session pursuant to Section 54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION for Executive Director, Mike Vollmer**

No action taken.

**XIV. Closing Statements**

Meg Peart announced that the Tahoe RCD Holiday Party will be on Tuesday December 20<sup>th</sup> at Tahoe Bowl.

**XIV. Adjournment**

Motion by Vice President Burke, seconded by Treasurer Singer; President Ribaldo, Vice President Burke, Treasurer Singer, and Director Goldberg, voted to adjourn at 11:53 a.m.

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Carl Ribaldo, President

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Tori Walton, Executive Assistant

**Tahoe Resource Conservation District**

**Finance and Operations Committee Meeting Minutes**

**Friday, December 16, 2022**

**Attendees:**

**District Directors:** Harold Singer, Treasurer  
Kathleen McIntyre, Director

**District Staff:** Mike Vollmer, Executive Director  
Tori Walton, Director of Finance & Operations  
Meg Peart, Grant Manager/Human Resources

**Guests:** None

**I. Call to Order**

Treasurer Singer called the meeting to order at 11:03 a.m. The meeting was held via Zoom teleconference.

**II. Directors' Roll Call**

Present: Treasurer Singer, Director McIntyre  
Absent: None

**III. Changes or Additions to the Agenda**

None

**IV. Approval of the Agenda**

Motion by Director McIntyre, Seconded by Treasurer Singer; Treasurer Singer and Director McIntyre, voted yes, for approval of the agenda.

**V. New Business**

**1. Review Proposed Tahoe Vacation Tier Change**

Staff are to present the proposed tier change option along with another option where tiers change every two years to the full Board in January 2023.

**VI. Adjournment**

Motion by Director McIntyre, seconded by Treasurer Singer; Treasurer Singer and Director McIntyre voted to adjourn at approximately 12:06 p.m.

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Carl Ribauda, President

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Tori Walton, Executive Assistant



**Date:** January 2022

**To:** Tahoe RCD Board of Directors

**From:** Mike Vollmer, Executive Director

## January 2023 Staff Report

### **Recommendation:**

It is recommended the Board read and file this staff report.

### **Highlights from December**

December was slow month with many partners taking time off. I also took some vacation from 12/21 – 1/3 to visit family over the holiday. We are looking forward to more great work in 2023!

### **Meetings and Events**

- No external meetings were scheduled during December due to holidays. However, January will be a busy month as I continue to engage with the Tahoe Interagency Executives Steering Committee, the California Tahoe Alliance, TRPA/Tahoe RCD AIS Strategy working group, TFFT, and participating in the ad-hoc South Shore Wildfire Prevention group (LVFPD, SLTFR, CTC, and Tahoe RCD), TRPA SEZ Coordinating Group, TRPA Watershed Restoration Working Group and the SNPLMA secondary Review Team.
- Pre-Attack Plan Fire District meetings are continuing in January. Cheyanne Neuffer is leading the effort and Cara Moore is updating the Pre-Attack Plan maps. The South Shore Pre-Attack Plan meeting is on January 10 at 1:00pm.
- On December 20<sup>th</sup>, Tahoe RCD Staff & Board celebrated the holiday with an outing to Tahoe Bowl.
- I am working with Bruce Barr at TRPA on developing an MOU for tree evaluation/permitting in Johnson Meadow to expedite hazard tree removal.

### **Grants and Funding Opportunities**

- The BLM has sent Tahoe RCD a Notice of Award for the SNPLMA R18 Fire Adapted Communities Grant Agreement for \$8.7 million. Once finalized, work will begin immediately with partner Fire Protection Districts to get sub-awards/contracts in place to continue the great work of preparing communities for wildfire through 2028.
- Tahoe RCD continues working with CTC on other funding opportunities including Forestry and Wildlife Services Capacity Building, Johnson Meadow Watershed Management Plan (may include the Airport Reach), Wildlife services for 20223, and a small agreement to utilize Tahoe TV for outreach and information sharing.

**Financial Implications:** None

**Attachment:** None



**Date:** January 6, 2023

**To:** Tahoe RCD Board of Directors

**From:** Meg Peart

## Tahoe RCD Vacation Tier Change

### Recommendation:

Approve Tahoe RCD Vacation Tier Structure Change Scenario A as of 1/1/2023.

If Tahoe RCD Board of Directors adopts a vacation tier structure change, the vacation section of the Personnel Policy will be updated to reflect the new accruals and vacation caps in accordance with limits set by legal guidance.

### Background:

In 2018, Tahoe RCD commissioned a survey of salary and compensations plans from comparable agencies within the Tahoe Basin. The results of the survey, presented in 2019, concluded that at the time, Tahoe RCD base salaries were, on average, 53.22% below market median across comparable classifications and 71.08% below for total compensation. As a result of this study Tahoe RCD salary ranges and position classification were adjusted and approved by the Board of Directors. There was no corresponding update or change recommendation for District paid leave/paid time off (PTO) policies at that time.

When Tahoe RCD non-salary benefits were compared, Tahoe RCD offerings were less generous in terms of total leave benefits (vacation, sick, combined PTO, and/or other additional leave) than other agencies. Only one of the 11 agencies surveyed provided fewer vacation hours while seven offered more to varying degrees. Tahoe RCD currently does not allow the combination of sick and vacation as PTO or provide the option to opt into a PTO system. In an effort to increase non-monetary benefits, incentivize employee retention and satisfaction, and increase quality of life for District employees Tahoe RCD is working to update the Paid Leave policy.

### Discussion and proposed phased implementation:

Tahoe RCD finance staff compared possible scenarios for both a change in tier structure, and the combination of sick and vacation accruals to PTO. Staff identified budget implications for multiple scenarios and determined that a phased approach to change to a PTO system would be the most fiscally appropriate, sustainable, and responsible method of implementation. At this time, Staff is recommending only a change in the structure of the vacation accrual tiers.

### **Proposed Tier Structure – Scenario A**

Currently, staff see vacation accruals increase after five and ten years with Tahoe RCD. The proposed tier structure change (Scenario A) adds a week of vacation overall and would allow employees to accrue vacation hours at an increased rate (after three and six years of service). After completing six years of service, eight hours are added each year. Once the employee has reached ten years of service, an additional 24 hours is granted. This structure encourages staff retention and would increase employee satisfaction. The financial implications of adjusting the tier schedule mid fiscal year would result in an increased billable rate to staff who are immediately impacted by the tier change. The total cost to budgeted payroll across all affected positions is approximately \$18,661.45. Since full-time staff are budgeted at 2080 hours and funds for vacation are collected in billable rates, vacation taken results in using less hours/funds than budgeted. Since it cannot be predicted how much vacation time staff will take, the District budgets for zero vacation hours to ensure adequate funding for the fiscal year. Staff have identified how many vacation hours would need to be taken by each employee in order to offset this difference of changing the accrual tiers mid fiscal year. In identifying these hours, it has been determined that all hours necessary to offset this cost have already been taken by staff. The proposed tier structure change would have no financial impact on the 22/23 budget as detailed in Attachment 1.

**Alternative Tier Structure - Scenario B**

The alternative tier structure (Scenario B) also adds a week of vacation overall and would increase accrual rates at a consistent rate between years 1-10 with an additional 24 hours added per two years of service (ex. Vacation accrual rates increase in year 2, 4, 6, 8, 10). Staff identified that while this scenario would allow for an increase at two years as opposed to three, the structure does not have as great an effect on staff who have been employed by the District for a longer period of time. Financially, the difference of the cost to budgeted payroll between the two scenarios is minimal (see Attachment 1).

Current Tier Structure			
Years of Service	Months of Service	Annual Vacation Leave	Annual Sick Leave
1 - 5	0 - 60	80	80
5.1 - 10	61 - 120	120	80
10+	121+	160	80

Proposed Tier Structure – Scenario A			
Years of Service	Months of Service	Annual Vacation Leave	Annual Sick Leave
1 – 3	0 - 36	80	80
3.1 – 6	37 - 72	120	80
6.1 – 7	73 - 84	160	80
7.1 – 8	85 – 96	168	80
8.1 – 9	97 – 108	176	80
9.1 – 10	109 – 120	184	80
10.1 +	121 +	200	80

Alternative Tier Structure – Scenario B			
Years of Service	Months of Service	Annual Vacation Leave	Annual Sick Leave
1 – 2	0 – 24	80	80
2.1 – 4	25 – 48	104	80
4.1 – 6	49 – 72	128	80
6.1 – 8	73 – 96	152	80
8.1 – 10	97 – 120	176	80
10.1 +	121 +	200	80

**Attachments:**

1. Tahoe RCD VA Tier Change 1/1/2023
2. PTO Policy Comparison Table

Scenario A Tier Change - Gradual Increase				
Position Title	Billable	Increase in cost for 6 months	Hour Decrease Per 6 months	Vacation Hours Used at 12/30/2022
Bookkeeper/Office Coordinator	\$ 41.95	\$ 1,547.31	-36.89	62.50
Program Manager	\$ 58.60	\$ -	0.00	
Program Manager	\$ 64.74	\$ 1,468.92	-22.69	76.00
Program Coordinator	\$ 37.01	\$ -	0.00	
Director of Programs	\$ 71.39	\$ 2,253.47	-31.57	47.75
Program Manager	\$ 60.96	\$ 1,510.86	-24.78	124.50
Program Assistant	\$ 29.45	\$ -	0.00	
Program Coordinator	\$ 42.47	\$ 1,024.17	-24.11	36.50
Program Specialist	\$ 54.58	\$ 1,825.90	-33.46	51.00
Program Coordinator	\$ 39.01	\$ 940.97	-24.12	64.50
Program Coordinator	\$ 36.84	\$ -	0.00	
Program Coordinator	\$ 42.76	\$ 1,062.78	-24.85	88.00
Human Resources/Grant Manager	\$ 56.96	\$ 1,434.87	-25.19	45.00
Program Manager	\$ 55.97	\$ 1,217.87	-21.76	62.00
Program Coordinator	\$ 38.73	\$ 1,066.89	-27.55	49.00
Program Assistant	\$ 35.12	\$ 870.95	-24.80	100.25
Program Assistant	\$ 33.96	\$ -	0.00	
Executive Director	\$ 69.17	\$ -	0.00	
Director of Finance and Administration	\$ 65.93	\$ 1,632.79	-24.77	97.00
Program Coordinator	\$ 33.89	\$ 803.71	-23.71	53.50

	6 Month Increase	Amount already saved
65%	\$ 1,005.75	\$ 2,528.75
65%	\$ 932.66	\$ 2,501.10
40%	\$ -	\$ -
65%	\$ 1,061.31	\$ 6,242.92
Total Admin	\$ 2,999.73	\$ 11,272.77
Program	\$ 15,661.72	\$ 36,320.14
Increase Total	\$ 18,661.45	\$ 47,592.91

Scenario B Tier change - Every Two Years receive increase				
Position Title	Billable	Increase in cost for 6 months	Hour Decrease Per 6 months	Vacation Hours Used at 12/30/2022
Bookkeeper/Office Coordinator	\$ 41.95	\$ 1,547.31	-36.89	62.50
Program Manager	\$ 58.60	\$ -	0.00	
Program Manager	\$ 64.74	\$ 1,468.92	-22.69	76.00
Program Coordinator	\$ 37.45	\$ 460.53	-12.30	47.00
Director of Programs	\$ 71.39	\$ 2,253.47	-31.57	47.75
Program Manager	\$ 60.96	\$ 1,510.86	-24.78	124.50
Program Assistant	\$ 29.81	\$ 374.16	-12.55	22.00
Program Coordinator	\$ 42.13	\$ 669.42	-15.89	36.50
Program Specialist	\$ 54.35	\$ 1,592.31	-29.30	51.00
Program Coordinator	\$ 38.70	\$ 615.12	-15.89	64.50
Program Coordinator	\$ 36.84	\$ -	0.00	
Program Coordinator	\$ 42.42	\$ 705.64	-16.64	88.00
Human Resources/Grant Manager	\$ 56.73	\$ 1,192.90	-21.03	45.00
Program Manager	\$ 55.52	\$ 750.41	-13.52	62.00
Program Coordinator	\$ 38.41	\$ 738.12	-19.22	49.00
Program Assistant	\$ 35.26	\$ 1,019.12	-28.90	100.25
Program Assistant	\$ 33.96	\$ -	0.00	
Executive Director	\$ 70.01	\$ 871.26	-12.45	0.00
Director of Finance and Administration	\$ 65.93	\$ 1,632.79	-24.77	97.00
Program Coordinator	\$ 33.62	\$ 520.64	-15.49	53.50

	6 Month Increase	Amount already saved
Total Increase for 6 months	\$ 1,005.75	\$ 2,528.75
65%	\$ 775.38	\$ 2,501.10
40%	\$ 348.51	\$ -
65%	\$ 1,061.31	\$ 6,242.92
Total Admin	\$ 3,190.96	\$ 11,272.77
Program	\$ 14,732.02	\$ 38,707.51
Increase Total	\$ 17,922.98	\$ 49,980.28

Classification	Agency Name Accrual Type and/or Employee Classification	Paid Time Off Accrual by Service Year Hours/Year											Additional Leave Offering	Notes	
		1	2	3	4	5	6	7	8	9	10	10+			
All	Tahoe RCD	80	80	80	80	120	120	120	120	120	120	160	160	None	Time does not increase beyond 10 years
Excluded	California Tahoe Conservancy: Excluded (Vacation)	84	84	84	132	132	132	132	132	132	132	156*	Voluntary Leave Program	Employees may choose to enroll in the Voluntary Personal Leave Program to purchase additional leave for a corresponding reduction in pay.	
	California Tahoe Conservancy: Excluded (Annual Leave)	180	180	180	180	180	180	180	180	180	180	204*			
Rank and File	California Tahoe Conservancy: Rank and File (Vacation)	84	84	84	120	120	120	120	120	120	120	144*	Voluntary Leave Program	Employees of all classifications can choose between Annual Leave (combined vacation and sick) accrual	
	California Tahoe Conservancy: Rank and File (Annual Leave)	132	132	132	168	168	168	168	168	168	168	192*			
All	Nevada Tahoe Conservation District	160	160	160	160	200	200	200	200	200	224	224	PTO - Additional Admin Leave 16 - 40 Hours depending on position/ability to increase admin leave based on % funded by GF, pay rate in relation to salary max, or approval by District Manager	Time does not increase beyond 10 years	
All Represented Classifications	City of South Lake Tahoe (General, Admin, Confidential)	88	88	88	88	88	128	128	128	128	128	168*	Ability to purchase 40 or 80 hours of additional vacation annually providing they are under the 240 hour yearly roll over cap.	Employees may choose to purchase either 40 or 80 hours a year of additional leave for a corresponding reduction in pay.	
Unrepresented Executive	City of South Lake Tahoe (Unrepresented Executive)	224	224	224	224	264	264	264	264	264	304	#	Administrative leave, up to 80 hours annually, at the discretion of the City Manager for exempt employees. <sup>1</sup>	Accrual rates and additional leave has not been verified. The City of South Lake Tahoe does not publish their non-represented leave benefits on their website. Data was taken from the 2018 Tahoe RCD Compensation Study Appendix B. Needs to be verified	
Unrepresented Management	City of South Lake Tahoe (Unrepresented Management)	168	168	168	168	208	208	208	208	208	264	#			
All	El Dorado County	81	81	81	81	122	122	122	122	122	122	161*	Unrepresented Employees: (by classification) Confidential - 16 hr./year Manager - 80 hr./yr. Department head - 96 hr./yr.	Unclear if unused special time is subject to pay out at year end	
Unrepresented Management	Placer County (Management)	80	80	96	96	120	120	120	120	120	160	160*	100 Hours/year	Unclear if unused special time is subject to pay out	
Represented General and Professional	Placer County (General and Professional)	80	80	96	96	120	120	120	120	120	160	160*	None		
Represented General Unit	North Tahoe Public Utility District (General Unit)	80	80	80	80	88	120	120	120	120	128	136*	Up to 24 hr./year Sick as Personal Leave		
Unrepresented Management and Confidential	North Tahoe Public Utility District (Management and Confidential)	88	88	96	104	112	120	136	136	136	136	144*	Up to 32 hr./year Sick as Personal Leave 40 hr./year Admin. Leave (exempt employees)	Additional Administrative leave is limited to Exempt employees	
Full-time	US Forest Service LTBMU	104	104	104	160	160	160	160	160	160	160	160*	N/A		
Part-time	US Forest Service LTBMU (see notes)	104	104	104	160	160	160	160	160	160	160	160*	N/A	Accrues on a pro-rata basis	
All	Tahoe Regional Planning Agency (PTO)	216	216	224	224	232	240	248	256	264	264	272*	Exempt Employees receive 80 hr./year (10 days) additional Management Time	Unused additional leave not subject to pay out	





**Date: January 6, 2023**

**To: Tahoe RCD Board of Directors**

**From: Tori Walton, Director of Finance and Administration**

## *Tahoe RCD Personnel Policy and Tahoe RCD Hybrid Telework Policy and Agreement Staff Report*

### **Recommendations**

It is recommended that the Board review and approve: 1) the updated Tahoe RCD Personnel Policy, and 2) Tahoe RCD Hybrid Telework Policy and Agreement.

### **Background/Timeline**

- Spring/Summer 2021 – Ad Hoc Personnel Policy Committee members, Harold Singer and Martin Goldberg proposed revisions to the document. The revised Personnel Policy was presented to the Board and was ultimately not approved at the August 2021 meeting.
- Fall 2021 – Staff created Personnel Policy Review Committee with Mike Vollmer, Mollie Hurt, Meg Peart, Chris Kilian and Tori Walton.
  - The staff Committee met and reviewed/edited the policy on the following dates:
    - April 6, 2022
    - April 7, 2022
    - April 20, 2022
- The Ad Hoc Personnel Policy Committee and Personnel Policy Review Committee met on October 3, 2022 to review the edits made to the policy.

All edits discussed at the October 3, 2022 meeting were implemented and sent back to the Ad Hoc Committee for final review. Comments received from the Ad Hoc Committee were incorporated in this version.

### **Summary of Changes**

The primary objectives of the Ad Hoc Personnel Policy Committee were to streamline the management chain of command and to clarify the role of human resources at the District. When the Staff Committee met, these priorities were the primary focus and the Committee determined that the policy would also be thoroughly reviewed for consistency with District practices. This has resulted in a document with extensive edits, some of which are substantive and others that are not. The substantive edits are highlighted in yellow and detailed in the order that they appear below:

#### *Section 1: How the District Works*

- Provision added to allow Executive Director authority to modify the policy in times of emergency.
- The Communication/Open Door Policy section was moved to Section 1 for better flow of information.

- The harassment behavior sections were revised to clarify the steps staff should take to report harassment.

#### Section 2: Employee Pay and Progress

- The Employee Pay and Progress section was updated to better reflect District processes.
- The Overtime and Compensatory Time section was updated to better reflect District processes.

#### Section 3:

- The Holidays, Vacation and Sick Leave sections were updated for clarity and to better reflect District processes.
- The Bereavement Leave section was updated for clarity and to reflect new California law mandating that 5 days of unpaid bereavement leave are offered to employees.

#### Section 4:

- The Flexible Scheduling section was updated to better reflect District processes.
- The Hybrid Telework Policy has been detailed in a separate document that is being presented concurrently with the Personnel Policy. Staff determined that due to the level of detail required in the Hybrid Telework Policy, it was best to incorporate this document into the Personnel Policy by reference only.
- The Dog Policy section has been updated for clarity.
- The Progressive Discipline section was added to establish clear protocols and consistency.
- The Distribution section was revised to better reflect District practices.
- The Vehicle Use Policy section was revised to better reflect District practices.
- The Car Rentals section was revised to better reflect District practices.
- The Weather Closure Policy was revised to better accommodate weather closures across all District locations and to eliminate redundancies with other provisions.

Once the Personnel Policy is approved, the final version will be formatted with appropriate spacing, font size, and page numbering, and all grammatical and aesthetic errors will be corrected. A final clean copy will be sent to the full Board upon completion.

## CEQA Implications

None

## Attachments

Tahoe RCD Personnel Policy Redline

Tahoe RCD Personnel Policy Clean

Tahoe RCD Hybrid Telework Policy and Agreement



TAHOE RESOURCE CONSERVATION DISTRICT

PERSONNEL POLICY

## **Welcome to Tahoe RCD!**

This Personnel Policy has been developed to help staff become acquainted with the District and answer many of their initial questions.

As an employee of Tahoe RCD, you are very important, and your contribution cannot be overstated. Our goal is to provide the finest-quality services to residents, visitors, and partners and to do so as efficiently and economically as possible.

All staff are an important part of this process because their work directly influences the District's reputation.

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## Section 1: How the District Works

### **A Word About This Policy**

This Personnel Policy contains information about employment policies and practices of the District. We expect each employee to read this Personnel Policy carefully, as it is a valuable reference for understanding your position and the District. ~~The policies outlined in this Personnel Policy should be regarded as guidelines only and will require changes from time to time.~~ Employees are expected to abide by the terms of the personnel policies. The District retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the District. The Personnel Policies presented here supersede and replace any and all prior Personnel Policies and any inconsistent written policy statements.

The District complies with any applicable federal, state, and local laws, even without an express written policy contained in the manual.

Except for the policy of at-will employment, the District reserves the right to revise, delete and add to the provisions of this Personnel Policy at any time without further notice. All such revisions, deletions or additions to the Personnel Policy will be in writing, ~~signed by the Executive Director of the District~~ **approved by the Board of Directors**, and shared with all staff. No oral statements or representations can change the provisions of this Personnel Policy.

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**If there is an immediate need for temporary alterations or exemptions to the policy due to an emergency situation (i.e. pandemic, fire, natural disaster), the Board of Directors provides the Executive Director authority to implement through a written Executive Director Memo to all staff (and CC'd to the Board President?), copying the Board President, those changes on a temporary basis, until such time that the Board can meet to approve, modify or deny/reject the continuance of those policy changes, as an emergency order, and if approved, supply a term for which it will remain active before termination, or another continuance vote should take place. Should the changes require a permanent revision, addition or deletion, the Board will make such a recommendation at that time and should expect to approve a policy amendment at a subsequent Board meeting.**

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The provisions of this Personnel Policy are not intended to create contractual obligations with respect to any matters it covers. Nor is this Personnel Policy intended to create a contract guaranteeing employment for any specific time period. All employment agreements ~~for a specified period of time~~ will be detailed in an offer letter signed by ~~the Executive Director or direct supervisor~~ **Manager management staff**. Throughout this document, “-management staff” refers to the Director or Manager employee classification including Director of Programs, Director of Finance, Human Resource Manager, Program Managers and Executive Director.

Nothing in this Personnel Policy is intended to unlawfully restrict an employee's right to engage in any of the rights guaranteed them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in this Personnel Policy will be interpreted, applied, or enforced to interfere with, restrain or coerce employees in the exercise of Section 7 rights.

**TAHOE RCD IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS PERSONNEL POLICY, EITHER EMPLOYEE OR THE DISTRICT MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS PERSONNEL POLICY OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO**

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**TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE DISTRICT IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME UNLESS SUCH AN AGREEMENT IS IN A WRITTEN CONTRACT OR OFFER LETTER SIGNED BY THE EXECUTIVE DIRECTOR OF THE DISTRICT.**

This Personnel Policy refers to current benefit plans maintained by the District. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling. Likewise, if a written contract or offer letter is inconsistent with the Personnel Policy, the written contract or offer letter is controlling. This policy is saved on the District server at [\\TRCDDC1\Administrative\\_private\PoliciesPaychex\\_portal](\\TRCDDC1\Administrative_private\PoliciesPaychex_portal) under the "My Documents" Tab, along with other District policies, memos, and emergency orders.

### **Equal Employment Opportunity**

The District is committed to equal employment opportunity. The District will not discriminate against employees or applicants for employment on any legally-recognized basis including, but not limited to: race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics; genetic information; marital status; sex; pregnancy, childbirth or related medical conditions; gender; gender identity or expression; sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; and age [40 or over]. Included in the definition of each protected category is the perception of membership in a protected category and an individual's association with an actual or perceived member of a protected category.

Employees may discuss equal employment opportunity related questions with their supervisor, Human Resources or Executive Director.

### **Americans with Disabilities Act**

The District is committed to providing equal employment opportunities to qualified individuals with disabilities, unless doing so would create an undue hardship. This may include providing reasonable accommodation where appropriate in order for an otherwise qualified individual to perform the essential functions of the job. It is the employees' responsibility to notify their supervisor of the need for accommodation. Upon doing so, the supervisor may ask the employee for input or the type of accommodation the employee believes may be necessary or the functional limitations caused by the disability. Also, when appropriate, management may need employee permission to obtain additional information from their physician or other medical or rehabilitation professionals. The District will not seek genetic information in connection with requests for accommodation. All medical information received by the District in connection with a request for accommodation will be treated as confidential. The District will consider any and all requests for accommodation and retains the discretion to determine what, if any, accommodation to provide.

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### **Immigration Reform and Control Act**

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, the District is committed to employing only individuals who are authorized to work in the United States.

Each new employee, as a condition of employment, must timely complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

If an employee is authorized to work in this country for a limited time period, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the District.

### **Employee Relations Philosophy**

The District is committed to providing the best possible climate for maximum development and goal achievement for all employees. District practice is to treat each employee as an individual. The District seeks to develop a spirit of teamwork; individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, the District provides a comfortable and progressive workplace. Most importantly, the District is a workplace where communication is open, and problems can be discussed and resolved in a mutually respectful atmosphere. The District takes into account individual circumstances and the individual employee.

The District firmly believes that with direct communication, any difficulties that may arise can be resolved and a mutually beneficial relationship can be developed.

### **Communication/Open Door Policy**

The District encourages employees to bring questions, suggestions, and complaints to their direct supervisor. If the employee needs further clarification or if the supervisor and employee are unable to solve the issue at this level, they should bring the issue to the next level of District management's attention. The District will work with the employee to provide clarification and resolution in a continuing effort to improve operations.

If the employee still has questions after meeting with management or if further clarification is needed on the matter, the employee and/or supervisor should request a meeting with Human Resources. Human Resources will review the issues and discuss possible solutions based on District policy.

Finally, if the employee still believes that the problem has not been fairly or fully addressed, the employee and/or their supervisor should request a meeting with the Executive Director. If the problem or concern is regarding the Executive Director, the employee should request a meeting with the Board of Directors Chair.

Employee suggestions and comments on any subject are important, and employees are encouraged to take every opportunity to discuss them with their supervisor. The employee's job will not be adversely affected in any way because they choose to use this procedure.

If at any time the employee does not feel comfortable speaking with their supervisor or the next level of management, they should discuss their concern with any other member of management with whom they feel comfortable.

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## No Harassment

The District prohibits harassment of one employee by another employee, supervisor or third party for any reason based upon an individual's race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics; genetic information; marital status; sex; pregnancy, childbirth or related medical conditions; gender; gender identity or expression; sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; and age [40 or over]. Included in the definition of each protected category is the perception of membership in a protected category and an individual's association with an actual or perceived member of a protected category.

All District staff are required to complete California AB1825 / SB1343 compliant sexual harassment training upon hire and periodically thereafter as required by CA state law.

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### **Violation of this policy will result in disciplinary action, up to and including immediate discharge.**

The following list constitutes harassing behavior and what conduct is prohibited by this policy; employees should report harassment and/or bring questions, discuss questions or concerns to with whom they feel most comfortable from the following: with their immediate supervisor, management staff, or District human resources staff. Any of these positions communicating with staff about harassment issues is required to confirm official responses to staff with District human resources staff and this Policy. Human Resources or Executive Director or one of the contacts listed in this policy. All reported harassment will be disclosed to District human resources staff and appropriate action will be taken in coordination with this policy.

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- Offensive remarks, comments, jokes, slurs, threats, or verbal conduct.
- Offensive pictures, drawings, photographs, figurines, writings, or other graphic images, conduct, or communications, including text messages, instant messages, websites, voicemails, social media postings, e-mails, faxes, and copies.
- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved; and
- Offensive physical conduct, including touching and gestures, regardless of the gender of the individuals involved.

The District prohibits retaliation, which includes: threatening an individual or taking any adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.

Supervisors and managers are covered by this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct. No supervisor or other member of management has the authority to suggest to any applicant or employee that employment or advancement will be affected by the individual entering into (or refusing to enter into) a personal relationship with the supervisor or manager, or for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy.

**If an employee has any concern that the No Harassment policy may have been violated by anyone, the employee must immediately report the matter. Due to the very serious nature of harassment, discrimination and retaliation, the employee**

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must report ~~your~~ concerns to one of the individuals listed in preferential order below:

1. Immediate supervisor

2. If employee prefers not to ~~cannot~~ speak with their supervisor or the supervisor is not available, they may go to next level of management any other manager or District Human Resources staff, and so on up the management levels ending with the Executive Director.

If employee exhausts levels of supervision/management, please speak to District Human Resources staff, (530) 543-1501, ext. 100, 870 Emerald Bay Road, #108, South Lake Tahoe, CA 96150.

4. If employee is not satisfied after steps 1 — 3 above, has a complaint regarding the Executive Director, please report to the Board of Directors Chair whose contact information is available(....) in Paychex portal under the "My Documents" Tab.

If you are not satisfied after you speak with Human Resources, or feel that you cannot speak to Human Resources, discuss your concern with the Executive Director, (530) 543-1501 ext. 111, 870 Emerald Bay Road, #108, South Lake Tahoe, CA 96150.

If an employee makes a report to either of these members of management and the manager supervisor person they reported to either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to one of the other to the next members of level of management staff. ~~This this could including a Manager, Director, Human Resources, direct supervisor or manager and/or Executive Director. If the issue is with the Executive Director, this must be reported~~ please report to the Board of Directors Chair.

**Employees should report any actions that they believe may violate District policy no matter how slight the actions may seem.**

The District will investigate the report and then take prompt, appropriate remedial action. The District will protect the confidentiality of employees reporting suspected violations to the extent possible consistent with the investigation.

**Employees will not be penalized or retaliated against for reporting improper conduct, harassment, discrimination, retaliation, or other actions that they believe may violate this policy.**

The District is serious about enforcing the policy against harassment. Persons who violate this or any other District policy are subject to discipline, up to and including discharge. The District cannot resolve a potential policy violation unless it has been reported. The employee is responsible for reporting possible policy violations to the District so appropriate actions can be taken to address employee concerns.

Dealing with the public can be challenging and sometimes contentious. While employees are expected to interface with the public as their duties dictate, sometimes in difficult or even volatile situations, employees are not expected to endure actual harassment by members of the public. If an employee feels that they are being subjected to harassment by a member of the public, partner, contractor, or Board member, the employee should report such harassment to any person listed above for investigation and appropriate action. Employees will not be penalized for refusing to tolerate harassment from a member of the public.

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## Employee Classification

The employee's classification determines how they will be paid, whether they receive overtime pay, and the kind/level of benefits they receive. The District determines employee classifications based on job descriptions and the nature of the work performed, consistent with the Fair Labor Standards Act and complies with federal and state non-exempt status. All employees are classified as exempt or nonexempt, based on positions and the work actually performed.

**Exempt Employees** hold executive, administrative, professional positions that meet the requirements for exempt status under applicable law. These employees are paid a salary. This salary is an exempt employee's compensation, regardless of the number of hours worked. They do not earn overtime and are expected to work as many hours as necessary to fully meet their responsibilities.

**Non-exempt Employees** perform work that does not qualify as exempt work according to the Fair Labor Standards Act and California law. These employees generally earn an hourly wage, and are entitled to overtime pay ~~for approved work performed over 10 ten hours in one calendar day (paid at a rate of 1 1/2 times the employee's hourly wage), or over 40 hours per workweek as delineated in the Overtime section of this policy week.~~

**INTRODUCTORY PERIOD:** Full-time and part-time regular employees work in an introductory period during their first 90 days of employment. During this time, the employee will be able to determine if the new job is suitable for them and the supervisor will have an opportunity to evaluate the employee's work performance. The completion of the introductory period does not guarantee employment for any period of time since all positions are at-will both during and after the introductory period.

**REGULAR FULL-TIME EMPLOYEES** are those who are assigned to work a regular schedule of ~~30~~ 40 hours per workweek (as defined in employees offer letter) ~~for at least 10 months annually~~ and whose work assignments do not have a specific end date. These employees may be exempt or non-exempt. Full-time employees are eligible for benefits offered by the District.

**REGULAR PART-TIME EMPLOYEES** are those who are assigned to a regular work schedule that is less than ~~40~~ 30 hours per workweek and whose work assignments do not have a specific ending date. These employees may be exempt or non-exempt. ~~These employees are typically not eligible for District benefits unless otherwise required by law. Part time employees who work over thirty two hours per workweek may be eligible for some District benefits as detailed in an employee's offer letter.~~

**SEASONAL EMPLOYEES (FULL-TIME or PART-TIME)** are temporary employees who work seasonally and may be rehired without going through the interview process. These employees are ~~typically~~ not eligible for District benefits unless otherwise required by law ~~or as otherwise stated in the employee's offer letter.~~

## Certification, Licensing and Other Requirements

Employees will be informed by their supervisor if there are any licensing, certification or testing requirements for their position. Failure to qualify or to maintain a certification or license may be sufficient cause for discharge.

## New Employee Orientation

After reading this Personnel Policy the employee will sign the receipt page and submit to Human Resources. Employees must complete personnel, payroll and, if eligible, benefit forms, and submit to Human Resources.

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If the issued Personnel Policy is lost or damaged in any way, please notify Human Resources as soon as possible to obtain a replacement copy. A copy can be found on the Paychex portal (under documents). The Personnel Policy is also available from Human Resources and can be accessed via the District's intranet site.

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Management is responsible for departmental operations and are a good source of information about the District and position details.

### Communication/Open Door Policy

The District encourages employees to bring questions, suggestions, and complaints to their direct supervisor. If the employee needs further clarification or if the supervisor and employee are unable to solve the issue at this level, the employee and their supervisor should bring the issue to the next level of District management's attention, and so on, up the organizational structure so the problem can be settled by examination and discussion of the facts. The District will work with the employee to provide clarification and resolution in a continuing effort to improve operations. The District hopes that the employee's direct supervisor or next level of management is able to satisfactorily resolve most matters.

If the employee still has questions after meeting with management or if further clarification is needed on the matter, the employee and/or supervisor should request a meeting with Human Resources. Human Resources will review the issues and discuss possible solutions based on District policy.

Finally, if the employee still believes that the problem has not been fairly or fully addressed, they and their supervisor should request a meeting with the Executive Director. If the problem or concern is in regards to regarding the Executive Director, the employee should request a meeting with Human Resources and/or the Board of Directors Chair.

Employee suggestions and comments on any subject are important, and employees are encouraged to take every opportunity to discuss them with the District's supervisor. The employee's job will not be adversely affected in any way because they choose to use this procedure.

If at any time the employee does not feel comfortable speaking with their supervisor or the next level of management, they should discuss their concern with any other member of management with whom they feel comfortable.

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## **Section 2: Employee Pay and Progress**

### **Recording Time**

All employees must record their hours on timesheets and in the Paychex platform by the end of a pay period for approval by their supervisor, unless otherwise directed. A pay period schedule is posted in the office and will be provided by Human Resources at the start of each calendar year and ~~upon request~~ posted in Paychex under "My Documents". The workweek starts at 12:00am Saturday and ends at 11:59pm Friday.

Accurately recording time worked is required to ensure that employees are paid for all hours worked. Employees are expected to follow the established procedures in keeping an accurate record of hours worked. Time must be recorded as follows each day:

- At start of shift period.
- ~~At start of meal period.~~ Length of lunch period
- ~~At end of meal period.~~
- At end of shift period.
- Time away from work (ex. sick leave, vacation, holidays, personal obligations).

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All non-exempt employees are subject to this policy and are required to accurately record all time worked. Exempt employees may be required to accurately record their time worked in accordance with federal and state wage and hour law.

### **Payday**

Employees will be paid biweekly on Friday for the pay period that ends on the previous Friday.

When the payday is a holiday, employees are typically paid on the last working day before the holiday.

Please review your paycheck for errors. If there is a mistake, report it to the Bookkeeper immediately. The Bookkeeper can assist employees in taking the steps necessary to correct errors.

### **Paycheck Deductions**

The District is required by law to make certain deductions from employee's paychecks each pay period. Depending on the benefits the employee has chosen, there may be additional deductions. All deductions and the amount of the deductions are listed on the pay stub. These deductions are totaled each year on the employees' Form W-2, Wage and Tax Statement.

It is the policy of the District that exempt employees' pay will not be "docked," or subject to deductions, in violation of salary pay rules issued by the United States Department of Labor and any corresponding rules issued by the state government, as applicable. However, the District may make deductions from employees' salaries in a way that is permitted under applicable wage and hour rules. Thus, exempt employees may be subject to the following salary deductions, except where prohibited by state law, but only for the following reasons:

- Absences of one or more full days for personal reasons, other than sickness or disability; or
- Absences of one or more full days due to sickness or disability; or
- Absences of one or more full days before eligibility for sick leave or after sick leave has been exhausted; or
- Suspensions of one or more full days for violations of safety rules of major significance; or
- Suspensions of one or more full days for violations of written workplace conduct rules, such as rules against sexual harassment and workplace violence; or

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- Payment of actual time worked in the first and last weeks of employment, resulting in a proportional rate of an employee's full salary; or
- Any unpaid leave taken under the Family and Medical Leave Act.

The District will not make deductions which are prohibited by the Fair Labor Standards Act or state laws from its exempt employees' pay. Employees will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law.

If questions or concerns about any pay deductions arise, employees may discuss and resolve them with ~~Human Resources~~ their supervisor. If an error is found, employees will receive an immediate adjustment which will be paid no later than on the next regular payday.

**Garnishment/Child Support**

When an employee's wages are garnished by a court order, ~~The our~~ District is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. ~~Our The~~ District will, however, ~~honor-comply with~~ applicable federal and state ~~guidelines-garnishment laaws~~ that protect a certain amount of an employee's income from being subject to garnishment.

**Direct Deposit**

Employees have the option of having their pay deposited into a personal bank account through our direct deposit program or by obtaining a paycard. A paycard gives the employee the option to be paid via direct deposit, without requiring a traditional bank account, instead using the Skylight ONE Prepaid Mastercard, pending card activation and identity verification.

**Pay Advances**

Pay advances will not be granted to employees.

**Performance Reviews**

Employee performance is important to the District. Once each year, on or about employees' anniversary date, supervisors will review job performance within the District and help set new job objectives for the following year. New, seasonal employees will generally be reviewed at the end of their introductory period or mid-season and the end of the season.

The District performance review program provides the basis for better understanding between employee and supervisor, with respect to individual job performance, potential, and professional development within the District.

**Employee Pay and Progress**

~~Employee salaries will be within classification range. Merit-based~~ ~~increases within classification range~~ ~~increases~~ are assessed ~~annually~~ based on the employee's ~~annual~~ performance ~~evaluation review(s)~~ including job performance, skill level, ~~personal traits~~, adaptability, and initiative. ~~Recommendations for increases are made by supervisors the Program Manager and approved by the Executive Director. Merit-based Within classification,~~ increases ~~may be~~ allowed up to 5% ~~for full-time employees and 3% for seasonal or part-time employees. Merit-i~~ increases are dependent on available funding ~~and applied at the Districts Discretion.~~ - Employees are not guaranteed an ~~merit-based~~ increase, ~~even with a positive performance evaluation. Such increases are vested to the District's discretion.~~

~~In addition to increases based on performance reviews, The the~~ District ~~has the ability to~~ may implement ~~other non-merit based~~ pay increases due ~~to an employee classification change,~~ to cost of living increase or other District need.

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## Job Descriptions

The District maintains a job description for each position in the District. The job description outlines the essential duties and responsibilities of the position, the supervisory structure, the standard weekly work schedule, and dictates eligibility for other District Benefits. ~~HR or~~ Employees' Supervisor will provide this job description to the employee upon appointment to their position. If an employee has questions about their job description or wishes to obtain a copy of their position's job description, they may contact ~~HR or~~ their supervisor.

## Overtime and Compensatory Time

There may be times when employees will need to work overtime to meet the needs of the program. Employees will be given advance notice by their supervisor when required to work overtime, when feasible. All overtime for non-exempt employees must be approved in writing in advance by their supervisor.

Overtime is paid in accordance with the FLSA and District policy. Overtime is paid when employee works more than 10 hours in a workday or more than eight hours on their seventh consecutive day in a work-week, or for hours worked over 40 in a workweek. A District workweek begins on Saturday and ends on Friday. Work in excess of 12 hours in a day, or 1kabillion in a workweek will be compensated at twice the regular rate of pay.

In lieu of using accrued time off, The the District will may allow employees to make up time for work missed because of personal obligations. Employees who wish to do so must provide their supervisor with a written (email or hardcopy) and signed request for each occasion that they desire to make up time. However, employees are not allowed to work overtime in order to "bank" hours. However, an employee who makes up missed time in the same workweek Any make-up hours outside normally scheduled hours will not be paid overtime for the additional hours of work must comply with this policy, and must occur in the same week that time off was taken. Employee will not be allowed to work overtime in order to "bank" hours.

Employees should seekreceive permission from their supervisor to work any time that is not part of their regular schedule dictated in their offer letter. Only actual hours worked count toward computing weekly overtime (sick, vacation, floating holiday and regular holiday pay do not count towards overtime). Timesheets with 40 hours or more of regular work may not include additional hours of paid time off other than holiday pay hrs.

In lieu of paid overtime, full time, year-round employees may opt to receive compensatory time. This time is accrued at time and half and must be used by the following pay period. All compensatory time accruals must be pre-approved by the supervisor. Use of compensatory time may not interfere with regular work duties. All compensatory time accruals must be logged in Paychex and recorded on the timesheet.

Questions concerning overtime pay should be addressed to ~~Human Resources~~ the employees' employees' supervisor.

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## Section 3: Time Away From Work and Other Benefits

### Employee Benefits

This Personnel Policy describes the current benefit plans maintained by the District. Refer to the actual plan documents and summary plan descriptions for health, dental and vision insurance(s). Those documents are controlling. Or ask Human Resources for more information.

The District reserves the right to modify and/or terminate benefits at any time. The District will keep employees informed of any changes.

### Holidays

Holidays are paid at eight (8) hours per holiday. Holidays that fall on a Saturday are observed on the Friday before and holidays that fall on Sunday are observed on the Monday after. The District observes the following eleven (11) holidays:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Eligible employees who are required to work on observed holidays will receive eight (8) hours of holiday pay at their regular rate of pay and will be paid at a rate of time and one-half their regular hourly rate for in addition to any hours worked being compensated at a rate of one and one-half their regular hourly rate. For eligibility refer to employee offer letter.

Employees on unpaid leave when a holiday is observed will not be paid for that holiday.

### Floating Holidays

Eligible Full Full Full-time year-round staff will automatically receive two (2) floating holidays, up to equaling sixteen (16) hours, on the first day of the first the first day of Pay Period one of any calendar year. Eligible employees Employees who begin work at the District on or before June 30th will be allowed receive two floating holidays, employees starting work working after July 1st will be allowed receive one floating holiday, per calendar year.

Floating holidays can be used at any time, but must be used by the end of Pay Period 26 of each year. Tahoe RCD is aware that due to payroll dates changing each year that this will create instances where staff will not have until December 31<sup>st</sup> to use the floating holidays. Any unused floating holiday hours remaining by at the end of the final pay period will be paid out.

### Vacation

Please refer to employee offer letter for vacation eligibility.

Immediately upon hire the employee will earn 3.08 hours of paid vacation for the first 80 hours per pay period. (hours are pro-rated for employees working less than 80 hours). These employees can earn

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~~up to a maximum cap of 140 hours of vacation. These employees can earn up to a maximum cap of 140 hours of vacation.~~

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On the employee's fifth (5<sup>th</sup>) anniversary of eligible employment, the accrual rate will increase to 4.62 hours of paid vacation for the first 80 hours per pay period. (hours are pro-rated for employees working less than 80 hours) ~~These employees can earn up to a maximum cap of 210 hours of vacation. These employees can earn up to a maximum cap of 210 hours of vacation.~~

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On the employee's tenth (10<sup>th</sup>) anniversary of eligible employment, the accrual rate will increase to 6.16 hours of paid vacation for the first 80 hours per pay period. (hours are pro-rated for employees working less than 80 hours). ~~These employees can earn up to a maximum cap of 280 hours of vacation. These employees can earn up to a maximum cap of 280 hours of vacation.~~

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~~To be eligible for paid vacation, employees must work their last scheduled day before the vacation and the first scheduled day after the vacation, unless they receive prior approval from their supervisor.~~

Vacation time is given to employees so that they are better able to perform their jobs when they return. For this reason, the District requires employees to take their vacation and the District does not allow employees to take pay in lieu of time off. ~~If employee has not used accrued vacation by employee's accrual anniversary date, the employee must devise a plan with their supervisor to use the hours within the next accrual year. Once employees accrue vacation meeting the maximum cap for their accrual rate, employees will cease earning additional vacation until they take vacation and the accrued total falls below the cap. Employees can carry over only the maximum hours identified above. Once employees accrue vacation meeting the maximum cap for their accrual rate, employees will cease earning additional vacation until they take vacation and the accrued total falls below the cap.~~

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~~Time off without pay is not allowed when vacation time is available. Time off without pay when vacation accrual is not available, is at the discretion of employees' supervisor and the Executive Director.~~

Employees ~~must~~ submit vacation requests to their supervisor in through writing the Paychex portal, at least two weeks in advance, to their supervisor. ~~Vacation requests for a week or longer should be submitted at least two weeks in advance. When possible, vacation requests are granted, taking into account operating requirements, employee performance and District needs. Length of multiple employees in the same department request the same vacation period the person who submitted the request first have priority in the event simultaneous requests cannot be granted. Length of employment may determine priority in scheduled vacation times.~~

~~Due to the regular work requirements listed in the job description/offer letter, voluntary time off without pay is not allowed when vacation time is available. Time off without pay when vacation accrual is not available, is at the discretion of employees' supervisor and the Executive Director.~~

~~Due to the regular work requirements listed on page X under Employee Classification and dictated in alternate work schedule requirements otherwise dictated in the offer letter, time off without pay is not allowed for voluntary use when vacation time is available. Time off without pay when vacation accrual is not available, is at the discretion of employees' supervisor.~~

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Employees who are out on ~~an unpaid~~ leave of absence do not accrue vacation time while they are on their leave.

At the end of employment, eligible employees will be paid out for accrued, unused vacation pay.

### Sick Leave Pay

All regular full-time employees are eligible for sick ~~pay-leave~~ each year, up to a maximum of two hundred and forty hours (240). Immediately upon hire the employee will earn 3.08 hours of paid sick time for the first 80 hours per pay period. (hours are pro-rated for employees working less than 80 hours).

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All employees may use available sick ~~pay-leave~~ for absences due to a doctor appointment, to attend to an illness of the employee's child, the child of the employee's registered domestic partner, the employee's parent, sibling, grandparent, registered domestic partner or spouse, other immediate family member, or pet, on the same terms the employee is able to use sick day benefits for the employee's own illness or injury. Whenever the leave is foreseeable, employees must provide notice to their supervisor. Once an employee uses a total of three (3) days of sick leave during any calendar year, after such sick day usage of three or more days of consecutive sick leave days used supervisors may request requires a doctor's note.

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Seasonal employees earn sick leave as required by the "Healthy Workplaces, Healthy Families Act of 2014." These categories of employees start earning sick leave upon hire. Sick leave can be used for the reasons specified above. Employees accrue 3.08 hours of paid sick leave for the first 80 hours per pay period, up to a maximum accrual ~~of forty-eight (48) hours or equal to six (6) regular work days, whichever is greater.~~ Employees may only use a maximum ~~of total of -hours equal to three (3) regular work days or twenty-four (24) hours of sick leave~~ per year, whichever is greater. Accrued, unused sick leave carries over into the following year. At the end of employment, employees are not paid out for accrued, unused sick pay.

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If rehired by the District within one year of the last date worked, the employee's accrued and unused sick leave will be reinstated.

~~At the end of employment, employees are not paid out for accrued, unused sick pay.~~

### Jury Duty

Employees summoned for jury duty are granted paid leave in order to serve ~~if they give reasonable advance notice to their supervisor and Human Resources that they will need time off to serve on a jury.~~ Employees should make arrangements with ~~Human Resources~~ their supervisor soon after summons are received.

Regular (full or part time) employees summoned for jury duty are paid their normal rate of pay for up to one week, forty (40) hours or their regular scheduled ~~weekly part time~~ hours. Thereafter, the leave is unpaid. All other employees are granted unpaid leave in order to serve.

The District reserves the right to request proof of jury service issued by the Court upon return.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

The District expects employees to return to work if jury duty does not consume the employee's entire regular working hours.

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### **Voting Leave**

The District believes that every employee should have the opportunity to vote in any state or federal election, general primary, or special primary. Any employee who does not have sufficient time outside of working hours to vote in a statewide election may request up to two paid hours off in order to vote. The District reserves the right to select the hours employees are excused to vote.

Employees need to notify their supervisor ~~and Human Resources~~ of the need for voting leave as soon as possible. Employees ~~must~~ may be required to present a voter's receipt to their supervisor or Human Resources as soon as possible.

### **Military Leave**

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

The time off will be unpaid, except where state law dictates otherwise. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Accrued vacation may be used for this leave if the employee chooses. Military orders should be presented to ~~Human Resources~~ employee's supervisor and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the District unless military necessity makes this impossible. Employees must notify ~~Human Resources~~ their supervisor of their intent to return to employment based on requirements of the law. Employee benefits may continue to accrue during the period of leave in accordance with state and federal law.

Additional information regarding military leave may be obtained from Human Resources.

### **Family Military Leave**

An employee who works an average of twenty (20) or more hours per week whose spouse or registered domestic partner is a member of the Armed Forces, National Guard or Reserves that has been deployed during a period of military conflict is eligible to receive up to ten (10) unpaid days off when their spouse is on leave from military deployment.

Employees must provide ~~Human Resources~~ their supervisor with notice of their intention to take leave within two business days of receiving official notice that their spouse or registered domestic partner will be on leave from deployment. Employees taking family military leave must also provide the District with written documentation certifying their spouse will be on leave from deployment.

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### **Civil Air Patrol Leave**

An employee who is a voluntary member of the California Wing of the Civil Air Patrol will be permitted no less than ten (10) days of unpaid leave per calendar year in order to respond to an emergency operational mission as defined by state law.

In order to qualify for leave under this policy, an employee volunteer member must be employed by the District for at least ninety (90) days immediately preceding the commencement of leave. The employee must give their supervisor ~~and Human Resources~~ as much notice as is possible of the intended leave dates. Leave for a single emergency operational mission shall not exceed three (3) days, unless an extension of time is granted by the governmental entity that authorized the emergency operational mission, and the extension of the leave is approved by the District.

The District may require certification from the proper Civil Air Patrol authority to verify the employee's eligibility for leave. The District reserves the right to deny the leave request if the employee fails to provide the required certification.

Upon expiration of the leave, the District will restore the employee to their position or to a position with equivalent seniority, benefits, pay and other terms and conditions of employment, unless the employee is not restored because of conditions unrelated to use of leave under this policy.

This policy does not apply to employees who serve as first responders or disaster service workers for a local, state, or federal agency to the same or a simultaneous emergency operational mission.

Employees may substitute accrued vacation for unpaid leave but are not required to exhaust accrued leave prior to taking leave under this policy.

### **Volunteer Firefighter Leave**

Employees who serve as volunteer firefighters, reserve peace officers, or emergency rescue personnel may be eligible for unpaid leave up to fourteen (14) days per calendar year for the purpose of engaging in fire, law enforcement, or emergency rescue training.

Employees who take leave should provide their supervisor ~~and Human Resources~~ with a written statement from the chief of the employee's fire, law or emergency service department verifying the time, date, and duration of the training.

### **Witness Leave**

Employees are given the necessary time off with pay to attend or participate in a court proceeding in accordance with state law. Employee should notify their supervisor ~~and Human Resources~~ of the need to take witness leave as far in advance as is possible.

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### **Domestic Violence Leave**

The District will not discriminate against employees who are victims of domestic violence, sexual assault or stalking for taking time off from work to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of a victim or their child.

The District will also not discriminate against an employee who is a victim of domestic violence, sexual assault or stalking for taking time off from work to seek medical attention for injuries caused by such domestic violence, sexual assault or stalking, to obtain services from a related support program, to obtain psychological counseling, or to participate in actions to increase safety from future domestic violence, sexual assault or stalking, including temporary or permanent relocation.

Affected employees must give the District reasonable notice that they are required to be absent for a purpose stated above, except for unscheduled or emergency court appearances or other emergency circumstances. In such a case, the District will take no action against affected employees if, within a reasonable time after the appearance, they provide ~~Human Resources~~ their supervisor with documentary evidence that their absence was required for any of the above reasons.

This leave will be unpaid. However, affected employees may use vacation, sick or other accrued time off (if available).

### **Victims of Felony Crimes Leave**

The District will grant reasonable and necessary leave from work without pay, to employees who are victims, or whose spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather, registered domestic partner, or child of a registered domestic partner is a victim of a violent or serious felony or felonious theft or embezzlement, for the purposes of attending legal proceedings related to the crime.

Affected employees may elect to use accrued paid vacation, or sick leave in lieu of unpaid leave.

When feasible, affected employees must provide their supervisor ~~and Human Resources~~ with advance notice of the employee's need for leave, including a copy of the notice of the scheduled proceeding. If advance notice is not feasible, affected employees must provide documentation evidencing the legal proceeding requiring the employee's absence within a reasonable time after leave is taken.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

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**Bone Marrow and Organ Donation Leave**

Employees are eligible to receive up to thirty (30) business days of paid leave to serve as an organ donor and up to five (5) business days of paid leave to serve as a bone marrow donor in a one-year period. The one-year period is measured from the date the employee's leave begins and shall consist of twelve (12) consecutive months. Employees must be employed by the District for at least ninety (90) days immediately preceding the commencement of leave and request leave in writing.

When available, the employee must utilize up to five (5) business days of accrued but unused sick or vacation leave for initial bone marrow donation leave and up to two (2) weeks of accrued but unused sick or vacation leave for initial organ donation leave.

Please provide ~~Human Resources and~~ supervisor with written physician verification of the purpose and length of each leave.

Leave under this policy will not run concurrently with any leave taken pursuant to the Federal Family and Medical Leave Act or the California Family Rights Act.

For more information regarding this leave, please see Human Resources.

**School Visitation Leave**

If an employee who is the parent or guardian of a child who is suspended is required to appear at the child's school, the employee may take time off without pay if they provide reasonable advance notice to their supervisor ~~and Human Resources~~ of the need for time off.

Employees who are the parent, guardian, or grandparent having custody of children in grades K-12, or of children attending a licensed daycare facility, are allowed up to forty (40) hours of leave without pay per calendar year to participate in activities of their child's school or day care facility unless employed at a worksite with less than 25 employees. This leave should not exceed eight (8) hours in any calendar month. Requests for such leave must be made in advance of the planned absence and employees must provide documentation from the school or day care facility as proof of their participation in school or day care activities.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

**Bereavement Leave**

If an employee experiences a death in the family and/or needs to attend a funeral the District will work with the employee to accommodate their request for time off.

Full-time employees are eligible immediately upon hire for three (3) paid days for the death of an ~~an~~ immediate family member. Members of the ~~immediate~~ family include spouses, ~~registered~~ domestic partners, parents, brothers, sisters, children, children of ~~registered~~ domestic partners, grandchildren, grandparents, parents-in-law, ~~and~~ parents of ~~registered~~ domestic partners aunts, uncles, nieces, and nephews.

Full-time employees are eligible immediately upon hire for one ~~(1)~~ half day (up to four hours) paid ~~day~~ to attend ~~the a~~ funeral of ~~aunts, uncles, nieces, and nephews.~~

All District employees are eligible for up to five (5) unpaid days of bereavement leave.

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Requests for bereavement leave should be made to ~~Human Resources and employee's~~ direct supervisor as soon as possible. The District reserves the right to request written verification of an employee's familial relationship to the deceased and their attendance at the funeral service as a condition of the bereavement pay.

### **Leave of Absence**

Under special circumstances, full-time employees who have completed one year of employment may be granted a leave of absence without pay. The granting of this type of leave is normally for compelling reasons and is dependent upon the written approval of ~~supervisor and~~ Executive Director.

Unless otherwise required by applicable law, leaves may not exceed thirty (30) days during which time no benefits will accrue. Leaves of absence are granted only after earned vacation is exhausted.

The District will make reasonable efforts to return employees to the same or similar job held prior to the leave of absence, subject to staffing and business requirements.

### **Medical, Dental, Vision Insurance Coverage**

Eligible ~~full-time~~ employees may enroll in a single, a single plus one dependent, or a family health insurance contract immediately upon hire. Eligibility may be defined by state law and/or by the insurance contract.

Information and enrollment forms may be obtained from Human Resources.

The District pays a percentage of the employee's healthcare premium toward the full cost of a single contract. This percentage may vary over time based on projected budgets and healthcare laws. The District does not pay towards a dependent or family coverage costs. If employees elect dependent coverage, they are responsible for paying through payroll deduction.

Participating employees are also covered under the medical insurance plan's prescription drug program.

A booklet containing the details of the plan and eligibility requirements may be obtained from Human Resources.

Refer to the actual plan document and summary plan description if there are specific questions regarding this benefit plan. Those documents are controlling.

At the end of employment, employees may be entitled to continuation or conversion of the group medical insurance plan in accordance with the terms of the policy and/or applicable state and federal law. For more information, contact Human Resources.

### **COBRA**

Employees and/or any covered dependents may have the opportunity to continue medical benefits for a period of up to thirty six (36) months under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) when group medical coverage for you and/or your covered dependents would otherwise end due to your death or because employees':

- employment terminates, for a reason other than gross misconduct; or
- employment status changes due to a reduction in hours; or
- child ceases to be a "dependent child" under the terms of the medical plan; or

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- become divorced or legally separated; or
- become entitled to Medicare.

In the event of divorce, legal separation, or a child’s loss of dependent status, employees or a family member must notify the plan administrator within sixty (60) days of the occurrence of the event.

The plan administrator will notify the individuals eligible for continuation coverage of their right to elect COBRA continuation coverage.

For more information regarding COBRA, contact Human Resources.

**Family Medical Leave**

The Family and Medical Leave Act (“FMLA”) and the California Family Rights Act (“CFRA”) provide eligible employees the opportunity to take unpaid job-protected leave for certain specific reasons. The maximum amount of leave an employee may use is either twelve (12) or twenty-six (26) weeks within a 12-month period depending on the reasons for the leave.

EMPLOYEE ELIGIBILITY

To be eligible for FMLA/CFRA leave, employees must:

1. have worked at least 12 months for the District in the preceding seven years (limited exceptions apply to the seven-year requirement);
2. have worked at least 1,250 hours for the District over the preceding 12 months; and
3. currently work [for the District](#) at a location where there are at least 50 employees within 75 miles.

All periods of absence from work due to or necessitated by service in the uniformed services are counted in determining FMLA/CFRA eligibility.

CONDITIONS TRIGGERING LEAVE

FMLA/CFRA leave may be taken for the following reasons:

1. birth of a child, or to care for a newly born child (“baby bonding”) (up to 12 weeks);
2. placement of a child with the employee for adoption or foster care (also called “baby bonding”) (up to 12 weeks);
3. to care for an eligible family member (employee's spouse, child, or parent, a domestic partner, a domestic partner’s child, a sibling, or a grandparent) with a serious health condition (up to 12 weeks);
4. because of the employee's serious health condition that makes the employee unable to perform the employee's job (up to 12 weeks);
5. to care for a Covered Servicemember with a serious injury or illness related to certain types of military service (up to 26 weeks) (see Military-Related FMLA Leave for more details); or
6. to handle certain qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is on covered active duty or called to covered active duty status in the Uniformed Services (up to 12 weeks) (see Military-Related FMLA Leave for more details).

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The maximum amount of leave that may be taken in a 12-month period for all reasons combined is twelve (12) weeks, with one exception. For leave to care for a Covered Servicemember, the maximum combined leave entitlement is twenty-six (26) weeks, with leaves for all other reasons constituting no more than twelve (12) of those twenty-six (26) weeks.

#### DEFINITIONS

A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three (3) full calendar days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment. "Baby bonding" is leave taken due to the birth of a child, to care for a newly born child, or due to placement of a child with the employee for adoption or foster care.

#### IDENTIFYING THE 12 MONTH PERIOD

Except for leave taken to care for a covered servicemember, the District uses a "rolling" 12-month period to determine an employee's eligibility for FMLA/CFRA leave. The 12-month period is measured backward from the date an employee uses any family leave. Each time an employee takes FMLA/CFRA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months. For leave to care for a covered servicemember, the District calculates the 12-month period beginning on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends twelve (12) months after that date. FMLA/CFRA leave for the birth or placement of a child for adoption or foster care must be concluded within twelve (12) months of the birth or placement.

#### USING LEAVE

Eligible employees taking FMLA/CFRA leave for their own or a family member's serious health condition or for a covered servicemember's injury or illness may take FMLA/CFRA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule. Eligible employees may also take intermittent or reduced-scheduled leave for military qualifying exigencies. When taking leave for baby bonding (i.e., for birth of a child, to care for a newly born child, or for placement of a child for adoption or foster care), leave must be taken in two-week increments, except that leave for less than two weeks in duration can be taken on two (2) occasions. Employees who require and are eligible for intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the District's operations.

#### USE OF ACCRUED PAID LEAVE

Depending on the purpose of your leave request and in accordance with the provisions set forth below, an employee may choose (or the District may require you) to use accrued paid leave (such as sick leave or vacation), concurrently with some or all of your FMLA/CFRA leave. In order to substitute paid leave for FMLA leave, an eligible employee must comply with the District's normal procedures for the applicable paid-leave policy (e.g., call-in procedures, advance notice, etc.).

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*While receiving wage replacement benefits:* For any period of time that an employee is eligible for and is receiving wage replacement benefits (i.e., short- or long-term disability benefits, SDI (if eligible), paid family leave (if eligible), and/or workers' compensation benefits), the employee is not required to use accrued paid leave, such as sick leave or vacation, in connection with their FMLA/CFRA leave. The employee may, however, choose to supplement these forms of wage-replacement payments with accrued paid leave on a pro rata basis, so long as the employee's pay does not exceed their normal wage.

*While on otherwise unpaid leave:* If an employee is not receiving wage replacement benefits, the employee has the option whether to use any accrued sick leave or vacation. Once all sick leave and vacation is exhausted, FMLA/CFRA leave will continue on an unpaid basis for the remainder (if any) of the available 12-weeks. Any family and medical leave, whether paid, unpaid, or a combination thereof, will be counted toward the 12-week leave entitlement. During any period of unpaid leave, employees will not continue to accrue sick leave, vacation, or any other forms of paid time off and will not be paid for holidays that occur during the leave.

#### MAINTENANCE OF HEALTH BENEFITS

If employees participate in the District health plan, the District will maintain coverage during your FMLA/CFRA leave on the same terms as if you had continued to work. If applicable, employees must make arrangements to pay their share of health plan premiums while on leave. In some instances, the District may recover premiums paid to maintain health coverage or other benefits for employees and employees' family. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

#### NOTICE AND MEDICAL CERTIFICATION

When seeking FMLA/CFRA leave, employees are required to provide:

1. Sufficient information for [HR-Human Resources](#) to determine if the requested leave may qualify for FMLA/CFRA protection and the anticipated timing and duration of the leave. Sufficient information may include that employees are unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the District if the requested leave is for a reason for which FMLA/CFRA leave was previously taken or certified.

If the need for leave is foreseeable, this information must be provided at least thirty (30) days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the District normal call-in procedures, absent unusual circumstances.

2. Medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member within fifteen (15) calendar days of the District request to provide the certification (additional time may be permitted in some circumstances). If employees fail to do so, the District may delay the commencement of leave, withdraw any designation of FMLA/CFRA leave or deny the leave, in which case the leave of absence would be treated in accordance with District's standard leave of absence and attendance policies, subjecting employee to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required in circumstances allowed by FMLA/CFRA.

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3. Periodic reports as deemed appropriate during the leave regarding employees' status and intent to return to work; and
4. Medical certification of fitness for duty before returning to work if the leave was due to a serious health condition. The District will require this certification to address whether employees can perform the essential functions of their position.

Failure to comply with the foregoing requirements may result in delay or denial of leave, or disciplinary action, up to and including termination.

#### EMPLOYER RESPONSIBILITIES

To the extent required by law, the District will inform employees whether they are eligible under the FMLA/CFRA. Should an employee be eligible for FMLA/CFRA leave, the District will provide them with a notice that specifies any additional information required as well as the employee's rights and responsibilities. If employees are not eligible, the District will provide a reason for the ineligibility. The District will also inform employees if leave will be designated as FMLA/CFRA-protected and, to the extent possible, note the amount of leave counted against the employee's leave entitlement. If the District determines that the leave is not FMLA/CFRA-protected, the District will notify the employee.

#### FAILURE TO RETURN AFTER FMLA LEAVE

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the District's standard leave of absence and attendance policies. This may result in termination if employee has no other District-provided leave available that can be applied to a continued absence. Likewise, following the conclusion of employees' FMLA/CFRA leave, the District's obligation to maintain their group health plan benefits ends (subject to any applicable COBRA rights).

#### OTHER EMPLOYMENT

This policy remains in force during all leaves of absence including FMLA/CFRA leave and may result in disciplinary action, up to and including immediate termination of employment.

#### FRAUD

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

#### EMPLOYER'S COMPLIANCE WITH FMLA AND EMPLOYEE'S ENFORCEMENT RIGHTS

The FMLA/CFRA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA/CFRA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA/CFRA or for involvement in any proceeding under or relating to FMLA/CFRA.

While the District encourages employees to bring any concerns or complaints about compliance with FMLA/CFRA to the attention of Human Resources, FMLA/CFRA regulations require employers to advise employees that they may file a complaint with the U.S. Department of Labor or bring a private lawsuit against an employer.

Further, FMLA/CFRA does not affect any Federal or state law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

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### Military-Related Federal FMLA Leave

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

### DEFINITIONS

A “covered servicemember” is either: 1) a current servicemember of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty for which the servicemember is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list; or 2) a “covered veteran” who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

A “covered veteran” is an individual who was discharged under conditions other than dishonorable during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The period between October 28, 2009 and March 8, 2013 is excluded in determining this five-year period.

The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition.” For current servicemembers, the term “serious injury or illness” means an injury or illness that was incurred by the member in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service, that may render them medically unfit to perform the duties of their office, grade, rank or rating.

For covered veterans, this term means a serious injury or illness that was incurred in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service and manifested itself before or after the individual assumed veteran status, and is: 1) a continuation of a serious injury or illness that was incurred or aggravated when they were a member of the Armed Forces and rendered them unable to perform the duties of their office, grade, rank or rating; 2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; 3) a physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would be so absent treatment; or 4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

“Qualifying exigencies” include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, parental care, and post-deployment debriefings.

### MILITARY CAREGIVER LEAVE

Unpaid Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. Military Caregiver Leave is a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered servicemember during a single 12-month period.

To be “eligible” for Military Caregiver Leave, the employee must be a spouse, child, parent, or next of kin of the covered servicemember. “Next of kin” means the nearest blood relative of the servicemember, other than the servicemember’s spouse, parent, or child, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or

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statutory provisions; siblings; grandparents; aunts and uncles; and first cousins; unless the servicemember has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave. The employee must also meet all other eligibility standards as set forth within the FMLA Leave policy.

An eligible employee may take up to 26 workweeks of Military Caregiver Leave to care for a covered servicemember in a "single 12-month period." The "single 12-month period" begins on the first day leave is taken to care for a covered servicemember and ends 12 months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust their 26 workweeks of Military Caregiver Leave during this "single 12-month period," the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each servicemember. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered servicemember, and/or for each and every serious injury or illness of the same covered servicemember. A total of no more than 26 workweeks of Military Caregiver Leave, however, may be taken within any "single 12-month period."

Within the "single 12-month period" described above, an eligible employee may take a combined total of twenty-six (26) weeks of FMLA leave including up to twelve (12) weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the "single 12-month period," an eligible employee may take up to 16 weeks of FMLA leave to care for a covered servicemember when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or covered servicemember and completed by an authorized health care provider within fifteen (15) days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

#### QUALIFYING EXIGENCY LEAVE

Eligible employees may take unpaid "Qualifying Exigency Leave" to tend to certain "exigencies" arising out of the duty under a call or order to active duty of a "military member" (i.e. the employee's spouse, son, daughter, or parent). Up to twelve (12) weeks of Qualifying Exigency Leave is available in any 12-month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of Military Caregiver Leave, which is subject to a maximum of twenty-six (26) weeks of leave in a "single 12-month period"). Although Qualifying Exigency Leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed twelve (12) weeks in any 12-month period (with the exception of Military Caregiver Leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve.

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A call to active duty refers to a *federal* call to active duty, and *state* calls to active duty are not covered unless under order of the President of the United States pursuant to certain laws.

Qualifying Exigency Leave is available under the following circumstances:

1. **Short-notice deployment.** To address any issue that arises out of short notice (within seven days or less) of an impending call or order to active duty.
2. **Military events and related activities.** To attend any official military ceremony, program, or event related to active duty or call to covered active duty status or to attend certain family support or assistance programs and informational briefings.
3. **Childcare and school activities.** To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.
4. **Financial and legal arrangements.** To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.
5. **Counseling.** To attend counseling (by someone other than a health care provider) for the employee, for the military member, or for a child or dependent when necessary as a result of duty under a call or order to covered active duty.
6. **Temporary rest and recuperation.** To spend time with a military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to fifteen (15) days of leave for each instance of rest and recuperation.
7. **Post-deployment activities.** To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to ninety (90) days following termination of the military member's active duty status. This also encompasses leave to address issues that arise from the death of a military member while on active duty status.
8. **Parental care.** To care for the military member's parent who is incapable of self-care. The parent must be the military member's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age.
9. **Mutually agreed leave.** Other events that arise from the military member's duty under a call or order to active duty, provided that the District and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation in the form of a copy of the military member's active duty orders or rest and recuperation orders or other military documentation indicating the appropriate military status and the dates of active duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within 15 days. Qualifying Exigency Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

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### CONCURRENT LEAVES

In most cases, family medical leave will count concurrently against an employee's entitlement to both FMLA and CFRA leave. This means that most eligible employees taking family and medical leave will exhaust their entitlement to protected leave under both FMLA and CFRA at the same time, with the following exceptions:

1. An employee's own incapacity due to pregnancy, childbirth, or related conditions will be counted against an employee's entitlement to FMLA as a serious health condition, but not against CFRA leave.
2. Qualified exigency leave will be counted against an employee's entitlement to FMLA, but not against CFRA leave.
3. Military caregiver leave will be counted against both FMLA and CFRA for up to the first 12 workweeks of leave if the servicemember is a family member covered by CFRA (in other words, a spouse, child, or parent). If, on the other hand, the servicemember is a 'next of kin' (not covered by CFRA), the leave will count against an employee's entitlement to FMLA, but not against CFRA leave.
4. Leave taken to care for a registered domestic partner, a domestic partner's child, a sibling, or a grandparent with a serious health condition will be counted against an employee's entitlement to CFRA leave, but not against FMLA leave.
5. FMLA/CFRA may also run concurrently with a leave of absence covered by workers' compensation or short-term or long-term disability, where such leave of absence is taken for a condition that qualifies as a serious health condition.

### REINSTATEMENT

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

### LIMITED NATURE OF THIS POLICY

This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA/CFRA. The District reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law. State or local leave laws may also apply.

### **Pregnancy Disability Leave**

Employees who birth children are eligible for an unpaid leave of absence up to four months (one-third of a year equaling 17 1/3 weeks) when actually disabled by pregnancy or related medical condition.

Leave may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, doctor-ordered bed rest, severe morning sickness, gestational

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diabetes, pregnancy-induced hypertension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression. Leave may be taken consecutively or intermittently. The amount of leave needed is determined by a health care provider's recommendation.

Employees have the option of whether to use any accrued sick leave or vacation during their pregnancy disability leave before taking the remainder of their leave on an unpaid basis. The substitution of any paid leave will not extend the duration of pregnancy disability leave.

Employees who are granted leaves for pregnancy will be returned to their same or similar position to the extent required by state law. Upon the advice of employees' health care provider, employees may also be entitled to reasonable accommodation, to the extent required by law, for conditions related to pregnancy, childbirth, or related medical conditions. Employees should promptly notify the District of the need for a reasonable accommodation. In addition, a transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties may be available pursuant to employees' request, if such a transfer is medically advisable and if budgets allow.

Employees must give the District at least thirty (30) days' advance notice for the need for pregnancy-related disability leave, reasonable accommodation, or if a transfer is foreseeable. Otherwise please give the District notice as soon as is practicable if the need is an emergency or unforeseeable.

Prior to the start of the leave, the District will require a written medical certification indicating that an employee is disabled because of pregnancy or that it is medically advisable to be transferred to a less strenuous or hazardous position or duties or otherwise to be reasonably accommodated. The certification should include an anticipated date when the employee will be able to return to job or job duties. In the event the employee's leave exceeds the anticipated date of return, it is the employee's responsibility to provide further certification from their health care provider that they are unable to perform their job or job duties and the revised anticipated date of return.

Depending on employees' eligibility, medical insurance may be continued during their leave in accordance with the applicable plan document, COBRA, or provisions of federal/state law relating to unpaid medical leave.

Employees who choose not to return from leave may be required to refund premium payments made by the District on their behalf, when permitted by state law.

**Leave under this policy may run concurrently with leave afforded under the Family and Medical Leave Act (FMLA) but will not run concurrently with leave provided under the California Family Rights Act (CFRA).**

#### **State Disability Insurance**

The District participates in the State of California's State Disability Insurance (SDI) program. This program is administered by the Employment Development Department and generally provides wage replacement benefits if an employee is unable to work due to a non-work-related injury, illness, or medical condition (including pregnancy).

Employees who apply for this benefit from the EDD are not guaranteed a job-protected leave of absence from the District, but must provide written notice of disability, including a doctor's certificate stating the nature of the disability and the expected date of return to work.

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Employees are responsible for filing claims and other forms promptly and accurately with the Employment Development Department. A claim form may be obtained from the Employment Development Department by telephone, letter or in person. More information is available on EDD website at <https://www.edd.ca.gov/disability/>

The cost of this insurance is fully paid by the employee.

### California Paid Family Leave Insurance

The District participates in the State of California's Paid Family Leave (PFL) program. This program is administered by the Employment Development Department and generally provides wage replacement benefits, for a maximum of six weeks, for the following reasons:

- To bond with a new child after birth or placement for adoption or foster care.
- To care for a serious health condition of an employee's child, parent, spouse, or registered domestic partner.

Employees apply for PFL benefits from the EDD. Employees are not guaranteed a job-protected leave of absence from the District.

### Rehabilitation Leave

The District is committed to providing assistance to employees. Any employee who wishes to voluntarily enter and participate in an alcohol and/or drug rehabilitation program may be granted a reasonable accommodation. This accommodation may include time off without pay and/or an adjusted work schedule provided the accommodation does not impose an undue hardship on the District. In general, it is the employees' responsibility to notify ~~Human Resources~~ [their supervisor](#) of the need for accommodation.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

The District shall take reasonable steps to safeguard the privacy of any employee who has enrolled in an alcohol or drug rehabilitation program.

This policy does not prevent the District from refusing to hire or disciplining, up to and including discharge, an employee who, because of the current use of alcohol or drugs, is unable to perform their duties or cannot perform the duties in a manner that would not endanger their health or safety or the health or safety of others. The District does not need to overlook misconduct.

### Social Security

During employment, employees, and the District both contribute funds to the federal government to support the Social Security program. This program is intended to provide the employee with retirement benefit payments and medical coverage once employees reach retirement age.

### CALPERS/PEPRA

Regular full-time employees ~~are eligible for~~ [are required to enroll in](#) the State of California Public Employee Retirement System (CalPERS) membership on their hire date. ~~Seasonal~~ [All other employees will be enrolled](#) [are required to enroll](#) into CalPERS when they have exceeded 1000 hours worked in a fiscal year (July 1 - June 30).

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### **Unemployment Insurance**

Upon separation from employment, employees may be entitled to state and federal unemployment insurance benefits. Information about unemployment insurance can be obtained from Human Resources and from EDD on its website.

### **Workers' Compensation**

On-the-job injuries are covered by the Districts Workers' Compensation insurance policy. This insurance is provided at no cost to employees. If an employee is injured on the job, no matter how slightly, they should report the incident immediately to their supervisor and Human Resources. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize employees' claim. The District asks for the employees' assistance in alerting management to any condition that could lead to or contribute to an employee accident.

### **Employee Assistance Program**

Eligible employees may participate in the District's employee assistance program immediately upon hire.

The Employee Assistance Program (EAP), and Work/Life Benefit help eligible employees and their immediate families with a wide range of problems. Situations addressed by the EAP include marriage and family problems, emotional problems, alcoholism and alcohol abuse, drug abuse and dependency, financial problems, compulsive gambling and eating disorders. Employees' conversations and all records are strictly confidential.

The administrative cost of this program is fully paid by the District. Complete details of this program may be obtained from Human Resources.

## **Section 4: On the Job**

### **Attendance and Punctuality**

Attendance and punctuality are important factors for employee success within our District. The District works as a team and this requires that each person be in the right place at the right time.

Employees should be accountable to the District. Accountability in the workplace means that all employees are responsible for their actions, behaviors, performance, and decisions. If employees are going to be late for work or absent, their supervisor should be notified as far in advance as is feasible under the circumstances, but no later than the start of the workday.

Personal issues requiring time away from work, such as doctor's appointments or other matters, should be scheduled during nonworking hours if possible.

### **Job Abandonment**

If employees are absent for two consecutive days without notifying the District, it is assumed that they have voluntarily abandoned their position with the District, and will be removed from the payroll and will not be eligible for Unemployment benefits.

### **Flexible Scheduling**

Tahoe RCD is a small public District that is required to meet the needs of the public on a timely basis and as such needs to have adequate staffing to provide excellent service.

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Core workTypical work hours at the District are ~~from-between~~ 8:00 a.m. to ~~5:04:30~~ p.m. Monday through Friday with the exception of Holidays. The District recognizes that employees may need to break from ~~the-usual-workday~~their regular schedule for personal or family related reasons, or to accommodate childcare arrangements. In unique circumstances to meet a personal or family care need, an employee may request a nonstandard daily schedule that does not ~~include-match~~ the ~~core~~ typical work hours. ~~The schedule may become the employee's regular work schedule, equal to the length of the former schedule.~~There may be circumstances where the nature of the employees' work will not permit ~~a-flexible-schedule~~flexibility. In such cases, managers will accommodate desired schedules when practical. All regular full-time, ~~and~~ regular part-time ~~and-limited-term-contract~~ employees are eligible to request ~~a-flexible-an~~ alternate schedule by submitting an Alternative Workweek Request Form. Please request a form from your direct supervisor. Some employment positions work an alternative work week schedule (AWWS) to meet the needs of the District's various programs. ~~The District's AWWS consists of a 4/10/40 schedule (10 hour days, 4 days per week), which entitles overtime pay for approved work performed over ten hours in one calendar day (paid at a rate of 1 1/2 times the employee's hourly wage), or 40 hours per week.~~

**If the job duties and the needs of the District can accommodate the request, the supervisor, ~~in-conjunction-with-the-Executive-Director,~~ may approve ~~a-flexible-an~~ alternate~~ive~~ workweek schedule. It will be the responsibility of the employee and the supervisor to ensure that such a schedule does not affect work performance and is in accordance with state and federal wage and hour laws.**

#### Hybrid Teleworking Policy

Teleworking, or telecommuting, is the ~~concept-act~~of working from home or another location on a full-time or part-time basis. Teleworking is not an automatic employee entitlement. Rather, it is an alternative method of meeting the needs of the organization. Employees may request the opportunity to ~~establish a hybrid~~ telework ~~schedule~~ by submitting a ~~Hybrid Telework Policy/Agreement~~n-Workweek Request Form. Please request ~~this form- document~~ from your direct supervisor. Tahoe RCD has the right to refuse to make ~~hybrid~~ teleworking available to an employee and to terminate a ~~hybrid~~ teleworking arrangement at any time, for any reason. Employees are not required to telework. Employees can refuse to telework if the option is made available.

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The District's policies for teleworking are as follows:

#### Compensations and Work Hours

~~The employee's compensation, benefits, work status and work responsibilities will not change due to participation in the teleworking program. The amount of time the employee is expected to work per day or pay period will not change as a result of participation in the teleworking program. In general, employees are expected to work during the core hours of 8:00am-4:30pm Monday thru Friday~~their regular schedule, unless an alternate schedule is agreed in advance with the supervisor. ~~Teleworking employees must comply with the "Recording Your Time" policy in the Personnel Policy, which requires employees to record all hours worked on timesheets, including time taken for meal periods.~~

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Eligibility

Regular full time employees are eligible to participate in the telework program. Employees' telework plans will be based on the suitability of their jobs, an evaluation of the likelihood of their being successful teleworkers, an evaluation of their supervisor's ability to manage remote workers and on the employee's success managing their program and associated staff. Each department/program will make its own determinations. All telework schedules will be conditionally approved for a 3 to 6 month trial period by supervisor and Executive Director. The trial period should allow sufficient time to determine what impact the teleworking may have on meeting workload commitments, assessing impact on attendance, as well as allowing the employee and their supervisor to determine whether the new work schedule will meet the needs of the individual and the District.

[See Tahoe RCD Hybrid Telework Policy and Agreement for full policy located in the Paychex Portal under Documents.](#)

Equipment/Tools

Tahoe RCD will allow teleworking employees to take a District issued computer to an approved remote work location. This computer will include all necessary software and will allow for access to District e-mail and file servers. Beyond that, Tahoe RCD will not provide specific tools/equipment for the employee to perform their current duties at home. If an employee needs to use any standard office equipment in connection with the performance of their assigned duties (i.e., printer, scanner, fax machine), those items are available for employee's use at the District office. The District issued computer can be taken to the employee's agreed upon remote work location, but it is limited to staff use only and only for purposes relating to District business. Tahoe RCD will provide for normal wear and tear or repairs to District equipment.

Workspace

The employee shall designate a workspace within the remote work location for placement and installation of equipment to be used while teleworking. The employee shall maintain this workspace in a safe condition, free from hazards and other dangers to the employee and equipment. The District must approve the site chosen as the employee's remote workspace. Employees are expected to submit one photo of the home workspace to management prior to implementation. Any District materials taken home should be kept in the designated work area and not be made accessible to others. The District has the right to make on site visits (with 48 hours advance notice) to the remote work location for purposes of determining that the site is safe and free from hazards, and to maintain, repair, inspect, or retrieve District owned equipment, software, data or supplies.

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Office Supplies

Office supplies will be provided by the District as needed from the main office location. If an employee needs other supplies, employee should request those from the District. Out of pocket expenses for other supplies will not be reimbursed unless the employee obtains prior approval from the employee's supervisor.

Worker's Compensation and Liability

Teleworkers are covered by worker's compensation during working hours. The employee's remote workspace will be considered an extension of the District's workspace. The District assumes no liability for injuries occurring in the employee's remote workspace outside working hours. The District is not liable for loss, destruction, or injury to others that may occur in or to the employee's home. This includes family members, visitors, or others that may become injured within or around the employee's home.

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#### Dependent Care

~~Teleworking is not a substitute for dependent care. Teleworkers will not be available during District core hours (8am-4:30pm, Monday through Friday) their regular schedule/scheduled work hours to provide dependent care.~~

#### Income Tax

~~It will be the employee's responsibility to determine any income tax implications of maintaining a home office area. The District will not provide tax guidance nor will the District assume any additional tax liabilities. Employees that are eligible and choose to telework are encouraged to consult with a qualified tax professional to discuss income tax implications.~~

#### Communication

~~Employees must be available by phone and email during core hours (8am-4:30pm, Monday through Friday) their regular schedule/scheduled work hours. All client interactions will be conducted on a client site or at the District office or District work site. Participants must still be available for in-person staff meetings, and other meetings deemed necessary by management. Employee must communicate with supervisor work tasks and projects the employee is working on during telework time.~~

#### Evaluation

~~The employee shall agree to participate in all studies, inquiries and analyses relating to this policy. The employee remains obligated to comply with all District rules, practices, and instructions. During evaluation, managers/supervisors must consider the impact the employee's work schedule and work location has on fellow employees, employee morale, as well as the functional needs of the organization.~~

#### **Meal Time**

Employees are provided with the opportunity to take ~~an 30-minute unpaid meal break during their workday, so long as they still meet their weekly work hour/regular work schedule requirements.~~ Employees should note the time taken in the timekeeping system.

#### On Duty Meal Period

In limited situations, certain designated employees may be required to ~~work an on-duty meal period due to the nature of the employee's duties.~~ Only if the nature of your job duties requires it, and employees and the District have agreed to an on-duty meal period in writing, will the employee be permitted to take an on-duty meal period. In this situation, the on-duty meal period will be paid and treated as hours worked.

#### **Lactation Breaks**

##### Reasonable Break Time to Express Milk (lactation time)

The District shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has the need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the employee. Break time for an employee that does not run concurrently with any rest time authorized for the employee shall be unpaid. Employees must notify their supervisor or other appropriate personnel in writing of their intent to make use of the lactation accommodations offered within this policy.

The District must make separate time available if an employee needs extra or different time than their regularly scheduled breaks. For time that may be needed beyond the usual break times, an employee may use personal available leave, otherwise any time beyond the employee's regular break time will be unpaid. At management discretion, beginning or ending work times may be adjusted to accommodate these breaks.

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#### An Appropriate Private Location

The District shall provide an employee with the use of a room or other location for the employee to express milk in private. The location may be the place where the nursing mother normally works if there is adequate privacy and the location otherwise suits the requirements of the law (e.g., the employee's private office, a supervisor's private office, or a conference room that can be secured).

Areas such as restrooms, closets or storage rooms are not appropriate spaces for lactation purposes. Storage rooms that do not contain noxious materials may be converted to be acceptable private spaces. Where a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is in use for lactation purposes.

A lactation room shall be in close proximity to the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk. A lactation room or location shall comply with all of the following requirements:

1. Be safe, clean, and free of hazardous materials.
2. Contain a surface to place a breast pump and personal items.
3. Contain a place to sit.
4. Have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations needed to operate an electric or battery-powered breast pump.

A sink with running water and a refrigerator suitable for storing milk (or another cooling device) shall be made available in close proximity to the employee's workplace. If a refrigerator cannot be provided, an employer may provide another cooling device suitable for storing milk, such as an employer-provided cooler.

For non-traditional worksites and any required travel, the employee and the supervisor or the District's Executive Director should enter into a good faith interactive process to identify reasonable accommodations.

#### Notice/Information

The District's management staff shall provide a copy of this policy to employees prior to their maternity leave and should document furnishing the policy to employees.

#### Lactation Accommodation Request Procedure<sup>1</sup>

An employee has the right to request lactation accommodation. An employee who has a need for lactation accommodation should inform her supervisor or the District's Executive Director and discuss any relevant workload or scheduling issues.

Supervisors who receive a lactation accommodation request shall, in consultation with the Executive Director, do the following:

1. Review available space and prepare to provide appropriate nearby space and break time.

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<sup>1</sup> If necessary, the District may comply with this section by designating a lactation location that is temporary due to operational, financial, or space limitations. The temporary location must otherwise be compliant with the requirements outlined in this policy.



2. Contact the Executive Director for advice and assistance if they are unable to locate appropriate space to meet an employee's request.
3. Respond to the employee's request in writing detailing accommodations that will be made.

#### Zero Tolerance

The District has *zero tolerance* for discrimination on the basis of gender. (See anti-harassment policy). It is prohibited under this policy to discharge, discriminate, or retaliate against an employee for exercising or attempting to exercise their right to lactation accommodation. Any incident of such will be appropriately and promptly addressed by the District.

#### Disclosure Requirements

The District's Lactation Accommodation Policy shall be disseminated to every incoming employee, as well as to employees requesting pregnancy disability or parental leave. A copy of this policy shall be included in the ~~employee handbook~~ [Personnel Policy](#). The District must respond to an employee's request for lactation accommodation. If the District cannot provide break time or a location that complies with the accommodation policy or denies the accommodation, then the District shall provide a written response to the employee who requested the accommodation.

#### Filing a Complaint

Nursing mothers who feel they have been denied appropriate accommodation are encouraged to contact the Executive Director. Appropriate internal investigations will be conducted. Complaints may also be filed with the Labor Commissioner.

#### **Work Assignments**

Work assignments will be distributed ~~by your supervisors~~ [supervisors](#). When possible, employees will be advised of future assignments in advance, to provide ample time to prepare for the assignment.

Once employees have begun an assignment, they will report directly to their supervisor for all matters relating to its completion.

#### **On the Job Training**

Supervisors are responsible for initiating all required on-the-job training for employees within their department. This may include safety training, participation in off-site training and continuing education when necessary for job safety and work performance. Training will be conducted during regular working hours whenever possible.

The District will pay for any required training programs. Employees may be tested from time to time to evaluate the effectiveness of the training program.

**Non-required training should be discussed at employee's ~~annual~~ review process and approved by [their](#) supervisor in the employee's professional development plan. Approval is subject to available funding.**

#### **Dog Policy**

The District office is a dog friendly workplace. The following guidelines are to be followed at all times in order to maintain a dog friendly workspace:

- o All dogs must be leashed (standard 6 ft. leash) or in a closed office or cubicle. If in an office or cubicle a small fence/blockade may be used.

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- Dogs should be well-behaved (not aggressive toward people or other dogs).
- Dogs must be flea and tick free.
- Dog owners must clean up after their dog goes to the bathroom outside.
- Dogs ~~shall be exempt from~~ are not allowed in conference/meeting rooms and restrooms.
- All ~~bulk~~ dog food shall be kept in a sealed plastic container when not in use.
- All dog toys must be kept inside offices or cubicles.
- Dogs must remain quiet and not cause disruptions or distractions to other staff or visitors of the District.
- ⇨ Dogs are not allowed in District vehicles

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Work locations outside of the main office may or may not allow dogs. Please work with your supervisor to determine if dogs are allowed at a specific work location.

Failure to follow these guidelines may result in a revocation of the dog policy or revocation on an individual basis.

These guidelines are to ensure the health, safety and productivity of all staff, visitors (and pets) at the office.

### Standards of Conduct

As a matter of policy, the District seeks to provide employees who have deficient performance with an opportunity to correct their behavior and/or performance, unless, in the District's judgment, termination is warranted.

### Progressive Discipline

Tahoe RCD implements a progressive disciplinary plan, which includes a defined progression of disciplinary methods. The objective of progressive discipline is to provide staff with immediate evaluation, communicate openly with staff, identify strengths and weaknesses, and provide the opportunity to correct or improve performance. While the progressive disciplinary plan is identified as a best practice, as an at-will employer, the District does not require imply that any of these methods must be used, or that progression must be sequential.

The District will tries to document all transgressions from District policy and program protocols. The objective of progressive discipline is to provide staff with immediate evaluation, communicate openly with staff, identify strengths and weaknesses, and provide the opportunity to correct or improve performance. The approach may include:

- Documentation- This includes simple documentation of minor infractions.
- Verbal Warning- Documented issues for which the employee is made aware that there is an issue they need to address.
- Written Warning(s)- Documented issues that are severe, or chronic. Written warnings typically include a commitment for improvement, and therefore, employee signatures are required.
- Performance Improvement Plan (PIP)- Management provided guidance towards improving performance using Specific, Measurable, Achievable, Related, Time-constrained (SMART) goals within a specific time frame.
- Discharge

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Disciplinary action may also include ~~a written warning~~, suspension with or without pay, and/or ~~immediate discharge~~~~discharge~~~~termination~~~~discharge~~. The appropriate disciplinary action imposed will be determined by the District, ~~at~~~~in~~ the District's sole discretion. The District does not guarantee that one form of action will necessarily precede another.

Among other things, the following may result in disciplinary action, up to and including ~~discharge~~~~termination~~:

- violation of the District's policies or safety rules-
- insubordination-
- unauthorized or illegal possession, use, or sale of alcohol or controlled substances on work premises or during working hours, while engaged in District activities or in District vehicles-
- unauthorized possession, use, or sale of weapons, firearms, or explosives on work premises.
- theft or dishonesty-
- inappropriate physical contact; harassment; discrimination or retaliation-
- disrespect toward fellow employees, visitors, or other members of the public-
- ~~performing outside work or use of~~ District property, equipment, or facilities ~~in connection with outside work while on District time-~~ may not be used for personal use.
- poor attendance or poor performance-

These examples are not all inclusive. All discharge decisions will be based on an assessment of all relevant factors. Nothing in this policy is designed to modify District employment-at-will policy. The District retains the ability to terminate an employee at any time for any reason.

#### Access to Personnel Files

Upon request, current and former employees may inspect their own personnel files at a mutually agreeable time, on District premises in the presence of a District official. Requesting parties will be permitted to see any records regarding their qualification for employment, promotion, wage increases, earnings and deductions, or discipline. The District will make the records available within twenty-one (21) days after receipt of a written or oral request for review. Exceptions include records regarding criminal investigation and any letters of reference maintained by the District. Employees will be allowed a copy of any document they have signed relating to their employment. The District complies with state law record retention requirements for current and former employees.

For more information, contact Human Resources.

#### Resident and Public Relations

The District's reputation is built on excellent service and quality work. Maintaining this reputation requires the active participation of every employee.

The opinions and attitudes that residents and visitors have toward the District may be determined for a long period of time by the actions of one employee.

Each employee must be sensitive to the importance of providing professional and courteous treatment in all working relationships.

#### Non-Solicitation

No external solicitors are allowed to approach District staff while working at the District office. The District believes employees should have a work environment free from interruptions of a non-work-related nature, as work time is for work. When at work employees should focus on their duties and not engage in activities that would interfere with their own work or the work of others. For the purpose of this policy, solicitation includes, but is not limited to, for collection of any debt or obligation, for

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raffles of any kind or chance taking, or for the sale of merchandise or business services, the attempt to sell any product or service (e.g. selling or collecting for Tupperware®, Avon® products, churches, schools, Girl Scout cookies, etc.). Such interruptions can be both detrimental to the quality of work and efficiency and may not be respectful of others' job responsibilities and right not to be interrupted.

Employees may not engage in solicitation for any purpose during their work time, which includes the working time of the employee who seeks to solicit and the employee who is being solicited. Nothing in this policy is intended to restrict an employee's statutory rights.

### Distribution

Distribution and solicitation of any type (materials, goods, etc.) is prohibited in personal work areas at any time, whether or not the employees are on working time. Employees who would like to share information (events, walk-a-thons, Girl Scout Cookies, etc.) with other staff members must place the item on the bulletin board and/or the table in the front area. Staff are not to be asked personally to participate in any non-work event or fundraiser. Non-employees are prohibited from distributing non-work-related materials to employees on District premises at any time. Inappropriate literature is prohibited, e.g. literature that violates the District's non-harassment and discrimination policies; items of a defamatory nature, items that include threats of violence, unprotected literature of a political nature that is highly inflammatory and likely to disrupt facility discipline and order or safety. Nothing in this policy is intended to restrict an employee's statutory rights.

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### Changes in Personal Data

To aid employee and/or employees' family in matters of personal emergency, the District needs to maintain up-to-date information. Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given to Human Resources promptly.

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### Care of Equipment

Employees are expected to demonstrate proper care when using the District's property and equipment. No property may be removed from the premises without supervisor authorization. the proper authorization of management. If employees lose, break, or damage any property, supervisors must be notified at once.

### Personal Property

The District is not responsible for loss or damage to personal property. Valuable personal items, such as purses and all other valuables should not be left in areas where theft might occur.

### Vehicle Use Policy

Tahoe RCD owned, or leased vehicles are available for the use of District personnel conducting District business. District employees must be added to District insurance to operate vehicles. When using District vehicles, there are provisions for use in the RCD Vehicle Guidelines document. This document is intended to provide direction on the usage and maintenance of all Tahoe RCD owned and leased vehicles. Roles and responsibilities associated with the care and maintenance of these vehicles are also be defined.

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Before using Tahoe RCD vehicles, adhere to the following provisions:

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each driver must possess a valid driver's license, prior to operating a District vehicle

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- Smoking or use of tobacco products is prohibited
- Driver and passengers must observe state seat belt laws
- Use of cell phones (talk or text) is prohibited while driving unless vehicle is equipped with hands free technology (i.e. Bluetooth)

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- ~~Passengers are only allowed under the following circumstances:~~
  - ~~Passenger is over the age of 18~~
  - ~~Passenger must be traveling in the course and scope of their employment (i.e. partners, contractors)~~
  - ~~No volunteers or general public~~
- ~~Mileage log with date, mileage start and end, purpose of trip, grant to be billed and initials of the driver must be filled out after every trip~~
- ~~Gas tank is filled when 1/4 1/2 1/4 tank remaining~~
- ~~Immediately notify the Office Coordinator if there are any issues, concerns or maintenance required.~~

Employees are expected to use District vehicles however, there are instances where a personal vehicle may be used. District employees are allowed to use their personal vehicles for official business any time there is a requirement or expectation that they attend a meeting, event or activity on behalf of the District and a District vehicle is not available. Employees using their personal vehicle to perform their job, whether or not they are claiming mileage reimbursement, are required to hold a valid driver's license and ~~show evidence of possessing~~ possess the minimum amounts of insurance as specified by California law. The District retains the right to request copies of personal vehicle insurance and driver's license at will. Reimbursement will be authorized as follows:

- Employees required or expected to use their private vehicle for the performance of their job will be eligible for reimbursement, with the exception that an employee shall not be eligible for reimbursement of commute mileage to and from home and their normal place of work on a regular day of work.
  - ~~Reimbursement of miles will be based on the shortest distance.~~ Mileage will be reimbursed for the round-trip distance between the employee's ~~work site~~ departure point and the location of the business function attended. If employees depart from or return to their home instead of their work site, only the miles in excess of the normal daily commute can be claimed as an expense. Diversions taken from the route for the employee to conduct personal business will not be reimbursed.
  - Travel scenarios that do not fit into the bullet above must be discussed and approved by management/the employee's supervisor.

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### Travel/Expense Accounts

~~It is the policy of Tahoe RCD to make appropriate use of District funds by paying only reasonable and necessary costs associated with approved employee travel, training, and meetings that are work-related.~~

~~This policy applies to all employees of the District including part time, seasonal, and temporary employees and District Board Members. The Executive Director is authorized to grant exceptions to specific provisions on a case by case basis within the intent of the overall policy.~~

### **Reimbursement Policy**

It is the intent of the District to reimburse District personnel for all reasonable expenses incurred whenever they are required to travel on business for the District. "Business for the District" shall include expenses incurred in connection with approved official representation of the District from which the District will derive a specific benefit such as: attendance at training, seminars, symposia, conferences, hearings, conventions or other meetings.

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Travel Authorization:

When it is necessary for District staff to attend meetings or training away from the District or to travel outside the ~~Lake Tahoe Basin-District~~ to conduct District business, various modes of transportation, lodging accommodations and meal alternatives are available. The associated costs vary considerably. In an effort to control costs and to compensate personnel for reasonable expenses, the following policy shall be adhered to for all District travel:

- All overnight travel requests shall be submitted to the appropriate supervisor.
- District staff may attend in-state or out-of-state conferences.
- The Executive Director must give final approval on all travel to be charged to the general fund, ~~Supervisor~~ Management staff may approve ~~approval is other expenditures~~ provided ~~if~~ sufficient monies have been previously budgeted and the funding source allows such expenditures.
- ~~The Executive Director and/or Supervisor~~ Management staff may authorize the attendance of additional District personnel if deemed appropriate and travel funds are available.
- Arrangements must be made sufficiently in advance to take advantage of available discounts for registration, air fare and lodging and should be made with District issued credit cards.

Transportation:

- For travel outside the Northern California area, employees are expected to travel by air. If traveling by private vehicle, compensated departure and arrival times shall be based on air travel time. Departure shall not be earlier than that which would allow the District personnel to arrive within a reasonable amount of time to attend the first scheduled event of the conference, seminar, etc.; in turn, the same reasonable time period shall apply to departure from the event when returning and shall allow District personnel to return at the earliest reasonable time possible.
- If District personnel wish to deviate from the reasonable arrival or departure time period for personal reasons, they must work with their supervisor to determine the appropriate amount of time to attribute to District-related travel.
- Use of a private car (if authorized in advance) will be reimbursed at approved rates in effect at the time of travel. A copy of the employee's proof of automobile insurance may be requested and remain on file with Human Resources. In cases where more than one person is attending the same event, they will be strongly encouraged to travel together, and mileage reimbursement would be for one vehicle only. In instances where this is not possible, advance approval by the Supervisor will be necessary. Mileage reimbursement will be based on actual miles driven, from the District office or the employee's home, whichever is less.
- Payment for travel reservations should be made far enough in advance (generally fourteen (14) to twenty-one (21) days) to take advantage of discounts. ~~Employees are~~ Staff is required to make their own travel arrangements.

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**Car Rentals:**

When traveling, the use of rental cars is discouraged. Airport shuttle service, buses, taxis, or other ridesharing service should be utilized between airports and hotels or meeting locations if within 30 miles. Staff should check availability and cost and make their own car rental arrangements. When renting a car, insurance and other extras should not be requested, when using a District issued credit card, if accommodations cannot be made to use a District card for the vehicle rental then insurance should be purchased. Before returning the car, District personnel are to make sure the car is returned with the same amount of gas as when rented, usually a full tank. District personnel may then claim reimbursement for the gas with the proper receipt, Please notify the admin department as soon as it is known a rental vehicle is needed to make arrangements to use a District credit card.

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**Lodging:**

- Receipts for lodging must be submitted to obtain reimbursement. Lodging reimbursement for the night prior to the beginning of an event may be allowed only if time and/or travel schedules prohibit travel at reasonable hours on the first day of a conference. Generally, reimbursement would be allowed if the event begins before 9:00 a.m. and is outside of El Dorado County/Placer County. Note: Lodging decisions should not be made based solely on where an employee's residence is located (i.e. an employee who commutes 50 miles to work each day should be held to the same standard for lodging purposes that would be applied to an individual who commutes five miles to work), lodging should be discussed with ~~employees~~ employee's supervisor. Lodging reimbursements for the night following the event will be approved on a case by case basis.
- Lodging reimbursement will not be approved for travel within El Dorado County and Placer County within the Tahoe Basin, regardless of the length of the event. Note: This applies to all events attended by any District Official or District staff, since it is inappropriate to use District funds for unnecessary and frivolous purposes. An exception will be made if on site lodging is a requirement of the event, ~~or~~ if the event hours exceed normal work hours or for safety reasons (i.e. inclement weather). This must be approved in advance by ~~the Executive Director~~ the supervisor.
- Lodging shall be obtained at the most economical rate available for good quality. Lavish or oversized accommodations are not justified. Conference headquarters hotels are encouraged, when not unnecessarily expensive. Reservations made through the convention and/or housing bureaus (usually offered through conference literature) are encouraged. If the convention or housing bureaus are not used, and if more than one place of lodging is available, the prevailing rate for a single occupancy room will be allowed. In the absence of group or special rates, District personnel should request a "government or state rate" discount.

**Meals:**

The meal allowance is \$41.00 per day. In instances where District personnel will be purchasing less than a full day of meals (i.e., less than three meals per day), the per diem, including tip, will be on a per meal basis as follows:

Breakfast	\$7.00
Lunch	\$11.00
Dinner	\$23.00

\*Rates may differ based on current state rates. Rates in this policy may be updated to match current state rates without formal Board approval.

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Reimbursement for an evening meal on the night prior to the beginning of an event may be allowed if the event begins at 9:00 a.m. or earlier the following day and the amount of time required to travel to the location does not provide for dinner at a regular hour. Per diem may not be claimed for meals which are already included in the conference registration fee. Any claiming of per diem for meals that have been provided or paid for by other parties shall be considered inappropriate and subject to disciplinary action.

The per diem meal breakdown summarized above will be adhered to in all instances, examples are as follows:

- If breakfast and lunch are included with a conference an individual may claim a maximum of \$23.00 for dinner – not the \$41.00 daily allowance.
- An employee will not be reimbursed per diem amounts if alternate meals are purchased when meals have been included with the conference (i.e. an employee decides to skip the lunch banquet and eat at a nearby restaurant - an individual may elect to eat elsewhere, but at the employee's expense).

The following are examples of how per diem may be claimed:

- Trips of 24 Hours or more - For travel lasting 24 hours or more, employees may claim meals, based on the following timeframes:

First day of travel

- Trip begins at or before 6am – Breakfast may be claimed
- Trip begins at or before 11 am – Lunch may be claimed
- Trip begins at or before 5 pm – Dinner may be claimed

Continuing after 24 hours

- Trip ends at or after 8 am – Breakfast may be claimed
- Trip ends at or after 2 pm – Lunch may be claimed
- Trip ends at or after 7 pm – Dinner may be claimed
- Trips of Less than 24 Hours – For travel lasting less than 24 hours, employees may claim breakfast and /or dinner, based on the following timeframes:

Fractional day of travel

- Trip begins at or before 6 am and ends at or after 9 am – Breakfast may be claimed
- Trip begins at or before 4 pm and ends at or after 7 pm – Dinner may be claimed

Employees may not claim lunch or incidentals on one-day trips.

Unauthorized Expenses:

Items of a personal nature are not reimbursable including: alcoholic beverages, movies, entertainment, premium television services, snacks, dry-cleaning, spas, gyms, barber, magazines, shoeshine, travel insurance, supplemental insurance on rental cars, valet service, toiletries, loss of tickets, fines or traffic violations, excess baggage, lecture tapes or books, the incremental cost for spouse or guest accommodations or other items of a personal nature.

If unauthorized expenses have been paid by the District (i.e., via District credit card or petty cash), the individual will be responsible for immediate reimbursement to the District by personal check, money order or cash.

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Out of Pocket Costs:

All conference and meeting attendance must be authorized by the [Executive Director/supervisor](#). Requests should be made far enough in advance to take advantage of all available discounts and to take into consideration normal processing requirements. If registration is paid upon arrival at said conference by the District personnel, an original receipt must be submitted for reimbursement. Please limit out-of-pocket expenses by using District issued credit cards while booking travel accommodations.

Reimbursement Procedures:

Employees will be reimbursed for their out-of-pocket expenses incurred while conducting official District business. District employees who use their private vehicle while conducting District business will be reimbursed at the IRS mileage rate at the time of travel. Original receipts are required for all expense reimbursement claims.

An employee must sign their expense claim and obtain supervisor approval to be reimbursed for expenses. All claims for expenses must be submitted within 10 days after the end of the calendar month in which expenses were incurred.

Exceptions:

It is the District's desire to generally adhere to these policies. Nevertheless, there may be occasions when District personnel are unable to comply with them. It is the responsibility of the individual to prepare a written, signed statement explaining why an exception/s should be approved. The District is under no obligation to provide reimbursement without original receipts. The Executive Director or designee may approve of exceptions to these policies. There may also be instances where the Executive Director determines it to be in the best interest of the District, primarily due to budgetary constraints to limit the amount of meal per diem or require the sharing of lodging accommodations at conferences. In these situations, the individual cannot be required to attend.

**Severe Weather**

Severe weather is to be expected during certain months of the year. Although driving may at times be difficult, when caution is exercised the roads are normally passable. Except in cases of severe storms, employees are expected to work regular hours. Time taken off due to poor weather conditions while the business remains open is unpaid or vacation time may be used.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

If extreme weather conditions require closing, employees will be notified by their supervisor in accordance with the Weather Closure Policy. Where possible, remote work will be allowed.

**Weather Closure Policy**

Tahoe RCD is committed to keeping its employees safe and does not want employees to feel obligated to travel to work in dangerous conditions. This policy is designed to keep employees safe under dangerous conditions. If supervisors feel that employees are abusing the policy, disciplinary action may be taken.

Office Closure

The office will be closed anytime conditions at the 870 Emerald Bay Road location warrant. Examples include [but are not limited to:](#)

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- Loss of power, internet or phone service with no prospect for near-term restoration. In the event of a power outage at the South Lake Tahoe office of Tahoe RCD for more than ~~one (1) hour~~ two (24) hours, the office will be deemed closed and staff will be sent home. If this occurs, staff will be paid for the time they were regularly scheduled to work, ~~using Tahoe RCD office resources.~~ In some cases, a delayed start will be necessary. ~~This will be called by 7am of that morning.~~ District wide delayed starts will be determined by the Executive Director or designee. If this occurs, staff will be paid for this time if they were regularly scheduled to work. Note: All cases subject to discretion of management.
- Any issue affecting the building that would result in an unsafe work environment (roof issues from snow, failure of HVAC or water supply, gas outage, etc.)

The office may also close due to extreme weather ~~circumstances~~ conditions. These will typically be accompanied by warnings from Public Safety officials requesting people stay home and not travel except for emergencies. School closures will not automatically result in an office closure. Examples include:

- Ice storm leaving roadways extraordinarily difficult to navigate
- High rates of snowfall leaving roadways unsafe for all travel

The Executive Director ~~and/or~~ designee will monitor extreme weather conditions to make the decision about closure. ~~By 7:00 am~~ Prior to the start of the regular workday, the Executive Director ~~and/or~~ designee will notify staff if the Tahoe RCD office will be closed for the day. Under these circumstances' employees scheduled to work that day will charge agency time. Employees using planned vacation, not scheduled to work or telecommuting would not be affected and would charge as they normally do. If notice is not received, staff should assume that the office is open and come to work as scheduled.

“Liberal Leave” Policy (or “Safety First” Policy)

In the event of adverse weather conditions, when the office is not closed (above), employees are empowered to make their own decisions based on the following:

- Safety concerns about the commute itself (closed roads or difficult driving conditions)
- Safety concerns about getting out of their home/neighborhood (similar to above)
- School closures with no alternative day care/babysitting

Under these circumstances, employees can unilaterally decide to stay home or work a delayed start with advance notice to supervisors. In making the decision, due consideration should be given to previously scheduled work commitments and other work demands, and best efforts made to notify affected parties and minimize potentially adverse effects on work responsibilities. In particular, employees should make sure both Agency-District and non-Agency-District partners know their availability. Employees have the option to telework or take vacation. Agency time would not be authorized for the election not to work. Employees should ensure- that tools (laptop, home network, smartphone etc.) are set up in advance to allow work from home, and employees should inform their supervisor what tasks or projects they will be working on remotely.

Employees are allowed to take their laptops home with them at night in order to promote communication, efficiency and effectiveness, when unexpected events disrupt normal work schedules.

Field work and duties performed outside of the main office may be subject to separate weather cancellation or closure at the discretion of the Program Manager. For weather closure policies not related to the main office, contact your supervisor.

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#### Telecommuting Staff

~~There will be times that telecommuting staff are unable to work during power outages and/or inclement weather at their telecommuting location. During these times, it is the responsibility of the staff employee to contact inform their supervisor, Executive Director and/or designee that they are unable to work due to outages and weather. The Executive Director and direct supervisor, in coordination with the Executive Director, will work with telecommuting staff to determine if the situation is considered a closure (no time needs to be made up charged to Agency time) or if vacation time will be used to account for time not worked. The Executive Director may determine that remote staff does not need to work if the main office is closed then remote staff does not need to work as well, due to weather issues (see above).~~

#### **Natural Disasters**

Natural disasters, including earthquakes, hurricanes, mudslides, floods, and fires are to be expected from time to time. Although driving may be difficult in some areas due to damaged roads and streets, when caution is exercised the roads are normally passable or alternate routes are available. Except in severe cases, staff are expected to work ~~the regular core hours~~ their regular schedule. Time taken off due to natural disasters while the business office remains open is unpaid.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

If extreme natural disasters require closing, employees will be notified by their supervisor or Executive Director.

#### **Acceptable Use of Electronic Communications and Social Media**

This policy contains guidelines for Electronic Communications created, sent, received, used, transmitted, or stored using District communication systems or equipment and employee- provided systems or equipment used either in the workplace, during working time or to accomplish work tasks. "Electronic Communications" include, among other things, messages, images, data or any other information used in e-mail, instant messages, voice mail, fax machines, computers, personal digital assistants (including tablet, smart phone or similar devices), text messages, pagers, telephones, cellular and mobile phones including those with cameras, Intranet, Internet, back-up storage, information on a memory or flash key or card, jump or zip drive or any other type of internal or external removable storage drives. In the remainder of this policy, all of these communication devices are collectively referred to as "Systems."

Employees may use District Systems to communicate internally with co-workers or externally with partners, residents, suppliers, vendors, advisors, and other business acquaintances for business purposes.

All Electronic Communications contained in District Systems are District records and/or property. Although an employee may have an individual password to access ~~District~~ Systems, the Systems and Electronic Communications belong to the District. The Systems and Electronic Communications are accessible to the District at all times including periodic unannounced inspections. District Systems and Electronic Communications are subject to use, access, monitoring, review, recording and disclosure without further notice. District Systems and Electronic Communications are not confidential or private. The District's right to use, access, monitor, record and disclose Electronic Communications without further notice applies equally to employee-provided systems or equipment used in the workplace, during working time, or to accomplish work tasks.

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Although incidental and occasional personal use of District Systems that does not interfere or conflict with productivity or District business or violate policy is permitted, personal communications in ~~District~~ Systems are treated the same as all other Electronic Communications and ~~will~~ may be used, accessed, recorded, monitored, and disclosed by the District at any time without further notice. Employees should have no expectation of privacy in material stored on or created by District Systems. Since all Electronic Communications and Systems can be accessed without advance notice, employees should not use ~~District~~ Systems for communication or information that employees would not want revealed to third parties.

Employees may not use District Systems in a manner that violates policies including but not limited to Equal Employment Opportunity, No Harassment, Protecting District Information, Non-Solicitation, and Distribution. Employees may not use District Systems in any way that may be seen as insulting, disruptive, obscene, offensive, harmful to morale or any other message or image that may be in violation of District policies or federal, state or local laws.

An employee may not misrepresent, disguise, or conceal their identity or another's identity in any way while using Electronic Communications; make changes to Electronic Communications without clearly indicating such changes; or use another person's account, mail box, password, etc. without prior written approval of the account owner and without identifying the actual author. Employees may not attempt to gain unauthorized or unlawful access to computers, equipment, networks, or systems of the Agency or any other person or entity.

Employees must always respect intellectual property rights such as copyrights and trademarks. Employees must not copy, use, or transfer trade secrets or proprietary materials of the District or others without appropriate authorization. Employees must maintain the confidentiality of District trade secrets and proprietary or confidential information. Employees must not post internal reports, policies, procedures, or other internal business-related confidential communications.

All Systems passwords and encryption keys must be available and known to the District. **Employees may not install password or encryption programs without the written permission of their supervisor.** Employees may not use the passwords and encryption keys belonging to others.

Numerous state and federal laws apply to Electronic Communications and Social Media. The District will comply with all applicable laws including restrictions concerning employer requests for an employee's username and/or password. Employees also must comply with applicable laws and should recognize that an employee could be personally liable and/or subject to fine and imprisonment for violation of applicable laws.

This policy does not limit an employee's rights under Section 7 of the National Labor Relations Act. Nothing in this policy is meant to restrict an employee's right to discuss the terms and conditions of their employment during non-working hours using non-District systems.

Violations of this policy may result in disciplinary action up to and including discharge as well as possible civil liabilities or criminal prosecution. Where appropriate, the District may advise legal officials or appropriate third parties of policy violations and cooperate with official investigations.

Employees are encouraged to report violations of this policy. The District prohibits retaliation against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including immediate discharge.

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## Social Media

The District has policies that govern use of its own electronic communication systems, equipment, and resources which employees must follow. The District encourages employees to use good judgment when communicating via social media, whenever doing so while an employee of the District.

“Social media” includes all means of communicating or posting information or content of any sort on the Internet, including- personal or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the District, as well as any other form of electronic communication.

The same principles and guidelines found in the District's Personnel Policy Manual apply to employees' activities online. Ultimately, the employee is solely responsible for what they post online. Before creating online content, consider ~~some of~~ the risks and rewards that are involved. Keep in mind that any conduct that adversely affects job performance, the performance of fellow employees or otherwise adversely affects partners, residents, vendors, suppliers, people who work on behalf of the District or its legitimate business interests may result in disciplinary action up to and including immediate discharge. Employees~~You~~ are required to abide by District policies regarding harassment.

The following is a general and non-exhaustive list of guidelines to keep in mind:

1. Employees should be fair and courteous to fellow employees, partners, residents, vendors, suppliers, or people who work on behalf of the District. Also, keep in mind that employees are more likely to resolve work-related complaints by speaking directly with their co-workers or by utilizing the District’s Communications policy than by posting complaints to a social media outlet.
2. Nevertheless, if employees decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages residents, employees, vendors, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of race, age, gender, national origin, color, disability, religion or any other status protected by federal, state or local law or company policy. Inappropriate postings that may include discriminatory remarks, harassment, retaliation, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may be subject to disciplinary action up to and including immediate discharge.
3. Make sure to always be truthful and accurate when posting information or news. If mistakes are made, correct them quickly. Be open about any previous posts that have been altered. Use privacy settings when appropriate. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. The Internet is immediate, nothing that is posted ever truly “expires.” Never post any information or rumors that are known to be false about the District, fellow employees, partners, residents, vendors, suppliers, people working on behalf of the District or competitors.
4. Maintain the confidentiality of District trade secrets and proprietary or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications.

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5. Do not create a link from personal blogs, websites, or other social networking sites to the District's website without identifying yourself as a District employee.
6. Express only personal opinions. Employees should never represent themselves as a spokesperson for the District. If the District is a subject of the content employees are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the District, fellow employees, [partners](#), residents, vendors, suppliers or people working on behalf of the District. If employees publish a blog or post online related to the work they do or subjects associated with the District, it should be clear that they are not speaking on behalf of the District. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of Tahoe Resource Conservation District".
7. Employees must refrain from using personal social media while on working time or while using provided equipment, unless it is work-related as authorized by a direct supervisor, or other member of management; or consistent with the Acceptable Use of Electronic Communications Policy.
8. Do not use any District email addresses to register on social networks, blogs or other online tools utilized for personal use.

Employees are encouraged to report violations of this policy. The District prohibits retaliation against any employee for reporting a possible deviation from this policy or for cooperating in an investigation.

Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including immediate discharge.

Employees should not speak to the media on the District's behalf without contacting their supervisor. All media inquiries should be directed to their supervisor or Executive Director.

Where applicable, the District complies with state laws concerning access to an employees' personal social networking account, including restrictions concerning employer requests for an employees' username and/or password.

If there are questions or further guidance is needed, employees should contact their supervisor or [Human Resources](#).

### **Dress Policy**

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times.

Whether or not the employee's job responsibilities place them in direct contact with the public, employees represent the District with their appearance as well as their actions. The properly attired individual helps to create a favorable image for the District, to the public and fellow employees.

The District maintains a business casual environment. All office employees should use discretion in wearing attire that is appropriate.

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## Recycling and Waste Prevention

The District is committed to the environment and its future. Therefore, recycling containers are located throughout the building for the collection of recyclable materials. Waste of time, materials and utilities is costly to the District. If employees have any waste prevention ideas, they can contact their supervisor in writing.

## Protecting District Information

Protecting District information is the responsibility of every employee. Do not discuss the District's confidential matters, or share confidential, personal employee information with anyone who does not work for the District such as friends, family members, members of the media, or other business entities.

Confidential information does not include information pertaining to the terms and conditions of an employee's own employment. Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

All telephone calls regarding a current or former employee's position/compensation with our District must be forwarded to Human Resources. No information should be disclosed about any current or former District employees.

All media inquiries regarding the District and its operations must be referred to the Executive Director. Only the Executive Director is authorized to make or approve public statements on behalf of the District. No employees, unless specifically designated by the Executive Director, are authorized to make statements on behalf of or as a representative of the District.

## Conflict of Interest/Code of Ethics

The District's reputation for integrity is its most valuable asset and is directly related to the conduct of its employees. Therefore, employees must never use their positions with the District, or any of its residents, for private gain, to advance personal interests or to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities.

The District adheres to the highest legal and ethical standards applicable in business. The District's business is conducted in strict observance of both the letter and spirit of all applicable laws and the integrity of each employee is of utmost importance.

Employees of the District shall conduct their personal affairs such that their duties and responsibilities to the District are not jeopardized and/or legal questions do not arise with respect to their association or work with the District.

## Bulletin Board

The District maintains a bulletin board at the main office, located at: 870 Emerald Bay Road, Suite #108, South Lake Tahoe, CA, as an important source of information. This bulletin board is ~~to be used solely primarily used~~ for District announcements, government, and public postings. Anything posted must be approved by Human Resources.

## Ending Employment

Should the employee decide to leave their employment with Tahoe RCD, the District asks that the employee voluntarily provide their supervisor with at least two weeks' advance notice. Employees' thoughtfulness is appreciated and will be noted favorably should they ever wish to reapply for employment with the District.

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Employees who are rehired following a break in service in excess of six months, other than an approved leave of absence, must serve a new initial introductory period whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their reemployment for all purposes, including the purposes of measuring benefits.

The District is not required to provide a "letter of reference" to former employees. Generally, the District will confirm upon request an employees' dates of employment, salary history, and job title.

Additionally, all resigning employees should complete a brief exit interview prior to leaving. All District property must be returned at the end of employment. Otherwise, the District may take action to recoup any replacement costs and/or seek the return of District property through appropriate legal recourse.

Employees should notify the District if their address changes during the calendar year in which discharge occurs so that tax information will be sent to the proper address.

### **Safety in the Workplace**

Refer to the Injury Illness Prevention Program, see Human Resources for a copy.

### **Safety - Each Employee's Responsibility**

Safety can only be achieved through teamwork. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately.

Employees will observe the following precautions:

1. Notify supervisor staff of any emergency situation. If employees are injured or become sick at work, no matter how slightly, they must inform their supervisor immediately.
2. The use of alcoholic beverages or illegal substances during working hours will not be tolerated and the possession of alcoholic beverages or illegal substances is forbidden.
3. Use, adjust, and repair machines and equipment only if trained and qualified to do so.
4. Know the proper lifting procedures. Get help when lifting or pushing heavy objects.
5. Understand job requirements fully and follow instructions. If employees are not sure of the safe procedure, do not guess; they should ask their supervisor.
6. Know the locations, contents, and proper use of first aid and firefighting equipment.
7. Wear personal protective equipment in accordance with the job they are performing.

A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action, up to and including discharge.

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### **Workplace Violence**

Violence by an employee or anyone else against any District employee will not be tolerated. The purpose of this policy is to minimize the potential risk of personal injuries to employees at work and to reduce the possibility of damage to District property in the event someone, for whatever reason, may be unhappy with a District decision or action by an employee or member of management.

If an employee receives or overhears any threatening communications from another employee or outside third party, they should report it to their supervisor at once. Employees should not engage in either physical or verbal confrontation with a potentially violent individual. If employees encounter an individual who is threatening immediate harm to an employee or visitor on District premises, they should contact an emergency agency (such as 911) immediately.

All reports of work-related threats will be kept confidential to the extent possible, investigated and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence and will not be subjected to disciplinary consequences for such reports or cooperation.

Violations of this policy, including failure to report or fully cooperate in the District's investigation, may result in disciplinary action, up to and including discharge.

### **Workplace Searches**

To protect property and to ensure the safety of all employees, residents and the District, the District reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, brief cases, lunch boxes or any other possessions or articles carried to and from the District's property. In addition, the District reserves the right to search any employee's office, desk, files, locker, equipment or any other area or article on our premises. In this regard, it should be noted that all offices, desks, files, lockers, equipment, etc. are the property of the District, and are issued for the use of employees only during their employment. Inspection may be conducted at any time at the discretion of the District. Employees should not have an expectation of privacy with respect to any items stored in the workplace.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal substances, will be subject to disciplinary action, up to and including discharge, if upon investigation they are found to be in violation of the District's security procedures or any other District rules and regulations.

### **Tobacco Use in the Workplace**

The District is committed to providing a safe and healthy environment for employees and visitors. Smoking and the use of tobacco products, including the use of e-cigarettes or other combustible materials or device(s) is not permitted on or in District-owned, rented, or leased property, except in designated areas.

Violations of this policy may result in disciplinary action, up to and including discharge.

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### **No Weapons in the Workplace**

Possession, use or sale of weapons, firearms or explosives on work premises, while operating District machinery, equipment or vehicles for work-related purposes or while engaged in District business off premises is forbidden except where expressly authorized by the District and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm.

Employees who are aware of violations or threats of violations of this policy are required to report such violations or threats of violations to the safety manager immediately.

Violations of this policy will result in disciplinary action, up to and including discharge.

### **Drug and Alcohol-Free Workplace and Drug Testing**

The District has vital interests in ensuring a safe, healthy, and efficient working environment for employees and the guests/customers served. Unlawful or improper presence or use of controlled substances or alcohol in the [workplace-District office](#) presents a danger to everyone. For these reasons, the District has established as a condition of employment and continued employment, the following substance abuse policy.

Substance abuse undermines the ability of the District to operate its affairs in a safe and efficient manner. An employee's use of alcohol or drugs can adversely affect the quality of that employee's job performance, increasing the workloads for others and disrupting the goals of the District. Substance abuse often results in increased absenteeism and tardiness, disruptive behavior, and inferior and delayed work product. Furthermore, substance abuse poses serious health and safety risks to the employee, co-workers, [partners](#) and [the public/clients](#). While the District recognizes its employees' rights to engage in lawful, off-duty conduct, the District will not accept the risk that substance abuse by employees may cause or contribute to accidents or other job performance problems. Accordingly, the District has adopted this drug and alcohol-free workplace policy.

For purposes of this policy, "illegal substance" means any drug which (a) is defined as illegal under state or federal law, or (b) is legally obtainable but has not been legally obtained, or (c) has been legally obtained but is being sold or distributed unlawfully. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for the prescribed purposes. The term "illegal substance" also includes marijuana, as it is considered an illegal substance under federal law. Even though California law may have legalized the usage/possession of marijuana, it is still prohibited by federal law and by this District workplace policy. "Legal drug" means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.

The District strictly prohibits the use, possession, transfer, sale, manufacture, or distribution of alcohol or illegal substances while on District property, [whether owned, leased, rented, or contracted by the District.](#) Additionally, employees must not report for work, conduct any District business, or be on District premises while under the influence of or impaired by alcohol or an illegal substance.

The District also prohibits the abuse of any legal drug and working while impaired by a legal drug whenever such impairment might: (a) endanger the safety of the employee or some other person; (b) pose a risk of significant damage to District property or equipment; or (c) substantially interfere with the employee's job performance or the efficient operation of District business or equipment. Nothing in this policy is intended to diminish our commitment to employ and reasonably accommodate qualified disabled individuals, where required by applicable law.

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“Reasonable suspicion” means: observable phenomena, such as direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of a drug or alcohol, such as slurred speech, impaired vision, odor, and an unsteady gait; a pattern of abnormal conduct or erratic behavior; arrest or conviction for a drug-related offense, or the identification of a member as the focus of a criminal investigation into illegal drug possession, use, trafficking and/or distribution; information about the use of illegal drugs, the abuse of legal drugs or on-duty use of alcohol provided by a reliable and credible source; or, newly discovered evidence that the member tampered with a previous drug or alcohol test.

Drug testing will be required in the following instances: (1) pre-employment for all those provided with a conditional offer of employment; and (2) based on “reasonable suspicion.” If the Executive Director, ~~direct supervisor~~, or other Management ~~staff~~ has reasonable suspicion that an employee on duty may be under the influence of or impaired by alcohol or an illegal drug, then the employee may be directed to submit to a drug and alcohol test. The employee shall proceed immediately to submit to the testing.

The drug screening shall be conducted by a drug testing clinic certified by the National Institute on Drug Abuse (NIDA) as selected by the District. The drug screening examination shall be conducted by urinalysis by a qualified and competent NIDA-certified laboratory. Any positive finding of an illegal drug shall be confirmed by gas chromatography/mass spectrometry or another accurate confirmation test before any report of a positive drug screening result to the District. The collection of urine specimens shall be done in a professional manner and in such a way as to assure a proper and documented chain of custody, including proper identification, labeling, and handling of test specimens. Medical personnel shall not observe the act of urination itself. In connection with the drug screening examination, the employee shall be asked to list those legal drugs that he or she has consumed in the recent past.

If the drug screening examination results are positive for the presence of an illegal drug or alcohol, then the drug testing clinic shall report this finding to the District. If the drug or alcohol test results are positive, then the member shall be in violation of this policy and subject to discipline as provided below.

Any violation of this policy may result in discipline, up to and including dismissal, depending on the circumstances. In lieu of discipline, the Executive Director also may ~~in the Executive Director’s discretion~~, allow an employee who violates this policy to voluntarily participate in and satisfactorily complete a drug or alcohol abuse assistance, rehabilitation or counseling program at the employee’s own expense. If an employee refuses to cooperate with and complete the alternative program, then the Executive Director shall impose appropriate discipline. The first violation of this policy likely will result in immediate discharge whenever the prohibited conduct: (i) caused serious injury to the member or any other person, or, in the opinion of the Executive Director, unreasonably endangered the safety of the member or any other person; (ii) resulted in significant damage to District property or equipment, or, in the opinion of the Executive Director, posed a risk of significant damage; or (iii) involved the sale or manufacture of illegal drugs.

An employee who is convicted under a federal or state criminal drug statute relating to any conduct prohibited by this policy will be deemed to have violated this policy. Employees shall notify the Executive Director of any conviction under a criminal drug statute. Upon receiving notice of a conviction of a member for any such violation, the District shall either (i) take appropriate disciplinary action in accordance with this policy, and/or (ii) provide for the employee to participate in and satisfactorily complete a drug abuse assistance, rehabilitation, or counseling program.

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Any employee who violates this policy is subject to discipline, up to and including immediate discharge, even for a first violation. The District may also bring the matter to the attention of appropriate law enforcement authorities.

Notwithstanding this policy, the District will make reasonable accommodations for employees with disabilities who need to take prescription medication. Employees in need of such accommodation should follow the process outlined in the Disability Accommodation policy.

~~This policy represents management guidelines. For more information, employees should speak to their supervisor or Human Resources.~~

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**Receipt of Personnel Policy and Employment-At-Will Statement**

This is to acknowledge that I have received a copy of the Tahoe Resource Conservation District Personnel Policy and I understand that it contains information about the employment policies and practices of the District. I agree to read and comply with this Personnel Policy. I understand that the policies outlined in this Personnel Policy ~~are management guidelines only, which in a developing business will~~ may require changes from time to time. I understand that the District retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the District. I understand that this Personnel Policy supersedes and replaces any and all prior Personnel Policies and any inconsistent written policy statements.

I understand that except for the policy of at-will employment, the District reserves the right to revise, delete and add to the provisions of this Personnel Policy at any time without further notice. All such revisions, deletions or additions to the Personnel Policy will be in writing, signed by the District’s Executive Director, and shared with all staff. I understand that no oral statements or representations can change the provisions of this Personnel Policy.

I understand that this Personnel Policy is not intended to create contractual obligations with respect to any matters it covers and that the Personnel Policy does not create a contract guaranteeing that I will be employed for any specific time period.

**TAHOE RCD IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS PERSONNEL POLICY, THE DISTRICT OR I MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS PERSONNEL POLICY OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE DISTRICT IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH MYSELF OR ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME. ANY AGREEMENT TO EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME WILL BE PUT INTO WRITING AND SIGNED BY THE EXECUTIVE DIRECTOR OF THE DISTRICT.**

I understand that this Personnel Policy refers to current benefit plans maintained by the District and that I must refer to the actual plan documents and summary plan descriptions as these documents are controlling.

I also understand that if a written contract is inconsistent with the Personnel Policy, the written contract or offer letter is controlling.

If I have questions regarding the content or interpretation of this Personnel Policy, I will ask my supervisor or a member of management.

PRINT NAME \_\_\_\_\_

DATE \_\_\_\_\_

EMPLOYEE  
SIGNATURE \_\_\_\_\_



TAHOE RESOURCE CONSERVATION DISTRICT

PERSONNEL POLICY

## **Welcome to Tahoe RCD!**

This Personnel Policy has been developed to help staff become acquainted with the District and answer many of their initial questions.

As an employee of Tahoe RCD, you are very important, and your contribution cannot be overstated. Our goal is to provide the finest-quality services to residents, visitors, and partners and to do so as efficiently and economically as possible.

All staff are an important part of this process because their work directly influences the District's reputation.

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## Section 1: How the District Works

### **A Word About This Policy**

This Personnel Policy contains information about employment policies and practices of the District. We expect each employee to read this Personnel Policy carefully, as it is a valuable reference for understanding your position and the District. Employees are expected to abide by the terms of the personnel policies. The District retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the District. The Personnel Policies presented here supersede and replace any and all prior Personnel Policies and any inconsistent written policy statements.

The District complies with any applicable federal, state, and local laws, even without an express written policy contained in the manual.

Except for the policy of at-will employment, the District reserves the right to revise, delete and add to the provisions of this Personnel Policy at any time without further notice. All such revisions, deletions or additions to the Personnel Policy will be in writing, **approved by the Board of Directors**, and shared with all staff. No oral statements or representations can change the provisions of this Personnel Policy.

If there is an immediate need for temporary alterations or exemptions to the policy due to an emergency situation (i.e. pandemic, fire, natural disaster), the Board of Directors provides the Executive Director authority to implement through a written Executive Director Memo to all staff copying the Board President, those changes on a temporary basis, until such time that the Board can meet to approve, modify or reject the policy changes.

The provisions of this Personnel Policy are not intended to create contractual obligations with respect to any matters it covers. Nor is this Personnel Policy intended to create a contract guaranteeing employment for any specific time period. All employment agreements will be detailed in an offer letter signed by management staff. Throughout this document, “management staff” refers to the Director or Manager employee classification including Director of Programs, Director of Finance, Human Resource Manager, Program Managers and Executive Director.

Nothing in this Personnel Policy is intended to unlawfully restrict an employee's right to engage in any of the rights guaranteed them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in this Personnel Policy will be interpreted, applied, or enforced to interfere with, restrain or coerce employees in the exercise of Section 7 rights.

**TAHOE RCD IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS PERSONNEL POLICY, EITHER EMPLOYEE OR THE DISTRICT MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS PERSONNEL POLICY OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE DISTRICT IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME UNLESS SUCH AN AGREEMENT IS IN A WRITTEN CONTRACT OR OFFER LETTER SIGNED BY THE EXECUTIVE DIRECTOR OF THE DISTRICT.**

This Personnel Policy refers to current benefit plans maintained by the District. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling. Likewise, if a written contract or offer letter is inconsistent with the Personnel Policy, the written contract or offer letter is controlling. This policy is saved on the Paychex portal under the “My Documents” Tab, along with other District policies, memos, and emergency orders.

### **Equal Employment Opportunity**

The District is committed to equal employment opportunity. The District will not discriminate against employees or applicants for employment on any legally-recognized basis including, but not limited to: race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics; genetic information; marital status; sex; pregnancy, childbirth or related medical conditions; gender; gender identity or expression; sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; and age [40 or over]. Included in the definition of each protected category is the perception of membership in a protected category and an individual’s association with an actual or perceived member of a protected category.

Employees may discuss equal employment opportunity related questions with Human Resources.

### **Americans with Disabilities Act**

The District is committed to providing equal employment opportunities to qualified individuals with disabilities, unless doing so would create an undue hardship. This may include providing reasonable accommodation where appropriate in order for an otherwise qualified individual to perform the essential functions of the job. It is the employees’ responsibility to notify their supervisor of the need for accommodation. Upon doing so, the supervisor may ask the employee for input or the type of accommodation the employee believes may be necessary or the functional limitations caused by the disability. Also, when appropriate, management may need employee permission to obtain additional information from their physician or other medical or rehabilitation professionals. The District will not seek genetic information in connection with requests for accommodation. All medical information received by the District in connection with a request for accommodation will be treated as confidential. The District will consider any and all requests for accommodation and retains the discretion to determine what, if any, accommodation to provide.

### **Immigration Reform and Control Act**

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, the District is committed to employing only individuals who are authorized to work in the United States.

Each new employee, as a condition of employment, must timely complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

If an employee is authorized to work in this country for a limited time period, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the District.

## **Employee Relations Philosophy**

The District is committed to providing the best possible climate for maximum development and goal achievement for all employees. District practice is to treat each employee as an individual. The District seeks to develop a spirit of teamwork; individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, the District provides a comfortable and progressive workplace. Most importantly, the District is a workplace where communication is open, and problems can be discussed and resolved in a mutually respectful atmosphere. The District takes into account individual circumstances and the individual employee.

The District firmly believes that with direct communication, any difficulties that may arise can be resolved and a mutually beneficial relationship can be developed.

## **Communication/Open Door Policy**

The District encourages employees to bring questions, suggestions, and complaints to their direct supervisor. If the employee needs further clarification or if the supervisor and employee are unable to solve the issue at this level, they should bring the issue to the next level of District management's attention. The District will work with the employee to provide clarification and resolution in a continuing effort to improve operations.

If the employee still has questions after meeting with management or if further clarification is needed on the matter, the employee and/or supervisor should request a meeting with Human Resources. Human Resources will review the issues and discuss possible solutions based on District policy.

Finally, if the employee still believes that the problem has not been fairly or fully addressed, the employee and/or their supervisor should request a meeting with the Executive Director. If the problem or concern is regarding the Executive Director, the employee should request a meeting with the Board of Directors Chair.

Employee suggestions and comments on any subject are important, and employees are encouraged to take every opportunity to discuss them with their supervisor. The employee's job will not be adversely affected in any way because they choose to use this procedure.

If at any time the employee does not feel comfortable speaking with their supervisor or the next level of management, they should discuss their concern with any other member of management with whom they feel comfortable.

## **No Harassment**

The District prohibits harassment of one employee by another employee, supervisor or third party for any reason based upon an individual's race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics; genetic information; marital status; sex; pregnancy, childbirth or related medical conditions; gender; gender identity or expression; sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; and age [40 or over]. Included in the definition of each protected category is the perception of membership in a protected category and an individual's association with an actual or perceived member of a protected category.

All District staff are required to complete California AB1825 / SB1343 compliant sexual harassment training upon hire and periodically thereafter as required by CA state law.

**Violation of this policy will result in disciplinary action, up to and including immediate discharge.**

The following list constitutes harassing behavior and what conduct is prohibited by this policy; employees should report harassment and/or bring questions or concerns to whom they feel most comfortable from the following: their immediate supervisor management staff, or District human resources staff. . All reported harassment will be disclosed to District human resources staff and appropriate action will be taken in coordination with this policy.

- Offensive remarks, comments, jokes, slurs, threats, or verbal conduct.
- Offensive pictures, drawings, photographs, figurines, writings, or other graphic images, conduct, or communications, including text messages, instant messages, websites, voicemails, social media postings, e-mails, faxes, and copies.
- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved; and
- Offensive physical conduct, including touching and gestures, regardless of the gender of the individuals involved.

The District prohibits retaliation, which includes: threatening an individual or taking any adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.

Supervisors and managers are covered by this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct. No supervisor or other member of management has the authority to suggest to any applicant or employee that employment or advancement will be affected by the individual entering into (or refusing to enter into) a personal relationship with the supervisor or manager, or for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy.

**If an employee has any concern that the No Harassment policy may have been violated by anyone, the employee must immediately report the matter. Due to the very serious nature of harassment, discrimination and retaliation, the employee must report concerns to one of the individuals listed in preferential order below:**

1. Immediate supervisor
2. If employee prefers not to speak with their supervisor or the supervisor is not available, they may go to next level of management or District Human Resources staff, or the Executive Director
4. If employee **has a complaint regarding the Executive Director** please report to the Board of Directors Chair whose contact information is available in Paychex portal under the “My Documents” Tab,

If an employee makes a report and the person they reported to either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to the next level of management staff. This could include a Manager, Director, Human Resources, and/or Executive Director. If the issue is with the Executive Director, this must be reported to the Board of Directors Chair.

**Employees should report any actions that they believe may violate District policy no matter how slight the actions may seem.**

The District will investigate the report and then take prompt, appropriate remedial action. The District will protect the confidentiality of employees reporting suspected violations to the extent possible consistent with the investigation.

**Employees will not be penalized or retaliated against for reporting improper conduct, harassment, discrimination, retaliation, or other actions that they believe may violate this policy.**

The District is serious about enforcing the policy against harassment. Persons who violate this or any other District policy are subject to discipline, up to and including discharge. The District cannot resolve a potential policy violation unless it has been reported. The employee is responsible for reporting possible policy violations to the District so appropriate actions can be taken to address employee concerns.

Dealing with the public can be challenging and sometimes contentious. While employees are expected to interface with the public as their duties dictate, sometimes in difficult or even volatile situations, employees are not expected to endure actual harassment by members of the public. If an employee feels that they are being subjected to harassment by a member of the public, partner, contractor, or Board member, the employee should report such harassment to any person listed above for investigation and appropriate action. Employees will not be penalized for refusing to tolerate harassment.

### **Employee Classification**

The employee's classification determines how they will be paid, whether they receive overtime pay, and the kind/level of benefits they receive. The District determines employee classifications based on job descriptions and the nature of the work performed, consistent with the Fair Labor Standards Act and complies with federal and state non-exempt status. All employees are classified as exempt or nonexempt, based on positions and the work actually performed.

**Exempt Employees** hold executive, administrative, professional positions that meet the requirements for exempt status under applicable law. These employees are paid a salary. This salary is an exempt employee's compensation, regardless of the number of hours worked. They do not earn overtime and are expected to work as many hours as necessary to fully meet their responsibilities.

**Non-exempt Employees** perform work that does not qualify as exempt work according to the Fair Labor Standards Act and California law. These employees generally earn an hourly wage, and are entitled to overtime pay as delineated in the Overtime section of this policy

**INTRODUCTORY PERIOD:** Full-time and part-time regular employees work in an introductory period during their first 90 days of employment. During this time, the employee will be able to determine if the new job is suitable for them and the supervisor will have an opportunity to evaluate the employee's work performance. The completion of the introductory period does not guarantee employment for any period of time since all positions are at-will both during and after the introductory period.

**REGULAR FULL-TIME EMPLOYEES** are those who are assigned to work a regular schedule of 30-40 hours per workweek as defined in employees offer letter for at least 10 months annually and whose work assignments do not have a specific end date. These employees may be exempt or non-exempt. Full-time employees are eligible for benefits offered by the District.

REGULAR PART-TIME EMPLOYEES are those who are assigned to a regular work schedule that is less than 30 hours per workweek and whose work assignments do not have a specific ending date. These employees may be exempt or non-exempt. These employees are not eligible for District benefits unless otherwise required by law.

SEASONAL EMPLOYEES (FULL-TIME or PART-TIME) are temporary employees who work seasonally and may be rehired without going through the interview process. These employees are not eligible for District benefits unless otherwise required by law.

### **Certification, Licensing and Other Requirements**

Employees will be informed by their supervisor if there are any licensing, certification or testing requirements for their position. Failure to qualify or to maintain a certification or license may be sufficient cause for discharge.

### **New Employee Orientation**

After reading this Personnel Policy the employee will sign the receipt page and submit to Human Resources. Employees must complete personnel, payroll and, if eligible, benefit forms, and submit to Human Resources.

If the issued Personnel Policy is lost or damaged in any way, a copy can be found on the Paychex portal (under documents). The Personnel Policy is also available from Human Resources.



## **Section 2: Employee Pay and Progress**

### **Recording Time**

All employees must record their hours on timesheets and in the Paychex platform by the end of a pay period for approval by their supervisor, unless otherwise directed. A pay period schedule is posted in the office and will be provided by Human Resources at the start of each calendar year and posted in Paychex under “My Documents”. The workweek starts at 12:00am Saturday and ends at 11:59pm Friday.

Accurately recording time worked is required to ensure that employees are paid for all hours worked. Employees are expected to follow the established procedures in keeping an accurate record of hours worked. Time must be recorded as follows each day:

- At start of shift period.
- Length of lunch period
- At end of shift period.
- Time away from work (ex. sick leave, vacation, holidays, personal obligations).

All non-exempt employees are subject to this policy and are required to accurately record all time worked. Exempt employees may be required to accurately record their time worked in accordance with federal and state wage and hour law.

### **Payday**

Employees will be paid biweekly on Friday for the pay period that ends on the previous Friday.

When the payday is a holiday, employees are typically paid on the last working day before the holiday.

Please review your paycheck for errors. If there is a mistake, report it to the Bookkeeper immediately. The Bookkeeper can assist employees in taking the steps necessary to correct errors.

### **Paycheck Deductions**

The District is required by law to make certain deductions from employee’s paychecks each pay period. Depending on the benefits the employee has chosen, there may be additional deductions. All deductions and the amount of the deductions are listed on the pay stub. These deductions are totaled each year on the employees’ Form W-2, Wage and Tax Statement.

It is the policy of the District that exempt employees' pay will not be “docked,” or subject to deductions, in violation of salary pay rules issued by the United States Department of Labor and any corresponding rules issued by the state government, as applicable. However, the District may make deductions from employees' salaries in a way that is permitted under applicable wage and hour rules. Thus, exempt employees may be subject to the following salary deductions, except where prohibited by state law, but only for the following reasons:

- Absences of one or more full days for personal reasons, other than sickness or disability; or
- Absences of one or more full days due to sickness or disability; or
- Absences of one or more full days before eligibility for sick leave or after sick leave has been exhausted; or
- Suspensions of one or more full days for violations of safety rules of major significance; or
- Suspensions of one or more full days for violations of written workplace conduct rules, such as rules against sexual harassment and workplace violence; or

- Payment of actual time worked in the first and last weeks of employment, resulting in a proportional rate of an employee's full salary; or
- Any unpaid leave taken under the Family and Medical Leave Act.

The District will not make deductions which are prohibited by the Fair Labor Standards Act or state laws from its exempt employees' pay. Employees will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law.

If questions or concerns about any pay deductions arise, employees may discuss and resolve them with their supervisor. If an error is found, employees will receive an immediate adjustment which will be paid no later than on the next regular payday.

### **Garnishment/Child Support**

When an employee's wages are garnished by a court order, The District is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. The District will, however, comply with applicable federal and state garnishment laws that protect a certain amount of an employee's income from being subject to garnishment.

### **Direct Deposit**

Employees have the option of having their pay deposited into a personal bank account through our direct deposit program or by obtaining a paycard. A paycard gives the employee the option to be paid via direct deposit, without requiring a traditional bank account, instead using the Skylight ONE Prepaid Mastercard, pending card activation and identity verification.

### **Pay Advances**

Pay advances will not be granted to employees.

### **Performance Reviews**

Employee performance is important to the District. Once each year, on or about employees' anniversary date, supervisors will review job performance within the District and help set new job objectives for the following year. New, seasonal employees will generally be reviewed at the end of their introductory period or mid-season and the end of the season.

The District performance review program provides the basis for better understanding between employee and supervisor, with respect to individual job performance, potential, and professional development within the District.

### **Employee Pay and Progress**

Employee salaries will be within classification range. Increases within classification range are assessed annually based on the employee's performance review(s) including job performance, skill level, adaptability, and initiative. Recommendations for increases are made by supervisors and approved by the Executive Director. Within classification, increases are allowed up to 5% for full-time employees and 3% for seasonal or part-time employees. Increases are dependent on available funding and applied at the District's Discretion. Employees are not guaranteed an increase.

In addition to increases based on performance reviews, the District may implement other pay increases due to cost of living increase or other District need.

## **Job Descriptions**

The District maintains a job description for each position in the District. The job description outlines the essential duties and responsibilities of the position, the supervisory structure, the standard weekly work schedule, and dictates eligibility for other District Benefits. Employees' Supervisor will provide this job description to the employee upon appointment to their position. If an employee has questions about their job description or wishes to obtain a copy of their position's job description, they may contact their supervisor.

## **Overtime and Compensatory Time**

There may be times when employees will need to work overtime to meet the needs of the program. Employees will be given advance notice by their supervisor when required to work overtime, when feasible. All overtime for non-exempt employees must be approved in writing in advance by their supervisor.

Overtime is paid in accordance with the FLSA and District policy. Overtime is paid when employee works more than 10 hours in a workday or more than eight hours on their seventh consecutive day in a workweek, or for hours worked over 40 in a workweek. A District workweek begins on Saturday and ends on Friday.

In lieu of using accrued time off, the District may allow employees to make up time for work missed because of personal obligations. Employees who wish to do so must provide their supervisor with a written (email or hardcopy) request for each occasion that they desire to make up time. However, employees are not allowed to work overtime in order to "bank" hours. Any make-up hours outside normally scheduled hours must comply with this policy, and must occur in the same week that time off was taken

Employees should receive permission from their supervisor to work any time that is not part of their regular schedule dictated in their offer letter. Only actual hours worked count toward computing weekly overtime (sick, vacation, floating holiday and regular holiday pay do not count towards overtime). Timesheets with 40 hours or more of regular work may not include additional hours of paid time off other than holiday pay.

In lieu of paid overtime, full time, year-round employees may opt to receive compensatory time. This time is accrued at time and half and must be used by the following pay period. All compensatory time accruals must be pre-approved by the supervisor. Use of compensatory time may not interfere with regular work duties. All compensatory time accruals must be logged in Paychex and recorded on the timesheet.

Questions concerning overtime pay should be addressed to the employees' supervisor.

## **Section 3: Time Away From Work and Other Benefits**

### **Employee Benefits**

This Personnel Policy describes the current benefit plans maintained by the District. Refer to the actual plan documents and summary plan descriptions for health, dental and vision insurance(s). Those documents are controlling. Or ask Human Resources for more information.

The District reserves the right to modify and/or terminate benefits at any time. The District will keep employees informed of any changes.

## **Holidays**

Holidays are paid at eight (8) hours per holiday. Holidays that fall on a Saturday are observed on the Friday before and holidays that fall on Sunday are observed on the Monday after. The District observes the following eleven (11) holidays:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Eligible employees who are required to work on observed holidays will receive eight (8) hours of holiday pay at their regular rate of pay in addition to any hours worked being compensated at a rate of one and one-half their regular hourly rate. For eligibility refer to employee offer letter.

Employees on unpaid leave when a holiday is observed will not be paid for that holiday.

## **Floating Holidays**

Eligible Full-time staff will automatically receive two (2) floating holidays, equaling sixteen (16) hours, on the first day of Pay Period one. Eligible employees who begin work at the District on or before June 30th will receive two floating holidays, employees starting work after July 1st will receive one floating holiday, per calendar year.

Floating holidays can be used at any time, but must be used by the end of Pay Period 26 of each year. Tahoe RCD is aware that due to payroll dates changing each year that this will create instances where staff will not have until December 31<sup>st</sup> to use the floating holidays. Any unused floating holiday hours remaining at the end of the final pay period will be paid out.

## **Vacation**

Please refer to employee offer letter for vacation eligibility.

Immediately upon hire the employee will earn 3.08 hours of paid vacation for the first 80 hours per pay period. (hours are pro-rated for employees working less than 80 hours). These employees can earn up to a maximum cap of 140 hours of vacation.

On the employee's fifth (5<sup>th</sup>) anniversary of eligible employment, the accrual rate will increase to 4.62 hours of paid vacation for the first 80 hours per pay period. (hours are pro-rated for employees working less than 80 hours) These employees can earn up to a maximum cap of 210 hours of vacation.

On the employee's tenth (10<sup>th</sup>) anniversary of eligible employment, the accrual rate will increase to 6.16 hours of paid vacation for the first 80 hours per pay period. (hours are pro-rated for employees working less than 80 hours). These employees can earn up to a maximum cap of 280 hours of vacation.

Vacation time is given to employees so that they are better able to perform their jobs when they return. For this reason, the District requires employees to take their vacation and the District does not allow employees to take pay in lieu of time off. Once employees accrue vacation meeting the maximum cap for their accrual rate, employees will cease earning additional vacation until they take vacation and the accrued total falls below the cap.

Employees must submit vacation requests to their supervisor through the Paychex portal. Vacation requests for a week or longer should be submitted at least two weeks in advance. Vacation requests should take into account operating requirements, employee performance and District needs. If multiple employees in the same department request the same vacation period the person who submitted the request first have priority in the event simultaneous requests cannot be granted.

Due to the regular work requirements listed in the job description/offer letter, voluntary time off without pay is not allowed when vacation time is available. Time off without pay when vacation accrual is not available, is at the discretion of employees' supervisor

Employees who are out on an unpaid leave of absence do not accrue vacation time while they are on their leave.

At the end of employment, eligible employees will be paid out for accrued, unused vacation pay.

### **Sick Leave**

All regular full-time employees are eligible for sick leave each year, up to a maximum of two hundred and forty hours (240). Immediately upon hire the employee will earn 3.08 hours of paid sick time for the first 80 hours per pay period. (hours are pro-rated for employees working less than 80 hours).

All employees may use available sick leave for absences due to a doctor appointment, to attend to an illness of the employee's child, the child of the employee's registered domestic partner, the employee's parent, sibling, grandparent, registered domestic partner or spouse, other immediate family member, or pet, on the same terms the employee is able to use sick day benefits for the employee's own illness or injury. Whenever the leave is foreseeable, employees must provide notice to their supervisor. Once an employee uses a total of three (3) days of sick leave during any calendar year, after such, sick day usage of three or more days of consecutive sick leave days used supervisors may request a doctor's note.

Seasonal employees earn sick leave as required by the "Healthy Workplaces, Healthy Families Act of 2014." These categories of employees start earning sick leave upon hire. Sick leave can be used for the reasons specified above. Employees accrue 3.08 hours of paid sick leave for the first 80 hours per pay period, up to a maximum accrual equal to six (6) regular work days. Employees may only use a maximum total of hours equal to three (3) regular work days per year.. Accrued, unused sick leave carries over into the following year. At the end of employment, employees are not paid out for accrued, unused sick pay. If rehired by the District within one year of the last date worked, the employee's accrued and unused sick leave will be reinstated.

## **Jury Duty**

Employees summoned for jury duty are granted paid leave in order to serve on a jury. Employees should make arrangements with their supervisor soon after summons are received.

Regular (full or part time) employees summoned for jury duty are paid their normal rate of pay for up to one week, forty (40) hours or their regular scheduled weekly hours. Thereafter, the leave is unpaid. All other employees are granted unpaid leave in order to serve.

The District reserves the right to request proof of jury service issued by the Court upon return.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

The District expects employees to return to work if jury duty does not consume the employee's entire regular working hours.

## **Voting Leave**

The District believes that every employee should have the opportunity to vote in any state or federal election, general primary, or special primary. Any employee who does not have sufficient time outside of working hours to vote in a statewide election may request up to two paid hours off in order to vote. The District reserves the right to select the hours employees are excused to vote.

Employees need to notify their supervisor of the need for voting leave as soon as possible. Employees may be required to present a voter's receipt to their supervisor .

## **Military Leave**

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

The time off will be unpaid, except where state law dictates otherwise. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Accrued vacation may be used for this leave if the employee chooses. Military orders should be presented to employee's supervisor and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the District unless military necessity makes this impossible. Employees must notify their supervisor of their intent to return to employment based on requirements of the law. Employee benefits may continue to accrue during the period of leave in accordance with state and federal law.

Additional information regarding military leave may be obtained from Human Resources.

### **Family Military Leave**

An employee who works an average of twenty (20) or more hours per week whose spouse or registered domestic partner is a member of the Armed Forces, National Guard or Reserves that has been deployed during a period of military conflict is eligible to receive up to ten (10) unpaid days off when their spouse is on leave from military deployment.

Employees must provide their supervisor with notice of their intention to take leave within two business days of receiving official notice that their spouse or registered domestic partner will be on leave from deployment. Employees taking family military leave must also provide the District with written documentation certifying their spouse will be on leave from deployment.

### **Civil Air Patrol Leave**

An employee who is a voluntary member of the California Wing of the Civil Air Patrol will be permitted no less than ten (10) days of unpaid leave per calendar year in order to respond to an emergency operational mission as defined by state law.

In order to qualify for leave under this policy, an employee volunteer member must be employed by the District for at least ninety (90) days immediately preceding the commencement of leave. The employee must give their supervisor as much notice as is possible of the intended leave dates. Leave for a single emergency operational mission shall not exceed three (3) days, unless an extension of time is granted by the governmental entity that authorized the emergency operational mission, and the extension of the leave is approved by the District.

The District may require certification from the proper Civil Air Patrol authority to verify the employee's eligibility for leave. The District reserves the right to deny the leave request if the employee fails to provide the required certification.

Upon expiration of the leave, the District will restore the employee to their position or to a position with equivalent seniority, benefits, pay and other terms and conditions of employment, unless the employee is not restored because of conditions unrelated to use of leave under this policy.

This policy does not apply to employees who serve as first responders or disaster service workers for a local, state, or federal agency to the same or a simultaneous emergency operational mission.

Employees may substitute accrued vacation for unpaid leave but are not required to exhaust accrued leave prior to taking leave under this policy.

### **Volunteer Firefighter Leave**

Employees who serve as volunteer firefighters, reserve peace officers, or emergency rescue personnel may be eligible for unpaid leave up to fourteen (14) days per calendar year for the purpose of engaging in fire, law enforcement, or emergency rescue training.

Employees who take leave should provide their supervisor with a written statement from the chief of the employee's fire, law or emergency service department verifying the time, date, and duration of the training.

### **Witness Leave**

Employees are given the necessary time off with pay to attend or participate in a court proceeding in accordance with state law. Employee should notify their supervisor of the need to take witness leave as far in advance as is possible.

### **Domestic Violence Leave**

The District will not discriminate against employees who are victims of domestic violence, sexual assault or stalking for taking time off from work to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of a victim or their child.

The District will also not discriminate against an employee who is a victim of domestic violence, sexual assault or stalking for taking time off from work to seek medical attention for injuries caused by such domestic violence, sexual assault or stalking, to obtain services from a related support program, to obtain psychological counseling, or to participate in actions to increase safety from future domestic violence, sexual assault or stalking, including temporary or permanent relocation.

Affected employees must give the District reasonable notice that they are required to be absent for a purpose stated above, except for unscheduled or emergency court appearances or other emergency circumstances. In such a case, the District will take no action against affected employees if, within a reasonable time after the appearance, they provide their supervisor with documentary evidence that their absence was required for any of the above reasons.

This leave will be unpaid. However, affected employees may use vacation, sick or other accrued time off (if available).

### **Victims of Felony Crimes Leave**

The District will grant reasonable and necessary leave from work without pay, to employees who are victims, or whose spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather, registered domestic partner, or child of a registered domestic partner is a victim of a violent or serious felony or felonious theft or embezzlement, for the purposes of attending legal proceedings related to the crime.

Affected employees may elect to use accrued paid vacation, or sick leave in lieu of unpaid leave.

When feasible, affected employees must provide their supervisor with advance notice of the employee's need for leave, including a copy of the notice of the scheduled proceeding. If advance notice is not feasible, affected employees must provide documentation evidencing the legal proceeding requiring the employee's absence within a reasonable time after leave is taken.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.



### **Bone Marrow and Organ Donation Leave**

Employees are eligible to receive up to thirty (30) business days of paid leave to serve as an organ donor and up to five (5) business days of paid leave to serve as a bone marrow donor in a one-year period. The one-year period is measured from the date the employee's leave begins and shall consist of twelve (12) consecutive months. Employees must be employed by the District for at least ninety (90) days immediately preceding the commencement of leave and request leave in writing.

When available, the employee must utilize up to five (5) business days of accrued but unused sick or vacation leave for initial bone marrow donation leave and up to two (2) weeks of accrued but unused sick or vacation leave for initial organ donation leave.

Please provide supervisor with written physician verification of the purpose and length of each leave.

Leave under this policy will not run concurrently with any leave taken pursuant to the Federal Family and Medical Leave Act or the California Family Rights Act.

For more information regarding this leave, please see Human Resources.

### **School Visitation Leave**

If an employee who is the parent or guardian of a child who is suspended is required to appear at the child's school, the employee may take time off without pay if they provide reasonable advance notice to their supervisor of the need for time off.

Employees who are the parent, guardian, or grandparent having custody of children in grades K-12, or of children attending a licensed daycare facility, are allowed up to forty (40) hours of leave without pay per calendar year to participate in activities of their child's school or day care facility unless employed at a worksite with less than 25 employees. This leave should not exceed eight (8) hours in any calendar month. Requests for such leave must be made in advance of the planned absence and employees must provide documentation from the school or day care facility as proof of their participation in school or day care activities.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **Bereavement Leave**

If an employee experiences a death in the family and/or needs to attend a funeral the District will work with the employee to accommodate their request for time off.

Full-time employees are eligible immediately upon hire for three (3) paid days for the death of a family member. Members of the family include spouses, domestic partners, parents, brothers, sisters, children, children of domestic partners, grandchildren, grandparents, parents-in-law, parents of domestic partners aunts, uncles, nieces, and nephews.

Full-time employees are eligible immediately upon hire for one half day (up to four hours) paid to attend a funeral .

All District employees are eligible for up to five (5) unpaid days of bereavement leave.

Requests for bereavement leave should be made to employee's direct supervisor as soon as possible. The District reserves the right to request written verification of an employee's familial relationship to the deceased and their attendance at the funeral service as a condition of the bereavement pay.

## **Leave of Absence**

Under special circumstances, full-time employees who have completed one year of employment may be granted a leave of absence without pay. The granting of this type of leave is normally for compelling reasons and is dependent upon the written approval of supervisor and Executive Director.

Unless otherwise required by applicable law, leaves may not exceed thirty (30) days during which time no benefits will accrue. Leaves of absence are granted only after earned vacation is exhausted.

The District will make reasonable efforts to return employees to the same or similar job held prior to the leave of absence, subject to staffing and business requirements.

## **Medical, Dental, Vision Insurance Coverage**

Eligible employees may enroll in a single, a single plus one dependent, or a family health insurance contract immediately upon hire. Eligibility may be defined by state law and/or by the insurance contract.

Information and enrollment forms may be obtained from Human Resources.

The District pays a percentage of the employee's healthcare premium toward the full cost of a single contract. This percentage may vary over time based on projected budgets and healthcare laws. The District does not pay towards a dependent or family coverage costs. If employees elect dependent coverage, they are responsible for paying through payroll deduction.

Participating employees are also covered under the medical insurance plan's prescription drug program.

A booklet containing the details of the plan and eligibility requirements may be obtained from Human Resources.

Refer to the actual plan document and summary plan description if there are specific questions regarding this benefit plan. Those documents are controlling.

At the end of employment, employees may be entitled to continuation or conversion of the group medical insurance plan in accordance with the terms of the policy and/or applicable state and federal law. For more information, contact Human Resources.

## **COBRA**

Employees and/or any covered dependents may have the opportunity to continue medical benefits for a period of up to thirty six (36) months under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) when group medical coverage for you and/or your covered dependents would otherwise end due to your death or because employees':

- employment terminates, for a reason other than gross misconduct; or
- employment status changes due to a reduction in hours; or
- child ceases to be a "dependent child" under the terms of the medical plan; or
- become divorced or legally separated; or
- become entitled to Medicare.

In the event of divorce, legal separation, or a child's loss of dependent status, employees or a family member must notify the plan administrator within sixty (60) days of the occurrence of the event.

The plan administrator will notify the individuals eligible for continuation coverage of their right to elect COBRA continuation coverage.

For more information regarding COBRA, contact Human Resources.

### **Family Medical Leave**

The Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA") provide eligible employees the opportunity to take unpaid job-protected leave for certain specific reasons. The maximum amount of leave an employee may use is either twelve (12) or twenty-six (26) weeks within a 12-month period depending on the reasons for the leave.

#### EMPLOYEE ELIGIBILITY

To be eligible for FMLA/CFRA leave, employees must:

1. have worked at least 12 months for the District in the preceding seven years (limited exceptions apply to the seven-year requirement);
2. have worked at least 1,250 hours for the District over the preceding 12 months; and
3. currently work for the District at a location where there are at least 50 employees within 75 miles.

All periods of absence from work due to or necessitated by service in the uniformed services are counted in determining FMLA/CFRA eligibility.

#### CONDITIONS TRIGGERING LEAVE

FMLA/CFRA leave may be taken for the following reasons:

1. birth of a child, or to care for a newly born child ("baby bonding") (up to 12 weeks);
2. placement of a child with the employee for adoption or foster care (also called "baby bonding") (up to 12 weeks);
3. to care for an eligible family member (employee's spouse, child, or parent, a domestic partner, a domestic partner's child, a sibling, or a grandparent) with a serious health condition (up to 12 weeks);
4. because of the employee's serious health condition that makes the employee unable to perform the employee's job (up to 12 weeks);
5. to care for a Covered Servicemember with a serious injury or illness related to certain types of military service (up to 26 weeks) (see Military-Related FMLA Leave for more details); or
6. to handle certain qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is on covered active duty or called to covered active duty status in the Uniformed Services (up to 12 weeks) (see Military-Related FMLA Leave for more details).

The maximum amount of leave that may be taken in a 12-month period for all reasons combined is twelve (12) weeks, with one exception. For leave to care for a Covered Servicemember, the maximum combined leave entitlement is twenty-six (26) weeks, with leaves for all other reasons constituting no more than twelve (12) of those twenty-six (26) weeks.

#### DEFINITIONS

A “Serious Health Condition” is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three (3) full calendar days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment. “Baby bonding” is leave taken due to the birth of a child, to care for a newly born child, or due to placement of a child with the employee for adoption or foster care.

#### IDENTIFYING THE 12 MONTH PERIOD

Except for leave taken to care for a covered servicemember, the District uses a “rolling” 12-month period to determine an employee’s eligibility for FMLA/CFRA leave. The 12-month period is measured backward from the date an employee uses any family leave. Each time an employee takes FMLA/CFRA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months. For leave to care for a covered servicemember, the District calculates the 12-month period beginning on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends twelve (12) months after that date. FMLA/CFRA leave for the birth or placement of a child for adoption or foster care must be concluded within twelve (12) months of the birth or placement.

#### USING LEAVE

Eligible employees taking FMLA/CFRA leave for their own or a family member’s serious health condition or for a covered servicemember’s injury or illness may take FMLA/CFRA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule. Eligible employees may also take intermittent or reduced-scheduled leave for military qualifying exigencies. When taking leave for baby bonding (i.e., for birth of a child, to care for a newly born child, or for placement of a child for adoption or foster care), leave must be taken in two-week increments, except that leave for less than two weeks in duration can be taken on two (2) occasions. Employees who require and are eligible for intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the District's operations.

#### USE OF ACCRUED PAID LEAVE

Depending on the purpose of your leave request and in accordance with the provisions set forth below, an employee may choose (or the District may require you) to use accrued paid leave (such as sick leave or vacation), concurrently with some or all of your FMLA/CFRA leave. In order to substitute paid leave for FMLA leave, an eligible employee must comply with the District's normal procedures for the applicable paid-leave policy (e.g., call-in procedures, advance notice, etc.).

*While receiving wage replacement benefits:* For any period of time that an employee is eligible for and is receiving wage replacement benefits (i.e., short- or long-term disability benefits, SDI (if eligible), paid family leave (if eligible), and/or workers' compensation benefits), the employee is not required to use accrued paid leave, such as sick leave or vacation, in connection with their FMLA/CFRA leave. The employee may, however, choose to supplement these forms of wage-replacement payments with accrued paid leave on a pro rata basis, so long as the employee's pay does not exceed their normal wage.

*While on otherwise unpaid leave:* If an employee is not receiving wage replacement benefits, the employee has the option whether to use any accrued sick leave or vacation. Once all sick leave and vacation is exhausted, FMLA/CFRA leave will continue on an unpaid basis for the remainder (if any) of the available 12-weeks. Any family and medical leave, whether paid, unpaid, or a combination thereof, will be counted toward the 12-week leave entitlement. During any period of unpaid leave, employees will not continue to accrue sick leave, vacation, or any other forms of paid time off and will not be paid for holidays that occur during the leave.

#### MAINTENANCE OF HEALTH BENEFITS

If employees participate in the District health plan, the District will maintain coverage during your FMLA/CFRA leave on the same terms as if you had continued to work. If applicable, employees must make arrangements to pay their share of health plan premiums while on leave. In some instances, the District may recover premiums paid to maintain health coverage or other benefits for employees and employees' family. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

#### NOTICE AND MEDICAL CERTIFICATION

When seeking FMLA/CFRA leave, employees are required to provide:

1. Sufficient information for Human Resources to determine if the requested leave may qualify for FMLA/CFRA protection and the anticipated timing and duration of the leave. Sufficient information may include that employees are unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the District if the requested leave is for a reason for which FMLA/CFRA leave was previously taken or certified.

If the need for leave is foreseeable, this information must be provided at least thirty (30) days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the District normal call-in procedures, absent unusual circumstances.

2. Medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member within fifteen (15) calendar days of the District request to provide the certification (additional time may be permitted in some circumstances). If employees fail to do so, the District may delay the commencement of leave, withdraw any designation of FMLA/CFRA leave or deny the leave, in which case the leave of absence would be treated in accordance with District's standard leave of absence and attendance policies, subjecting employee to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required in circumstances allowed by FMLA/CFRA.

3. Periodic reports as deemed appropriate during the leave regarding employees' status and intent to return to work; and
4. Medical certification of fitness for duty before returning to work if the leave was due to a serious health condition. The District will require this certification to address whether employees can perform the essential functions of their position.

Failure to comply with the foregoing requirements may result in delay or denial of leave, or disciplinary action, up to and including termination.

#### EMPLOYER RESPONSIBILITIES

To the extent required by law, the District will inform employees whether they are eligible under the FMLA/CFRA. Should an employee be eligible for FMLA/CFRA leave, the District will provide them with a notice that specifies any additional information required as well as the employee's rights and responsibilities. If employees are not eligible, the District will provide a reason for the ineligibility. The District will also inform employees if leave will be designated as FMLA/CFRA-protected and, to the extent possible, note the amount of leave counted against the employee's leave entitlement. If the District determines that the leave is not FMLA/CFRA-protected, the District will notify the employee.

#### FAILURE TO RETURN AFTER FMLA LEAVE

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the District's standard leave of absence and attendance policies. This may result in termination if employee has no other District-provided leave available that can be applied to a continued absence. Likewise, following the conclusion of employees' FMLA/CFRA leave, the District's obligation to maintain their group health plan benefits ends (subject to any applicable COBRA rights).

#### OTHER EMPLOYMENT

This policy remains in force during all leaves of absence including FMLA/CFRA leave and may result in disciplinary action, up to and including immediate termination of employment.

#### FRAUD

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

#### EMPLOYER'S COMPLIANCE WITH FMLA AND EMPLOYEE'S ENFORCEMENT RIGHTS

The FMLA/CFRA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA/CFRA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA/CFRA or for involvement in any proceeding under or relating to FMLA/CFRA.

While the District encourages employees to bring any concerns or complaints about compliance with FMLA/CFRA to the attention of Human Resources, FMLA/CFRA regulations require employers to advise employees that they may file a complaint with the U.S. Department of Labor or bring a private lawsuit against an employer.

Further, FMLA/CFRA does not affect any Federal or state law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

### Military-Related Federal FMLA Leave

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

### DEFINITIONS

A “covered servicemember” is either: 1) a current servicemember of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty for which the servicemember is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list; or 2) a “covered veteran” who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

A “covered veteran” is an individual who was discharged under conditions other than dishonorable during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The period between October 28, 2009 and March 8, 2013 is excluded in determining this five-year period.

The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition.” For current servicemembers, the term “serious injury or illness” means an injury or illness that was incurred by the member in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service, that may render them medically unfit to perform the duties of their office, grade, rank or rating.

For covered veterans, this term means a serious injury or illness that was incurred in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service and manifested itself before or after the individual assumed veteran status, and is: 1) a continuation of a serious injury or illness that was incurred or aggravated when they were a member of the Armed Forces and rendered them unable to perform the duties of their office, grade, rank or rating; 2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; 3) a physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would be so absent treatment; or 4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

“Qualifying exigencies” include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, parental care, and post-deployment debriefings.

### MILITARY CAREGIVER LEAVE

Unpaid Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. Military Caregiver Leave is a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered servicemember during a single 12-month period.

To be “eligible” for Military Caregiver Leave, the employee must be a spouse, child, parent, or next of kin of the covered servicemember. “Next of kin” means the nearest blood relative of the servicemember, other than the servicemember’s spouse, parent, or child, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or

statutory provisions; siblings; grandparents; aunts and uncles; and first cousins; unless the servicemember has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave. The employee must also meet all other eligibility standards as set forth within the FMLA Leave policy.

An eligible employee may take up to 26 workweeks of Military Caregiver Leave to care for a covered servicemember in a “single 12-month period.” The “single 12-month period” begins on the first day leave is taken to care for a covered servicemember and ends 12 months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust their 26 workweeks of Military Caregiver Leave during this “single 12-month period,” the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each servicemember. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered servicemember, and/or for each and every serious injury or illness of the same covered servicemember. A total of no more than 26 workweeks of Military Caregiver Leave, however, may be taken within any “single 12-month period.”

Within the “single 12-month period” described above, an eligible employee may take a combined total of twenty-six (26) weeks of FMLA leave including up to twelve (12) weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the “single 12-month period,” an eligible employee may take up to 16 weeks of FMLA leave to care for a covered servicemember when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or covered servicemember and completed by an authorized health care provider within fifteen (15) days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

#### QUALIFYING EXIGENCY LEAVE

Eligible employees may take unpaid “Qualifying Exigency Leave” to tend to certain “exigencies” arising out of the duty under a call or order to active duty of a “military member” (i.e. the employee's spouse, son, daughter, or parent). Up to twelve (12) weeks of Qualifying Exigency Leave is available in any 12-month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of Military Caregiver Leave, which is subject to a maximum of twenty-six (26) weeks of leave in a “single 12-month period”). Although Qualifying Exigency Leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed twelve (12) weeks in any 12-month period (with the exception of Military Caregiver Leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve.



A call to active duty refers to a *federal* call to active duty, and *state* calls to active duty are not covered unless under order of the President of the United States pursuant to certain laws.

Qualifying Exigency Leave is available under the following circumstances:

1. **Short-notice deployment.** To address any issue that arises out of short notice (within seven days or less) of an impending call or order to active duty.
2. **Military events and related activities.** To attend any official military ceremony, program, or event related to active duty or call to covered active duty status or to attend certain family support or assistance programs and informational briefings.
3. **Childcare and school activities.** To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.
4. **Financial and legal arrangements.** To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.
5. **Counseling.** To attend counseling (by someone other than a health care provider) for the employee, for the military member, or for a child or dependent when necessary as a result of duty under a call or order to covered active duty.
6. **Temporary rest and recuperation.** To spend time with a military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to fifteen (15) days of leave for each instance of rest and recuperation.
7. **Post-deployment activities.** To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to ninety (90) days following termination of the military member's active duty status. This also encompasses leave to address issues that arise from the death of a military member while on active duty status.
8. **Parental care.** To care for the military member's parent who is incapable of self-care. The parent must be the military member's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age.
9. **Mutually agreed leave.** Other events that arise from the military member's duty under a call or order to active duty, provided that the District and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation in the form of a copy of the military member's active duty orders or rest and recuperation orders or other military documentation indicating the appropriate military status and the dates of active duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within 15 days. Qualifying Exigency Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

### CONCURRENT LEAVES

In most cases, family medical leave will count concurrently against an employee's entitlement to both FMLA and CFRA leave. This means that most eligible employees taking family and medical leave will exhaust their entitlement to protected leave under both FMLA and CFRA at the same time, with the following exceptions:

1. An employee's own incapacity due to pregnancy, childbirth, or related conditions will be counted against an employee's entitlement to FMLA as a serious health condition, but not against CFRA leave.
2. Qualified exigency leave will be counted against an employee's entitlement to FMLA, but not against CFRA leave.
3. Military caregiver leave will be counted against both FMLA and CFRA for up to the first 12 workweeks of leave if the servicemember is a family member covered by CFRA (in other words, a spouse, child, or parent). If, on the other hand, the servicemember is a 'next of kin' (not covered by CFRA), the leave will count against an employee's entitlement to FMLA, but not against CFRA leave.
4. Leave taken to care for a registered domestic partner, a domestic partner's child, a sibling, or a grandparent with a serious health condition will be counted against an employee's entitlement to CFRA leave, but not against FMLA leave.
5. FMLA/CFRA may also run concurrently with a leave of absence covered by workers' compensation or short-term or long-term disability, where such leave of absence is taken for a condition that qualifies as a serious health condition.

### REINSTATEMENT

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

### LIMITED NATURE OF THIS POLICY

This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA/CFRA. The District reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law. State or local leave laws may also apply.

### **Pregnancy Disability Leave**

Employees who birth children are eligible for an unpaid leave of absence up to four months (one-third of a year equaling 17 1/3 weeks) when actually disabled by pregnancy or related medical condition.

Leave may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, doctor-ordered bed rest, severe morning sickness, gestational

diabetes, pregnancy-induced hypertension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression. Leave may be taken consecutively or intermittently. The amount of leave needed is determined by a health care provider's recommendation.

Employees have the option of whether to use any accrued sick leave or vacation during their pregnancy disability leave before taking the remainder of their leave on an unpaid basis. The substitution of any paid leave will not extend the duration of pregnancy disability leave.

Employees who are granted leaves for pregnancy will be returned to their same or similar position to the extent required by state law. Upon the advice of employees' health care provider, employees may also be entitled to reasonable accommodation, to the extent required by law, for conditions related to pregnancy, childbirth, or related medical conditions. Employees should promptly notify the District of the need for a reasonable accommodation. In addition, a transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties may be available pursuant to employees' request, if such a transfer is medically advisable and if budgets allow.

Employees must give the District at least thirty (30) days' advance notice for the need for pregnancy-related disability leave, reasonable accommodation, or if a transfer is foreseeable. Otherwise please give the District notice as soon as is practicable if the need is an emergency or unforeseeable.

Prior to the start of the leave, the District will require a written medical certification indicating that an employee is disabled because of pregnancy or that it is medically advisable to be transferred to a less strenuous or hazardous position or duties or otherwise to be reasonably accommodated. The certification should include an anticipated date when the employee will be able to return to job or job duties. In the event the employee's leave exceeds the anticipated date of return, it is the employee's responsibility to provide further certification from their health care provider that they are unable to perform their job or job duties and the revised anticipated date of return.

Depending on employees' eligibility, medical insurance may be continued during their leave in accordance with the applicable plan document, COBRA, or provisions of federal/state law relating to unpaid medical leave.

Employees who choose not to return from leave may be required to refund premium payments made by the District on their behalf, when permitted by state law.

**Leave under this policy may run concurrently with leave afforded under the Family and Medical Leave Act (FMLA) but will not run concurrently with leave provided under the California Family Rights Act (CFRA).**

### **State Disability Insurance**

The District participates in the State of California's State Disability Insurance (SDI) program. This program is administered by the Employment Development Department and generally provides wage replacement benefits if an employee is unable to work due to a non-work-related injury, illness, or medical condition (including pregnancy).

Employees who apply for this benefit from the EDD are not guaranteed a job-protected leave of absence from the District, but must provide written notice of disability, including a doctor's certificate stating the nature of the disability and the expected date of return to work.

Employees are responsible for filing claims and other forms promptly and accurately with the Employment Development Department. A claim form may be obtained from the Employment Development Department by telephone, letter or in person. More information is available on EDD website at <https://www.edd.ca.gov/disability/>

The cost of this insurance is fully paid by the employee.

### **California Paid Family Leave Insurance**

The District participates in the State of California's Paid Family Leave (PFL) program. This program is administered by the Employment Development Department and generally provides wage replacement benefits, for a maximum of six weeks, for the following reasons:

- To bond with a new child after birth or placement for adoption or foster care.
- To care for a serious health condition of an employee's child, parent, spouse, or registered domestic partner.

Employees apply for PFL benefits from the EDD. Employees are not guaranteed a job-protected leave of absence from the District.

### **Rehabilitation Leave**

The District is committed to providing assistance to employees. Any employee who wishes to voluntarily enter and participate in an alcohol and/or drug rehabilitation program may be granted a reasonable accommodation. This accommodation may include time off without pay and/or an adjusted work schedule provided the accommodation does not impose an undue hardship on the District. In general, it is the employees' responsibility to notify their supervisor of the need for accommodation.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

The District shall take reasonable steps to safeguard the privacy of any employee who has enrolled in an alcohol or drug rehabilitation program.

This policy does not prevent the District from refusing to hire or disciplining, up to and including discharge, an employee who, because of the current use of alcohol or drugs, is unable to perform their duties or cannot perform the duties in a manner that would not endanger their health or safety or the health or safety of others. The District does not need to overlook misconduct.

### **Social Security**

During employment, employees, and the District both contribute funds to the federal government to support the Social Security program. This program is intended to provide the employee with retirement benefit payments and medical coverage once employees reach retirement age.

### **CALPERS/PEPRA**

Regular full-time employees are required to enroll in the State of California Public Employee Retirement System (CalPERS) membership on their hire date. All other employees are required to enroll into CalPERS when they have exceeded 1000 hours worked in a fiscal year (July 1 - June 30).

## **Unemployment Insurance**

Upon separation from employment, employees may be entitled to state and federal unemployment insurance benefits. Information about unemployment insurance can be obtained from Human Resources and from EDD on its website.

## **Workers' Compensation**

On-the-job injuries are covered by the Districts Workers' Compensation insurance policy. This insurance is provided at no cost to employees. If an employee is injured on the job, no matter how slightly, they should report the incident immediately to their supervisor and Human Resources. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize employees' claim. The District asks for the employees' assistance in alerting management to any condition that could lead to or contribute to an employee accident.

## **Employee Assistance Program**

Eligible employees may participate in the District's employee assistance program immediately upon hire.

The Employee Assistance Program (EAP), and Work/Life Benefit help eligible employees and their immediate families with a wide range of problems. Situations addressed by the EAP include marriage and family problems, emotional problems, alcoholism and alcohol abuse, drug abuse and dependency, financial problems, compulsive gambling and eating disorders. Employees' conversations and all records are strictly confidential.

The administrative cost of this program is fully paid by the District. Complete details of this program may be obtained from Human Resources.

## **Section 4: On the Job**

### **Attendance and Punctuality**

Attendance and punctuality are important factors for employee success within our District. The District works as a team and this requires that each person be in the right place at the right time.

Employees should be accountable to the District. Accountability in the workplace means that all employees are responsible for their actions, behaviors, performance, and decisions. If employees are going to be late for work or absent, their supervisor should be notified as far in advance as is feasible under the circumstances, but no later than the start of the workday.

Personal issues requiring time away from work, such as doctor's appointments or other matters, should be scheduled during nonworking hours if possible.

### **Job Abandonment**

If employees are absent for two consecutive days without notifying the District, it is assumed that they have voluntarily abandoned their position with the District, and will be removed from the payroll and will not be eligible for Unemployment benefits.

### **Flexible Scheduling**

Tahoe RCD is a small public District that is required to meet the needs of the public on a timely basis and as such needs to have adequate staffing to provide excellent service.

Typical work hours at the District are between 8:00 a.m. to 5:00 p.m. Monday through Friday with the exception of Holidays. The District recognizes that employees may need to break from their regular schedule for personal or family related reasons, or to accommodate childcare arrangements. In unique circumstances to meet a personal or family care need, an employee may request a nonstandard daily schedule that does not match the typical work hours. There may be circumstances where the nature of the employees' work will not permit flexibility. In such cases, managers will accommodate desired schedules when practical. All regular full-time and regular part-time employees are eligible to request an alternate schedule by submitting an Alternative Workweek Request Form. Please request a form from your direct supervisor. Some employment positions work an alternative work week schedule (AWWS) to meet the needs of the District's various programs.

**If the job duties and the needs of the District can accommodate the request, the supervisor may approve an alternate workweek schedule. It will be the responsibility of the employee and the supervisor to ensure that such a schedule does not affect work performance and is in accordance with state and federal wage and hour laws.**

### **Hybrid Teleworking Policy**

Teleworking, or telecommuting, is the act of working from home or another location on a full-time or part-time basis. Teleworking is not an automatic employee entitlement. Rather, it is an alternative method of meeting the needs of the organization. Employees may request the opportunity to establish a hybrid telework schedule by submitting a Hybrid Telework Policy/Agreement. Please request this document from your direct supervisor. Tahoe RCD has the right to refuse to make hybrid teleworking available to an employee and to terminate a hybrid teleworking arrangement at any time, for any reason. Employees are not required to telework. Employees can refuse to telework if the option is made available.

See Tahoe RCD Hybrid Telework Policy and Agreement for full policy located in the Paychex Portal under Documents.

### **Meal Time**

Employees are provided with the opportunity to take an unpaid meal break during their workday, so long as they still meet their regular work schedule requirements. Employees should note the time taken in the timekeeping system.

#### On Duty Meal Period

In limited situations, certain designated employees may be required to work an on-duty meal period due to the nature of the employee's duties. Only if the nature of your job duties requires it, and employees and the District have agreed to an on-duty meal period in writing, will the employee be permitted to take an on-duty meal period. In this situation, the on-duty meal period will be paid and treated as hours worked.

### **Lactation Breaks**

Reasonable Break Time to Express Milk (lactation time)

The District shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has the need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the employee. Break time for an employee that does not run concurrently with any rest time authorized for the employee shall be unpaid. Employees must notify their supervisor or other appropriate personnel in writing of their intent to make use of the lactation accommodations offered within this policy.

The District must make separate time available if an employee needs extra or different time than their regularly scheduled breaks. For time that may be needed beyond the usual break times, an employee may use personal available leave, otherwise any time beyond the employee's regular break time will be unpaid. At management discretion, beginning or ending work times may be adjusted to accommodate these breaks.

#### An Appropriate Private Location

The District shall provide an employee with the use of a room or other location for the employee to express milk in private. The location may be the place where the nursing mother normally works if there is adequate privacy and the location otherwise suits the requirements of the law (e.g. the employee's private office, a supervisor's private office, or a conference room that can be secured).

Areas such as restrooms, closets or storage rooms are not appropriate spaces for lactation purposes. Storage rooms that do not contain noxious materials may be converted to be acceptable private spaces. Where a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is in use for lactation purposes.

A lactation room shall be in close proximity to the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk. A lactation room or location shall comply with all of the following requirements:

1. Be safe, clean, and free of hazardous materials.
2. Contain a surface to place a breast pump and personal items.
3. Contain a place to sit.
4. Have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations needed to operate an electric or battery-powered breast pump.

A sink with running water and a refrigerator suitable for storing milk (or another cooling device) shall be made available in close proximity to the employee's workplace. If a refrigerator cannot be provided, an employer may provide another cooling device suitable for storing milk, such as an employer-provided cooler.

For non-traditional worksites and any required travel, the employee and the supervisor or the District's Executive Director should enter into a good faith interactive process to identify reasonable accommodations.

#### Notice/Information

The District's management staff shall provide a copy of this policy to employees prior to their maternity leave and should document furnishing the policy to employees.

### Lactation Accommodation Request Procedure<sup>1</sup>

An employee has the right to request lactation accommodation. An employee who has a need for lactation accommodation should inform her supervisor or the District's Executive Director and discuss any relevant workload or scheduling issues.

Supervisors who receive a lactation accommodation request shall, in consultation with the Executive Director, do the following:

1. Review available space and prepare to provide appropriate nearby space and break time.
2. Contact the Executive Director for advice and assistance if they are unable to locate appropriate space to meet an employee's request.
3. Respond to the employee's request in writing detailing accommodations that will be made.

### Zero Tolerance

The District has *zero tolerance* for discrimination on the basis of gender. (See anti-harassment policy). It is prohibited under this policy to discharge, discriminate, or retaliate against an employee for exercising or attempting to exercise their right to lactation accommodation. Any incident of such will be appropriately and promptly addressed by the District.

### Disclosure Requirements

The District's Lactation Accommodation Policy shall be disseminated to every incoming employee, as well as to employees requesting pregnancy disability or parental leave. A copy of this policy shall be included in the Personnel Policy. The District must respond to an employee's request for lactation accommodation. If the District cannot provide break time or a location that complies with the accommodation policy or denies the accommodation, then the District shall provide a written response to the employee who requested the accommodation.

### Filing a Complaint

Nursing mothers who feel they have been denied appropriate accommodation are encouraged to contact the Executive Director. Appropriate internal investigations will be conducted. Complaints may also be filed with the Labor Commissioner.

### **Work Assignments**

Work assignments will be distributed by supervisors. When possible, employees will be advised of future assignments in advance, to provide ample time to prepare for the assignment.

Once employees have begun an assignment, they will report directly to their supervisor for all matters relating to its completion.

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<sup>1</sup> If necessary, the District may comply with this section by designating a lactation location that is temporary due to operational, financial, or space limitations. The temporary location must otherwise be compliant with the requirements outlined in this policy.



## **On the Job Training**

Supervisors are responsible for initiating all required on-the-job training for employees within their department. This may include safety training, participation in off-site training and continuing education when necessary for job safety and work performance. Training will be conducted during regular working hours whenever possible.

The District will pay for any required training programs. Employees may be tested from time to time to evaluate the effectiveness of the training program.

**Non-required training should be discussed at employee's review process and approved by their supervisor in the employee's professional development plan. Approval is subject to available funding.**

## **Dog Policy**

The District office is a dog friendly workplace. The following guidelines are to be followed at all times in order to maintain a dog friendly workspace:

- All dogs must be leashed (standard 6 ft. leash) or in a closed office or cubicle. If in an office or cubicle a small fence/blockade may be used.
- Dogs should be well-behaved (not aggressive toward people or other dogs).
- Dogs must be flea and tick free.
- Dog owners must clean up after their dog goes to the bathroom outside.
- Dogs are not allowed in conference/meeting rooms and restrooms.
- All dog food shall be kept in a sealed plastic container when not in use.
- All dog toys must be kept inside offices or cubicles.
- Dogs must remain quiet and not cause disruptions or distractions to other staff or visitors of the District.

Dogs are not allowed in District vehicles

Work locations outside of the main office may or may not allow dogs. Please work with your supervisor to determine if dogs are allowed at a specific work location.

Failure to follow these guidelines may result in a revocation of the dog policy or revocation on an individual basis.

These guidelines are to ensure the health, safety and productivity of all staff, visitors (and pets) at the office.

## **Standards of Conduct**

As a matter of policy, the District seeks to provide employees who have deficient performance with an opportunity to correct their behavior and/or performance, unless, in the District's judgment, termination is warranted.

## Progressive Discipline

Tahoe RCD implements a progressive disciplinary plan which includes a progression of disciplinary methods. The objective of progressive discipline is to provide staff with immediate evaluation, communicate openly with staff, identify strengths and weaknesses, and provide the opportunity to correct or improve performance. While the progressive disciplinary plan is identified as a best practice, as an at-will employer, the District does not require that any of these methods must be used, or that progression must be sequential.

The District tries to document all transgressions from District policy and program protocols. The approach may include:

- **Documentation**- This includes simple documentation of minor infractions.
- **Verbal Warning**- Documented issues for which the employee is made aware that there is an issue they need to address.
- **Written Warning(s)**- Documented issues that are severe, or chronic. Written warnings typically include a commitment for improvement, and therefore, employee signatures are required.
- **Performance Improvement Plan (PIP)**- Management provided guidance towards improving performance using Specific, Measurable, Achievable, Related, Time-constrained (SMART) goals
- **Discharge**

Disciplinary action may also include suspension with or without pay, and/or immediate termination. The appropriate disciplinary action imposed will be determined by the District, at the District's sole discretion. The District does not guarantee that one form of action will necessarily precede another.

Among other things, the following may result in disciplinary action, up to and including termination:

- violation of the District's policies or safety rules
- insubordination
- unauthorized or illegal possession, use, or sale of alcohol or controlled substances on work premises or during working hours, while engaged in District activities or in District vehicles
- unauthorized possession, use, or sale of weapons, firearms, or explosives on work premises.
- theft or dishonesty
- inappropriate physical contact; harassment; discrimination or retaliation
- disrespect toward fellow employees, visitors, or other members of the public
- District property, equipment, or facilities may not be used for personal use.
- poor attendance or poor performance

These examples are not all inclusive. All discharge decisions will be based on an assessment of all relevant factors. Nothing in this policy is designed to modify District employment-at-will policy. The District retains the ability to terminate an employee at any time for any reason.

## **Access to Personnel Files**

Upon request, current and former employees may inspect their own personnel files at a mutually agreeable time, on District premises in the presence of a District official. Requesting parties will be permitted to see any records regarding their qualification for employment, promotion, wage increases, earnings and deductions, or discipline. The District will make the records available within twenty-one (21) days after receipt of a written or oral request for review. Exceptions include records regarding criminal investigation and any letters of reference maintained by the District. Employees will be allowed a copy of any document they have signed relating to their employment. The District complies with state law record retention requirements for current and former employees.

For more information, contact Human Resources.

## **Resident and Public Relations**

The District's reputation is built on excellent service and quality work. Maintaining this reputation requires the active participation of every employee.

The opinions and attitudes that residents and visitors have toward the District may be determined for a long period of time by the actions of one employee.

Each employee must be sensitive to the importance of providing professional and courteous treatment in all working relationships.

## **Non-Solicitation**

No external solicitors are allowed to approach District staff while working at the District office. The District believes employees should have a work environment free from interruptions of a non-work-related nature, as work time is for work. When at work employees should focus on their duties and not engage in activities that would interfere with their own work or the work of others. For the purpose of this policy, solicitation includes, but is not limited to, for collection of any debt or obligation, for raffles of any kind or chance taking, or for the sale of merchandise or business services, the attempt to sell any product or service (e.g. selling or collecting for Tupperware®, Avon® products, churches, schools, Girl Scout cookies, etc.). Such interruptions can be both detrimental to the quality of work and efficiency and may not be respectful of others' job responsibilities and right not to be interrupted.

Employees may not engage in solicitation for any purpose during their work time, which includes the working time of the employee who seeks to solicit and the employee who is being solicited. Nothing in this policy is intended to restrict an employee's statutory rights.

## **Distribution**

Distribution and solicitation of any type (materials, goods, etc.) is prohibited in personal work areas at any time, whether or not the employees are on working time. Employees who would like to share information (events, walk-a-thons, Girl Scout Cookies, etc.) with other staff members must place the item on the bulletin board and/or the table in the front area. Staff are not to be asked personally to participate in any non-work event or fundraiser. Non-employees are prohibited from distributing non-work-related materials to employees on District premises at any time. Inappropriate literature is prohibited, e.g. literature that violates the District's non-harassment and discrimination policies; items of a defamatory nature, items that include threats of violence, unprotected literature of a political nature that is highly inflammatory and likely to disrupt facility discipline and order or safety. Nothing in this policy is intended to restrict an employee's statutory rights.

### **Changes in Personal Data**

To aid employee and/or employees' family in matters of personal emergency, the District needs to maintain up-to-date information. Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given to Human Resources promptly.

### **Care of Equipment**

Employees are expected to demonstrate proper care when using the District's property and equipment. No property may be removed from the premises without supervisor authorization. employees lose, break, or damage any property, supervisors must be notified at once.

### **Personal Property**

The District is not responsible for loss or damage to personal property. Valuable personal items, such as purses and all other valuables should not be left in areas where theft might occur.

### **Vehicle Use Policy**

Tahoe RCD owned, or leased vehicles are available for the use of District personnel conducting District business. When using District vehicles, there are provisions for use in the RCD Vehicle Guidelines document. This document is intended to provide direction on the usage and maintenance of all Tahoe RCD owned and leased vehicles. Roles and responsibilities associated with the care and maintenance of these vehicles are also be defined.

Before using Tahoe RCD vehicles,, each driver must possess a valid driver's license. Employees are expected to use District vehicles however, there are instances where a personal vehicle may be used. District employees are allowed to use their personal vehicles for official business any time there is a requirement or expectation that they attend a meeting, event or activity on behalf of the District and a District vehicle is not available. Employees using their personal vehicle to perform their job, whether or not they are claiming mileage reimbursement, are required to hold a valid driver's license and possess the minimum amounts of insurance as specified by California law. The District retains the right to request copies of personal vehicle insurance and driver's license at will. Reimbursement will be authorized as follows:

- Employees required or expected to use their private vehicle for the performance of their job will be eligible for reimbursement, with the exception that an employee shall not be eligible for reimbursement of commute mileage to and from home and their normal place of work on a regular day of work.
  - Mileage will be reimbursed for the round-trip distance between the employee's departure point and the location of the business function attended. If employees depart from or return to their home instead of their work site, only the miles in excess of the normal daily commute can be claimed as an expense. Diversions taken from the route for the employee to conduct personal business will not be reimbursed.
  - Travel scenarios that do not fit into the bullet above must be discussed and approved by the employee's supervisor.

### **Reimbursement Policy**

It is the intent of the District to reimburse District personnel for all reasonable expenses incurred whenever they are required to travel on business for the District. "Business for the District" shall include expenses incurred in connection with approved official representation of the District from which the District will derive a specific benefit such as: attendance at training, seminars, symposia, conferences, hearings, conventions or other meetings.

#### Travel Authorization:

When it is necessary for District staff to attend meetings or training away from the District or to travel outside the Lake Tahoe Basin to conduct District business, various modes of transportation, lodging accommodations and meal alternatives are available. The associated costs vary considerably. In an effort to control costs and to compensate personnel for reasonable expenses, the following policy shall be adhered to for all District travel:

- All overnight travel requests shall be submitted to the appropriate supervisor.
- District staff may attend in-state or out-of-state conferences.
- The Executive Director must give final approval on all travel to be charged to the general fund. Management staff may approve other expenditures provided sufficient monies have been previously budgeted and the funding source allows such expenditures.
- Management staff may authorize the attendance of additional District personnel if deemed appropriate and travel funds are available.
- Arrangements must be made sufficiently in advance to take advantage of available discounts for registration, air fare and lodging and should be made with District issued credit cards.

#### Transportation:

- For travel outside the Northern California area, employees are expected to travel by air. If traveling by private vehicle, compensated departure and arrival times shall be based on air travel time. Departure shall not be earlier than that which would allow the District personnel to arrive within a reasonable amount of time to attend the first scheduled event of the conference, seminar, etc.; in turn, the same reasonable time period shall apply to departure from the event when returning and shall allow District personnel to return at the earliest reasonable time possible.
- If District personnel wish to deviate from the reasonable arrival or departure time period for personal reasons, they must work with their supervisor to determine the appropriate amount of time to attribute to District-related travel.
- Use of a private car (if authorized in advance) will be reimbursed at approved rates in effect at the time of travel. A copy of the employee's proof of automobile insurance may be requested and remain on file with Human Resources. In cases where more than one person is attending the same event, they will be strongly encouraged to travel together, and mileage reimbursement would be for one vehicle only. In instances where this is not possible, advance approval by the Supervisor will be necessary. Mileage reimbursement will be based on actual miles driven, from the District office or the employee's home, whichever is less.
- Payment for travel reservations should be made far enough in advance (generally fourteen (14) to twenty-one (21) days) to take advantage of discounts. Employees are required to make their own travel arrangements.

Car Rentals:

When traveling, the use of rental cars is discouraged. Airport shuttle service, buses, taxis, or other ridesharing service should be utilized between airports and hotels or meeting locations if within 30 miles. Staff should check availability and cost and make their own car rental arrangements. When renting a car, insurance and other extras should not be requested when using a District issued credit card. If accommodations cannot be made to use a District card for the vehicle rental then insurance should be purchased. Before returning the car, District personnel are to make sure the car is returned with the same amount of gas as when rented, usually a full tank. District personnel may then claim reimbursement for the gas with the proper receipt. Please notify the admin department as soon as it is known a rental vehicle is needed to make arrangements to use a District credit card.

Lodging:

- Receipts for lodging must be submitted to obtain reimbursement. Lodging reimbursement for the night prior to the beginning of an event may be allowed only if time and/or travel schedules prohibit travel at reasonable hours on the first day of a conference. Generally, reimbursement would be allowed if the event begins before 9:00 a.m. and is outside of El Dorado County/Placer County. Note: Lodging decisions should not be made based solely on where an employee’s residence is located (i.e. an employee who commutes 50 miles to work each day should be held to the same standard for lodging purposes that would be applied to an individual who commutes five miles to work), lodging should be discussed with employee’s supervisor. Lodging reimbursements for the night following the event will be approved on a case by case basis.
- Lodging reimbursement will not be approved for travel within El Dorado County and Placer County within the Tahoe Basin, regardless of the length of the event. Note: This applies to all events attended by any District Official or District staff, since it is inappropriate to use District funds for unnecessary and frivolous purposes. An exception will be made if on site lodging is a requirement of the event, if the event hours exceed normal work hours or for safety reasons (i.e. inclement weather). This must be approved in advance by the supervisor.
- Lodging shall be obtained at the most economical rate available for good quality. Lavish or oversized accommodations are not justified. Conference headquarters hotels are encouraged, when not unnecessarily expensive. Reservations made through the convention and/or housing bureaus (usually offered through conference literature) are encouraged. If the convention or housing bureaus are not used, and if more than one place of lodging is available, the prevailing rate for a single occupancy room will be allowed. In the absence of group or special rates, District personnel should request a “government or state rate” discount.

Meals:

The meal allowance is \$41.00 per day. In instances where District personnel will be purchasing less than a full day of meals (i.e., less than three meals per day), the per diem, including tip, will be on a per meal basis as follows:

Breakfast	\$7.00
Lunch	\$11.00
Dinner	\$23.00

\*Rates may differ based on current state rates. Rates in this policy may be updated to match current state rates without formal Board approval.

Reimbursement for an evening meal on the night prior to the beginning of an event may be allowed if the event begins at 9:00 a.m. or earlier the following day and the amount of time required to travel to the location does not provide for dinner at a regular hour. Per diem may not be claimed for meals which are already included in the conference registration fee. Any claiming of per diem for meals that have been provided or paid for by other parties shall be considered inappropriate and subject to disciplinary action.

The per diem meal breakdown summarized above will be adhered to in all instances, examples are as follows:

- If breakfast and lunch are included with a conference an individual may claim a maximum of \$23.00 for dinner – not the \$41.00 daily allowance.
- An employee will not be reimbursed per diem amounts if alternate meals are purchased when meals have been included with the conference (i.e. an employee decides to skip the lunch banquet and eat at a nearby restaurant - an individual may elect to eat elsewhere, but at the employee's expense).

The following are examples of how per diem may be claimed:

- Trips of 24 Hours or more - For travel lasting 24 hours or more, employees may claim meals, based on the following timeframes:

First day of travel

- Trip begins at or before 6am – Breakfast may be claimed
- Trip begins at or before 11 am – Lunch may be claimed
- Trip begins at or before 5 pm – Dinner may be claimed

Continuing after 24 hours

- Trip ends at or after 8 am – Breakfast may be claimed
- Trip ends at or after 2 pm – Lunch may be claimed
- Trip ends at or after 7 pm – Dinner may be claimed
- Trips of Less than 24 Hours – For travel lasting less than 24 hours, employees may claim breakfast and /or dinner, based on the following timeframes:

Fractional day of travel

- Trip begins at or before 6 am and ends at or after 9 am – Breakfast may be claimed
- Trip begins at or before 4 pm and ends at or after 7 pm – Dinner may be claimed

Employees may not claim lunch or incidentals on one-day trips.

#### Unauthorized Expenses:

Items of a personal nature are not reimbursable including: alcoholic beverages, movies, entertainment, premium television services, snacks, dry-cleaning, spas, gyms, barber, magazines, shoeshine, travel insurance, supplemental insurance on rental cars, valet service, toiletries, loss of tickets, fines or traffic violations, excess baggage, lecture tapes or books, the incremental cost for spouse or guest accommodations or other items of a personal nature.

If unauthorized expenses have been paid by the District (i.e., via District credit card or petty cash), the individual will be responsible for immediate reimbursement to the District by personal check, money order or cash.

### Out of Pocket Costs:

All conference and meeting attendance must be authorized by the supervisor. Requests should be made far enough in advance to take advantage of all available discounts and to take into consideration normal processing requirements. If registration is paid upon arrival at said conference by the District personnel, an original receipt must be submitted for reimbursement. Please limit out-of-pocket expenses by using District issued credit cards while booking travel accommodations.

### Reimbursement Procedures:

Employees will be reimbursed for their out-of-pocket expenses incurred while conducting official District business. District employees who use their private vehicle while conducting District business will be reimbursed at the IRS mileage rate at the time of travel. Original receipts are required for all expense reimbursement claims.

An employee must sign their expense claim and obtain supervisor approval to be reimbursed for expenses. All claims for expenses must be submitted within 10 days after the end of the calendar month in which expenses were incurred.

### Exceptions:

It is the District's desire to generally adhere to these policies. Nevertheless, there may be occasions when District personnel are unable to comply with them. It is the responsibility of the individual to prepare a written, signed statement explaining why an exception/s should be approved. The District is under no obligation to provide reimbursement without original receipts. The Executive Director or designee may approve of exceptions to these policies. There may also be instances where the Executive Director determines it to be in the best interest of the District, primarily due to budgetary constraints to limit the amount of meal per diem or require the sharing of lodging accommodations at conferences. In these situations, the individual cannot be required to attend.

### **Severe Weather**

Severe weather is to be expected during certain months of the year. Although driving may at times be difficult, when caution is exercised the roads are normally passable. Except in cases of severe storms, employees are expected to work regular hours. Time taken off due to poor weather conditions while the business remains open is unpaid or vacation time may be used.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

If extreme weather conditions require closing, employees will be notified by their supervisor in accordance with the Weather Closure Policy. Where possible, remote work will be allowed.

### **Weather Closure Policy**

Tahoe RCD is committed to keeping its employees safe and does not want employees to feel obligated to travel to work in dangerous conditions. This policy is designed to keep employees safe under dangerous conditions. If supervisors feel that employees are abusing the policy, disciplinary action may be taken.

### Office Closure

The office will be closed anytime conditions at the 870 Emerald Bay Road location warrant. Examples include but are not limited to:



- Loss of power, internet or phone service with no prospect for near-term restoration. In the event of a power outage at the South Lake Tahoe office of Tahoe RCD for more than two (2) hours, the office will be deemed closed and staff will be sent home. If this occurs, staff will be paid for the time they were regularly scheduled to work. In some cases, a delayed start will be necessary. District wide delayed starts will be determined by the Executive Director or designee. If this occurs, staff will be paid for this time if they were regularly scheduled to work. Note: All cases subject to discretion of management.
- Any issue affecting the building that would result in an unsafe work environment (roof issues from snow, failure of HVAC or water supply, gas outage, etc.)

The office may also close due to extreme weather conditions. These will typically be accompanied by warnings from Public Safety officials requesting people stay home and not travel except for emergencies. School closures will not automatically result in an office closure. Examples include:

- Ice storm leaving roadways extraordinarily difficult to navigate
- High rates of snowfall leaving roadways unsafe for all travel

The Executive Director or designee will monitor extreme weather conditions to make the decision about closure. Prior to the start of the regular workday, the Executive Director or designee will notify staff if the Tahoe RCD office will be closed for the day. Under these circumstances' employees scheduled to work that day will charge agency time. Employees using planned vacation, not scheduled to work or telecommuting would not be affected and would charge as they normally do. If notice is not received, staff should assume that the office is open and come to work as scheduled.

#### “Liberal Leave” Policy (or “Safety First” Policy)

In the event of adverse weather conditions, when the office is not closed (above), employees are empowered to make their own decisions based on the following:

- Safety concerns about the commute itself (closed roads or difficult driving conditions)
- Safety concerns about getting out of their home/neighborhood (similar to above)
- School closures with no alternative day care/babysitting

Under these circumstances, employees can unilaterally decide to stay home or work a delayed start with advance notice to supervisors. In making the decision, due consideration should be given to previously scheduled work commitments and other work demands, and best efforts made to notify affected parties and minimize potentially adverse effects on work responsibilities. In particular, employees should make sure both District and non-District partners know their availability. Employees have the option to telework or take vacation. Agency time would not be authorized for the election not to work. Employees should ensure that tools (laptop, home network, smartphone etc.) are set up in advance to allow work from home, and employees should inform their supervisor what tasks or projects they will be working on remotely.

Employees are allowed to take their laptops home with them at night in order to promote communication, efficiency and effectiveness, when unexpected events disrupt normal work schedules.

Field work and duties performed outside of the main office may be subject to separate weather cancellation or closure at the discretion of the Program Manager. For weather closure policies not related to the main office, contact your supervisor.

## **Natural Disasters**

Natural disasters, including earthquakes, hurricanes, mudslides, floods, and fires are to be expected from time to time. Although driving may be difficult in some areas due to damaged roads and streets, when caution is exercised the roads are normally passable or alternate routes are available. Except in severe cases, staff are expected to work their regular schedule. Time taken off due to natural disasters while the office remains open is unpaid.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

If extreme natural disasters require closing, employees will be notified by their supervisor or Executive Director.

## **Acceptable Use of Electronic Communications and Social Media**

This policy contains guidelines for Electronic Communications created, sent, received, used, transmitted, or stored using District communication systems or equipment and employee- provided systems or equipment used either in the workplace, during working time or to accomplish work tasks. "Electronic Communications" include, among other things, messages, images, data or any other information used in e-mail, instant messages, voice mail, fax machines, computers, personal digital assistants (including tablet, smart phone or similar devices), text messages, pagers, telephones, cellular and mobile phones including those with cameras, Intranet, Internet, back-up storage, information on a memory or flash key or card, jump or zip drive or any other type of internal or external removable storage drives. In the remainder of this policy, all of these communication devices are collectively referred to as "Systems."

Employees may use District Systems to communicate internally with co-workers or externally with partners, residents, suppliers, vendors, advisors, and other business acquaintances for business purposes.

All Electronic Communications contained in District Systems are District records and/or property. Although an employee may have an individual password to access District Systems, the Systems and Electronic Communications belong to the District. The Systems and Electronic Communications are accessible to the District at all times including periodic unannounced inspections. District Systems and Electronic Communications are subject to use, access, monitoring, review, recording and disclosure without further notice. District Systems and Electronic Communications are not confidential or private. The District's right to use, access, monitor, record and disclose Electronic Communications without further notice applies equally to employee-provided systems or equipment used in the workplace, during working time, or to accomplish work tasks.

Although incidental and occasional personal use of District Systems that does not interfere or conflict with productivity or District business or violate policy is permitted, personal communications in District Systems are treated the same as all other Electronic Communications and may be used, accessed, recorded, monitored, and disclosed by the District at any time without further notice. Employees should have no expectation of privacy in material stored on or created by District Systems. Since all Electronic Communications and Systems can be accessed without advance notice, employees should not use District Systems for communication or information that employees would not want revealed to third parties.

Employees may not use District Systems in a manner that violates policies including but not limited to Equal Employment Opportunity, No Harassment, Protecting District Information, Non-Solicitation, and Distribution. Employees may not use District Systems in any way that may be seen as insulting,

disruptive, obscene, offensive, harmful to morale or any other message or image that may be in violation of District policies or federal, state or local laws.

An employee may not misrepresent, disguise, or conceal their identity or another's identity in any way while using Electronic Communications; make changes to Electronic Communications without clearly indicating such changes; or use another person's account, mail box, password, etc. without prior written approval of the account owner and without identifying the actual author. Employees may not attempt to gain unauthorized or unlawful access to computers, equipment, networks, or systems of the Agency or any other person or entity.

Employees must always respect intellectual property rights such as copyrights and trademarks. Employees must not copy, use, or transfer trade secrets or proprietary materials of the District or others without appropriate authorization. Employees must maintain the confidentiality of District trade secrets and proprietary or confidential information. Employees must not post internal reports, policies, procedures, or other internal business-related confidential communications.

All Systems passwords and encryption keys must be available and known to the District. **Employees may not install password or encryption programs without the written permission of their supervisor.** Employees may not use the passwords and encryption keys belonging to others.

Numerous state and federal laws apply to Electronic Communications and Social Media. The District will comply with all applicable laws including restrictions concerning employer requests for an employees' username and/or password. Employees also must comply with applicable laws and should recognize that an employee could be personally liable and/or subject to fine and imprisonment for violation of applicable laws.

This policy does not limit an employee's rights under Section 7 of the National Labor Relations Act. Nothing in this policy is meant to restrict an employee's right to discuss the terms and conditions of their employment during non-working hours using non-District systems.

Violations of this policy may result in disciplinary action up to and including discharge as well as possible civil liabilities or criminal prosecution. Where appropriate, the District may advise legal officials or appropriate third parties of policy violations and cooperate with official investigations.

Employees are encouraged to report violations of this policy. The District prohibits retaliation against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including immediate discharge.

### **Social Media**

The District has policies that govern use of its own electronic communication systems, equipment, and resources which employees must follow. The District encourages employees to use good judgment when communicating via social media, whenever doing so while an employee of the District.

"Social media" includes all means of communicating or posting information or content of any sort on the Internet, including personal or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the District, as well as any other form of electronic communication.

The same principles and guidelines found in the District's Personnel Policy Manual apply to employees' activities online. Ultimately, the employee is solely responsible for what they post online. Before creating online content, consider the risks and rewards that are involved. Keep in mind that any conduct that adversely affects job performance, the performance of fellow employees or otherwise adversely affects partners, residents, vendors, suppliers, people who work on behalf of the District or its legitimate business interests may result in disciplinary action up to and including immediate discharge. Employees are required to abide by District policies regarding harassment.

The following is a general and non-exhaustive list of guidelines to keep in mind:

1. Employees should be fair and courteous to fellow employees, partners, residents, vendors, suppliers, or people who work on behalf of the District. Also, keep in mind that employees are more likely to resolve work-related complaints by speaking directly with their co-workers or by utilizing the District's Communications policy than by posting complaints to a social media outlet.
2. Nevertheless, if employees decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages residents, employees, vendors, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, age, gender, national origin, color, disability, religion or any other status protected by federal, state or local law or company policy. Inappropriate postings that may include discriminatory remarks, harassment, retaliation, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may be subject to disciplinary action up to and including immediate discharge.
3. Make sure to always be truthful and accurate when posting information or news. If mistakes are made, correct them quickly. Be open about any previous posts that have been altered. Use privacy settings when appropriate. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. The Internet is immediate, nothing that is posted ever truly "expires." Never post any information or rumors that are known to be false about the District, fellow employees, partners, residents, vendors, suppliers, people working on behalf of the District or competitors.
4. Maintain the confidentiality of District trade secrets and proprietary or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications.
5. Do not create a link from personal blogs, websites, or other social networking sites to the District's website without identifying yourself as a District employee.
6. Express only personal opinions. Employees should never represent themselves as a spokesperson for the District. If the District is a subject of the content employees are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the District, fellow employees, partners, residents, vendors, suppliers or people working on behalf of the District. If employees publish a blog or post online related to the work they do or subjects associated with the District, it should be clear that they are not speaking on behalf of the District. It is best to include a disclaimer such as "The postings on

this site are my own and do not necessarily reflect the views of Tahoe Resource Conservation District”.

7. Employees must refrain from using personal social media while on working time or while using provided equipment, unless it is work-related as authorized by a direct supervisor, or other member of management; or consistent with the Acceptable Use of Electronic Communications Policy.
8. Do not use any District email addresses to register on social networks, blogs or other online tools utilized for personal use.

Employees are encouraged to report violations of this policy. The District prohibits retaliation against any employee for reporting a possible deviation from this policy or for cooperating in an investigation.

Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including immediate discharge.

Employees should not speak to the media on the District's behalf without contacting their supervisor. All media inquiries should be directed to their supervisor or Executive Director.

Where applicable, the District complies with state laws concerning access to an employees' personal social networking account, including restrictions concerning employer requests for an employees' username and/or password.

If there are questions or further guidance is needed, employees should contact their supervisor.

### **Dress Policy**

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times.

Whether or not the employee's job responsibilities place them in direct contact with the public, employees represent the District with their appearance as well as their actions. The properly attired individual helps to create a favorable image for the District, to the public and fellow employees.

The District maintains a business casual environment. All office employees should use discretion in wearing attire that is appropriate.

### **Recycling and Waste Prevention**

The District is committed to the environment and its future. Therefore, recycling containers are located throughout the building for the collection of recyclable materials. Waste of time, materials and utilities is costly to the District. If employees have any waste prevention ideas, they can contact their supervisor in writing.

### **Protecting District Information**

Protecting District information is the responsibility of every employee. Do not discuss the District's confidential matters, or share confidential, personal employee information with anyone who does not work for the District such as friends, family members, members of the media, or other business entities.

Confidential information does not include information pertaining to the terms and conditions of an employee's own employment. Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

All telephone calls regarding a current or former employee's position/compensation with our District must be forwarded to Human Resources. No information should be disclosed about any current or former District employees.

All media inquiries regarding the District and its operations must be referred to the Executive Director. Only the Executive Director is authorized to make or approve public statements on behalf of the District. No employees, unless specifically designated by the Executive Director, are authorized to make statements on behalf of or as a representative of the District.

### **Conflict of Interest/Code of Ethics**

The District's reputation for integrity is its most valuable asset and is directly related to the conduct of its employees. Therefore, employees must never use their positions with the District, or any of its residents, for private gain, to advance personal interests or to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities.

The District adheres to the highest legal and ethical standards applicable in business. The District's business is conducted in strict observance of both the letter and spirit of all applicable laws and the integrity of each employee is of utmost importance.

Employees of the District shall conduct their personal affairs such that their duties and responsibilities to the District are not jeopardized and/or legal questions do not arise with respect to their association or work with the District.

### **Bulletin Board**

The District maintains a bulletin board at the main office, located at: 870 Emerald Bay Road, Suite 108, South Lake Tahoe, CA, as an important source of information. This bulletin board is primarily used for District announcements, government, and public postings. Anything posted must be approved by Human Resources.

### **Ending Employment**

Should the employee decide to leave their employment with Tahoe RCD, the District asks that the employee voluntarily provide their supervisor with at least two weeks' advance notice. Employees' thoughtfulness is appreciated and will be noted favorably should they ever wish to reapply for employment with the District.

Employees who are rehired following a break in service in excess of six months, other than an approved leave of absence, must serve a new initial introductory period whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their reemployment for all purposes, including the purposes of measuring benefits.

The District is not required to provide a "letter of reference" to former employees. Generally, the District will confirm upon request an employees' dates of employment, salary history, and job title.

Additionally, all resigning employees should complete a brief exit interview prior to leaving. All District property must be returned at the end of employment. Otherwise, the District may take action to recoup any replacement costs and/or seek the return of District property through appropriate legal recourse.

Employees should notify the District if their address changes during the calendar year in which discharge occurs so that tax information will be sent to the proper address.

### **Safety in the Workplace**

Refer to the Injury Illness Prevention Program, see Human Resources for a copy.

### **Safety - Each Employee's Responsibility**

Safety can only be achieved through teamwork. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately.

Employees will observe the following precautions:

1. Notify supervisor staff of any emergency situation. If employees are injured or become sick at work, no matter how slightly, they must inform their supervisor immediately.
2. The use of alcoholic beverages or illegal substances during working hours will not be tolerated and the possession of alcoholic beverages or illegal substances is forbidden.
3. Use, adjust, and repair machines and equipment only if trained and qualified to do so.
4. Know the proper lifting procedures. Get help when lifting or pushing heavy objects.
5. Understand job requirements fully and follow instructions. If employees are not sure of the safe procedure, do not guess; they should ask their supervisor.
6. Know the locations, contents, and proper use of first aid and firefighting equipment.
7. Wear personal protective equipment in accordance with the job they are performing.

A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action, up to and including discharge.

## **Workplace Violence**

Violence by an employee or anyone else against any District employee will not be tolerated. The purpose of this policy is to minimize the potential risk of personal injuries to employees at work and to reduce the possibility of damage to District property in the event someone, for whatever reason, may be unhappy with a District decision or action by an employee or member of management.

If an employee receives or overhears any threatening communications from another employee or outside third party, they should report it to their supervisor at once. Employees should not engage in either physical or verbal confrontation with a potentially violent individual. If employees encounter an individual who is threatening immediate harm to an employee or visitor on District premises, they should contact an emergency agency (such as 911) immediately.

All reports of work-related threats will be kept confidential to the extent possible, investigated and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence and will not be subjected to disciplinary consequences for such reports or cooperation.

Violations of this policy, including failure to report or fully cooperate in the District's investigation, may result in disciplinary action, up to and including discharge.

## **Workplace Searches**

To protect property and to ensure the safety of all employees, residents and the District, the District reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, brief cases, lunch boxes or any other possessions or articles carried to and from the District's property. In addition, the District reserves the right to search any employee's office, desk, files, locker, equipment or any other area or article on our premises. In this regard, it should be noted that all offices, desks, files, lockers, equipment, etc. are the property of the District, and are issued for the use of employees only during their employment. Inspection may be conducted at any time at the discretion of the District. Employees should not have an expectation of privacy with respect to any items stored in the workplace.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal substances, will be subject to disciplinary action, up to and including discharge, if upon investigation they are found to be in violation of the District's security procedures or any other District rules and regulations.

## **Tobacco Use in the Workplace**

The District is committed to providing a safe and healthy environment for employees and visitors. Smoking and the use of tobacco products, including the use of e-cigarettes or other combustible materials or device(s) is not permitted on or in District-owned, rented, or leased property, except in designated areas.

Violations of this policy may result in disciplinary action, up to and including discharge.



## **No Weapons in the Workplace**

Possession, use or sale of weapons, firearms or explosives on work premises, while operating District machinery, equipment or vehicles for work-related purposes or while engaged in District business off premises is forbidden except where expressly authorized by the District and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm.

Employees who are aware of violations or threats of violations of this policy are required to report such violations or threats of violations to the safety manager immediately.

Violations of this policy will result in disciplinary action, up to and including discharge.

## **Drug and Alcohol-Free Workplace and Drug Testing**

The District has vital interests in ensuring a safe, healthy, and efficient working environment for employees and the guests/customers served. Unlawful or improper presence or use of controlled substances or alcohol in the District office presents a danger to everyone. For these reasons, the District has established as a condition of employment and continued employment, the following substance abuse policy.

Substance abuse undermines the ability of the District to operate its affairs in a safe and efficient manner. An employee's use of alcohol or drugs can adversely affect the quality of that employee's job performance, increasing the workloads for others and disrupting the goals of the District. Substance abuse often results in increased absenteeism and tardiness, disruptive behavior, and inferior and delayed work product. Furthermore, substance abuse poses serious health and safety risks to the employee, co-workers, partners and the public. While the District recognizes its employees' rights to engage in lawful, off-duty conduct, the District will not accept the risk that substance abuse by employees may cause or contribute to accidents or other job performance problems. Accordingly, the District has adopted this drug and alcohol-free workplace policy.

For purposes of this policy, "illegal substance" means any drug which (a) is defined as illegal under state or federal law, or (b) is legally obtainable but has not been legally obtained, or (c) has been legally obtained but is being sold or distributed unlawfully. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for the prescribed purposes. The term "illegal substance" also includes marijuana, as it is considered an illegal substance under federal law. Even though California law may have legalized the usage/possession of marijuana, it is still prohibited by federal law and by this District workplace policy. "Legal drug" means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.

The District strictly prohibits the use, possession, transfer, sale, manufacture, or distribution of alcohol or illegal substances while on District property, whether owned, leased, rented, or contracted by the District. Additionally, employees must not report for work, conduct any District business, or be on District premises while under the influence of or impaired by alcohol or an illegal substance.

The District also prohibits the abuse of any legal drug and working while impaired by a legal drug whenever such impairment might: (a) endanger the safety of the employee or some other person; (b) pose a risk of significant damage to District property or equipment; or (c) substantially interfere with the employee's job performance or the efficient operation of District business or equipment. Nothing in this policy is intended to diminish our commitment to employ and reasonably accommodate qualified disabled individuals, where required by applicable law.

“Reasonable suspicion” means: observable phenomena, such as direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of a drug or alcohol, such as slurred speech, impaired vision, odor, and an unsteady gait; a pattern of abnormal conduct or erratic behavior; arrest or conviction for a drug-related offense, or the identification of a member as the focus of a criminal investigation into illegal drug possession, use, trafficking and/or distribution; information about the use of illegal drugs, the abuse of legal drugs or on-duty use of alcohol provided by a reliable and credible source; or, newly discovered evidence that the member tampered with a previous drug or alcohol test.

Drug testing will be required in the following instances: (1) pre-employment for all those provided with a conditional offer of employment; and (2) based on “reasonable suspicion.” If the Executive Director, direct supervisor, or other Management staff has reasonable suspicion that an employee on duty may be under the influence of or impaired by alcohol or an illegal drug, then the employee may be directed to submit to a drug and alcohol test. The employee shall proceed immediately to submit to the testing.

The drug screening shall be conducted by a drug testing clinic certified by the National Institute on Drug Abuse (NIDA) as selected by the District. The drug screening examination shall be conducted by urinalysis by a qualified and competent NIDA-certified laboratory. Any positive finding of an illegal drug shall be confirmed by gas chromatography/mass spectrometry or another accurate confirmation test before any report of a positive drug screening result to the District. The collection of urine specimens shall be done in a professional manner and in such a way as to assure a proper and documented chain of custody, including proper identification, labeling, and handling of test specimens. Medical personnel shall not observe the act of urination itself. In connection with the drug screening examination, the employee shall be asked to list those legal drugs that he or she has consumed in the recent past.

If the drug screening examination results are positive for the presence of an illegal drug or alcohol, then the drug testing clinic shall report this finding to the District. If the drug or alcohol test results are positive, then the member shall be in violation of this policy and subject to discipline as provided below.

Any violation of this policy may result in discipline, up to and including dismissal, depending on the circumstances. In lieu of discipline, the Executive Director also may allow an employee who violates this policy to voluntarily participate in and satisfactorily complete a drug or alcohol abuse assistance, rehabilitation or counseling program at the employee’s own expense. If an employee refuses to cooperate with and complete the alternative program, then the Executive Director shall impose appropriate discipline. The first violation of this policy likely will result in immediate discharge whenever the prohibited conduct: (i) caused serious injury to the member or any other person, or, in the opinion of the Executive Director, unreasonably endangered the safety of the member or any other person; (ii) resulted in significant damage to District property or equipment, or, in the opinion of the Executive Director, posed a risk of significant damage; or (iii) involved the sale or manufacture of illegal drugs.

An employee who is convicted under a federal or state criminal drug statute relating to any conduct prohibited by this policy will be deemed to have violated this policy. Employees shall notify the Executive Director of any conviction under a criminal drug statute. Upon receiving notice of a conviction of a member for any such violation, the District shall either (i) take appropriate disciplinary action in accordance with this policy, and/or (ii) provide for the employee to participate in and satisfactorily complete a drug abuse assistance, rehabilitation, or counseling program.

Any employee who violates this policy is subject to discipline, up to and including immediate discharge, even for a first violation. The District may also bring the matter to the attention of appropriate law enforcement authorities.

Notwithstanding this policy, the District will make reasonable accommodations for employees with disabilities who need to take prescription medication. Employees in need of such accommodation should follow the process outlined in the Disability Accommodation policy.

**Receipt of Personnel Policy and Employment-At-Will Statement**

This is to acknowledge that I have received a copy of the Tahoe Resource Conservation District Personnel Policy and I understand that it contains information about the employment policies and practices of the District. I agree to read and comply with this Personnel Policy. I understand that the policies outlined in this Personnel Policy may require changes from time to time. I understand that the District retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the District. I understand that this Personnel Policy supersedes and replaces any and all prior Personnel Policies and any inconsistent written policy statements.

I understand that except for the policy of at-will employment, the District reserves the right to revise, delete and add to the provisions of this Personnel Policy at any time without further notice. All such revisions, deletions or additions to the Personnel Policy will be in writing, signed by the District’s Executive Director, and shared with all staff. I understand that no oral statements or representations can change the provisions of this Personnel Policy.

I understand that this Personnel Policy is not intended to create contractual obligations with respect to any matters it covers and that the Personnel Policy does not create a contract guaranteeing that I will be employed for any specific time period.

**TAHOE RCD IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS PERSONNEL POLICY, THE DISTRICT OR I MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS PERSONNEL POLICY OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE DISTRICT IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH MYSELF OR ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME. ANY AGREEMENT TO EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME WILL BE PUT INTO WRITING AND SIGNED BY THE EXECUTIVE DIRECTOR OF THE DISTRICT.**

I understand that this Personnel Policy refers to current benefit plans maintained by the District and that I must refer to the actual plan documents and summary plan descriptions as these documents are controlling.

I also understand that if a written contract is inconsistent with the Personnel Policy, the written contract or offer letter is controlling.

If I have questions regarding the content or interpretation of this Personnel Policy, I will ask my supervisor or a member of management.

PRINT NAME \_\_\_\_\_

DATE \_\_\_\_\_

EMPLOYEE  
SIGNATURE \_\_\_\_\_



## Hybrid Telework Policy and Agreement

Employee:

Residence Address:

Residence Phone:

Mobile Phone (if applicable):

### Teleworking

Teleworking, or telecommuting, is the act of working from home or another location on a full-time or part-time basis. Teleworking is not an automatic employee entitlement. Rather, it is an alternative method of meeting the needs of the organization. Employees may request the opportunity to telework by filling out the form below and submitting to their direct supervisor. Tahoe RCD has the right to refuse to make teleworking available to an employee and to terminate a teleworking arrangement at any time, for any reason. Employees are not required to telework. Employees can refuse to telework if the option is made available.

### Eligibility

Regular full-time employees are eligible to participate in the hybrid telework program. Employees' telework plans will be based on the suitability of their jobs and their ability to effectively manage their day-to-day workload. Each department/program will make its own determinations. All hybrid telework schedules are subject to revision or revocation at the discretion of the supervisor or depending on needs of the program.

### Understanding

The Supervisor, and employee have read and understand the Tahoe RCD Hybrid Telework Policy and Procedures in this document. All parties understand that the Hybrid Telework Agreement may be terminated by the supervisor, or the employee as stipulated in this agreement. The supervisor and the employee have read, understand, completed, and signed the "Supervisor's Checklist" and the "Telework Safety Agreement" prior to participation in the telework program and agree to the following:

### Hybrid Telework Schedule

It is understood that telework days must be scheduled in advance and approved by the supervisor. At certain times, it may be necessary for the hybrid telework schedule to be revised to ensure critical deadlines are met or to attend meetings. Any change by the employee in the agreed upon schedule must be pre-approved by their supervisor, and when permanent, documented and appended to the Telework Agreement.

The following telework schedule is established:

Workday	Sa	Su	M	Tu	W	Th	F
Regular Work Hours							
Telework							
Office							

Effective date:

This arrangement must be reviewed and renewed no less than annually to ensure the standards for participation are being followed.

## Work Effectiveness and Safety

The employee agrees to:

- Possess the skills and equipment/supplies necessary to successfully perform their duties in a telework environment.
- Learn and apply ergonomic safety practices.
- Establish and maintain a safe home office environment.
  - Work performed outside of the office and home environment should be authorized by staff supervisor prior to work being performed; authorization may be verbal or written.
- Ensure Tahoe RCD work takes precedence over family and home matters during home office hours.
  - Employee must make arrangements for dependent care, if applicable. Time taken to care for dependents may not be charged to work hours; vacation, floating holiday or sick time (when appropriate) must be used when dependent care interferes with work hours.
- Be available by phone and email during their regular scheduled work hours.
- Ensure Tahoe RCD needs take precedence over the home office schedule. Employee must still be available for in-person staff meetings, and other meetings deemed necessary by management.
- Employee must communicate with supervisor on work tasks and projects the employee is working on during telework time. Supervisors reserve the right to request a weekly work-plan.
- Participate in all studies, inquiries and analyses relating to this policy. The employee remains obligated to comply with all Tahoe RCD rules, practices, and instructions. During evaluation, managers/supervisors must consider the impact the employee’s work schedule and work location has on fellow employees, employee morale, as well as the functional needs of the organization.

The employee understands that:

- The employee’s compensation, benefits, work status and work responsibilities will not change due to participation in the teleworking program. The amount of time the employee is expected to work per day or pay period will not change as a result of participation in the teleworking program. In general, employees are expected to work their regular schedule, unless an alternate schedule is agreed upon in advance with the supervisor.
- Teleworking employees must comply with the “Recording Your Time” policy in the Personnel Policy, which requires employees to record all hours worked on timesheets, including time taken for meal periods.
- Teleworking employees must keep their shared work calendars updated daily and show “limited details” of calendar entries, not “availability only,” i.e. not just busy/free.
- Overtime must be approved in advance. The employee understands that failing to obtain proper approval for overtime work may result in the telework agreement being canceled.
- Tahoe RCD will not be liable for damages to the employee’s property resulting from participation in the Telework Program.
- Employees are covered by worker’s compensation during working hours. The employee’s remote workspace will be considered an extension of the Tahoe RCD’s workspace. Tahoe RCD assumes no liability for injuries occurring in the employee’s remote workspace outside working hours. Tahoe RCD is not liable for loss, destruction, or injury to others that may occur in or to the employee’s home. This includes family members, visitors, or others that may become injured within or around the employee’s home.

- Teleworking employees are allowed to take a Tahoe RCD-issued computer to an approved remote location. This computer will include all necessary software and will allow for access to Tahoe RCD e-mail and file servers. Beyond that, Tahoe RCD will not provide specific tools/equipment for the employee to perform their current duties at home. If an employee needs to use any standard office equipment in connection with the performance of their assigned duties (i.e. printer, scanner, fax machine), those items are available for employee's use at the Tahoe RCD office.
- If the employee is sick and/or unable to work in their telework location, they are required to report those absences as they would in a normal office setting. All use of vacation, compensatory time off, sick leave, or any other type of leave is subject to approval by the employee's supervisor.
- It is the employee's responsibility to determine any income tax implications of maintaining a home office area. Tahoe RCD will not provide tax guidance nor will Tahoe RCD assume any additional tax liabilities. Employees that are eligible and choose to telework are encouraged to consult with a qualified tax professional to discuss income tax implications.
- Abuse of telework or violations of this agreement may result in this telework agreement being terminated.
- The employee's supervisor may terminate a telework agreement at any time.
- Any employee who violates the Telework Policy and procedures may be subject to discipline, up to and including dismissal.

By signing below staff agree to abide by the terms and conditions of this agreement. A copy of this agreement shall be placed in the employee's official personnel file.

	Employee	Supervisor	Executive Director
Name			
Signature			
Date			



## TELEWORK SAFETY AGREEMENT

### Safety Checklist

The following checklist must be completed prior to the beginning of home teleworking.

#### Fire Protection

Requirement	Requirement Met?
Smoke Alarm/Detector (UL Approved)	
Fire Extinguisher (UL Approved)	
Easy access to fire extinguisher	

#### Suitable Work Environment

Requirement	Requirement Met?
Adequate access to internet and telephone	
Reliable internet connection	
Uncluttered work environment	
Ergonomically correct workstation*	

\*If necessary, the Safety/Loss Prevention Manager can evaluate the workstation or assist with ensuring that it is ergonomically correct.

### Certification

I certify that my home office meets all the above safety requirements.

Employee Signature and Date:

### Supervisor Review

Approved

Denied (Provide reason)

Supervisor Signature and Date:





## Supervisor's Checklist

Name of Employee:

Name of Supervisor:

The following tasks must be completed prior to the start of the telework arrangement.

- Employee and Supervisor have read and agree to abide by the provisions of the Tahoe RCD Hybrid Telework Policy.
- Performance expectations have been discussed and are clearly understood.
- The Telework Safety Agreement has been completed and all safety requirements are met.
- The Telework schedule has been filled out.
- Other items discussed:

Employee's Signature and Date:

Supervisor's Signature and Date:

RESOLUTION NO. 2023-1

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TAHOE RESOURCE CONSERVATION DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF TAHOE RESOURCE CONSERVATION DISTRICT PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Tahoe Resource Conservation District (“TRCD” or “District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of TRCD’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors does hereby find that Governor Newsom has declared a State of Emergency due to the COVID-19 pandemic and in response state and local officials have recommended social distancing;

WHEREAS, as a consequence of the above, the Board of Directors does hereby find that the legislative bodies of TRCD may conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TAHOE RESOURCE CONSERVATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Governor’s Proclamation of a State of Emergency. The Board acknowledges the Governor of the State of California’s Proclamation of State of Emergency, related to the COVID-19 pandemic. The Board further finds and determines that state and local health officials recommend social distancing based on the threat of COVID-19. Lastly, meeting in person would present imminent risks to the health and safety of attendees. These risks include serious illness and death based on contracting COVID-19.

Section 3. Remote Teleconference Meetings. The Executive Director and legislative bodies of TRCD are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this

Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) February 10, 2023, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of TRCD may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Tahoe Resources Conservation District, this 10<sup>th</sup> day of January, 2023, by the following vote:

**Ayes:**            **Directors** \_\_\_\_\_

**Noes:**            **Directors** \_\_\_\_\_

**Absent:**         **Directors** \_\_\_\_\_

**Abstain:**        **Directors** \_\_\_\_\_

\_\_\_\_\_  
**Carl Ribaudo, President**

**Attest:**

\_\_\_\_\_  
**Tori Walton, Assistant to the Board**