



2435 Wallace Avenue, Summerland CA

**Regular Board of Directors Meeting**  
Thursday February 11, 2021 at 3:00 P.M.

This meeting will be held outdoors at the District's Treatment Plant utilizing social distancing protocols and will be conducted in accordance with the Governor's Executive Order No. N-29-20. To minimize the potential spread of the Covid-19 virus, the District is not permitting public access to the meeting location. You may listen to the meeting telephonically by calling +1 669 900 6833 (San Jose) Meeting Code ID: 983 226 8568 or through the internet at <https://us02web.zoom.us/j/9832268568>.

Should you wish to participate in the meeting by offering comments on either non-agenda or agenda-related items, please follow the instructions set forth in Item IV of the agenda.

Materials related to an item on this Agenda, which are part of the agenda packet, are available for public inspection on the District website [www.summerlandsd.org](http://www.summerlandsd.org)

**AGENDA**

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **APPROVAL OF THE AGENDA**  
The Board President will ask the Board, public, staff, and legal counsel if there are any additions and/or modifications to the Agenda.
- IV. **PUBLIC COMMENT** [Non-Agenda Items]  
Those wishing to offer public comment must email comments to the Clerk of the Board at [info@summerlandsd.org](mailto:info@summerlandsd.org) at least 30 minutes prior to the meeting or provide a telephone number to the Clerk of the Board (which the Clerk will call during the meeting and provide opportunity for such comment). Three- minute time limit will be imposed.
- V. **CLOSED SESSION ITEM**  
Conference with Legal Counsel- Existing Litigation (Subdivision (d) of Section §54956.9)  
Title of Case: Santa Barbara Superior Court Case Number: 18CV01923/Court of Appeal Case No. B298730. Lucinda Malott Successor Trustee versus Summerland Sanitary District.
- VI. **APPROVAL OF THE MINUTES FOR THE REGULAR BOARD MEETING JANUARY 14, 2021** [Action Item]
- VII. **APPROVAL OF THE MONTHLY EXPENSES FOR JANUARY 2021, INCLUDING PAYROLL AND PETTY CASH** [Action item]
- VIII. **COMMITTEE REPORTS UPDATES**
  - A. Finance Committee Report
  - B. Administration, Operations & Personnel (AOP) Committee Report
  - C. Ad-Hoc Committee Report

**SUMMERLAND SANITARY DISTRICT**  
**Regular Board of Directors Meeting**  
**AGENDA**

**IX. NEW BUSINESS**

**A. Received Correspondence: Letter Retirement from Law Practice Mr. A. Trembley**

Description: The Board of Directors received a letter from Mr. A. Trembley on January 20, 2021 informing the Board that Mr. Trembley will retire from law practice per April 1, 2021.

**B. Report of Zoom Meeting with Montecito Water District (MWD) January 21, 2021**

Description: Summerland Sanitary District's Board President and Management was requested by Montecito Water District (MWD) to meet via Zoom. The meeting was held with MWD Board Directors Mr. Coates and Mr. Plough and General Manager Mr. Turner regarding preliminary talks for consolidation with Montecito Sanitary District. The Board President will update the Board.

**C. Resolution 2021-01 Resolution of the Governing Board of Directors of the Summerland Sanitary District Adopting the Personnel Policy and Employee Handbook [Action Item]**

Description: The Board of Directors will be requested to adopt Resolution 2021-01. The Board will receive an administrative report, a recap of changes, and a copy of the Personnel Policy and Employee Handbook (Exhibit A).

Staff Recommendation: To adopt Resolution 2021-01 if no additional changes are requested.

**D. Request for approval to purchase flow meter sensor and analog controller [Action Item]**

Description: The Board will be requested by the Treatment Plant Operations Supervisor to approve purchasing a flow meter sensor and Hach Analog Controller with a total expense of \$5,743 to be allocated under budget 5216.

Staff Recommendation: To approve the expense.

**X. FINANCIAL STATUS REPORT DECEMBER 2020**

The Board will receive a Financial Status and Cash Balances Reports for Funds 5215, 5216 & 5217 and can request staff for explanation. The Board will be asked to accept the report as presented.

**XI. TREATMENT PLANT OPERATIONS SUPERVISOR REPORT**

The Treatment Plant Operations Supervisor will provide a written report on operations, facility and collection system maintenance and will provide explanation where requested.

**XII. DISTRICT ADMINISTRATIVE MANAGER REPORT**

The District Administrative Manager will provide a written report on District's administrative affairs and will provide explanation where requested.

**XIII. BOARD COMMUNICATIONS**

- A. Board Communications.
- B. Items for future Board meetings.
- C. Next Board meeting date.

**XIV. ADJOURNMENT**



## Minutes of the Regular Board of Directors Meeting

Thursday January 14, 2021 at 3:00 P.M.

These are the minutes of the regular meeting of the Governing Board of the Summerland Sanitary District. The Governing Board of the Summerland Sanitary District held a regular meeting outdoors at the district premises located at 2435 Wallace Ave, Summerland, California with social distancing protocols. The meeting was conducted in accordance with the Governor's Executive Order No. N-29-20. To minimize the potential spread of the Covid-19 virus, the District did not permit public access to the meeting location. The public was able to listen to the meeting telephonically by calling +1 669 900 6833 (San Jose) Meeting Code ID: 983 226 8568 or through the internet at <https://us02web.zoom.us/j/9832268568>.

The agenda notice for this meeting, including instructions for the public to provide comments and/or participate in the electronic meeting, was posted at the district's website, bulletin board and at the post office at least 72-hours in advance of the meeting.

PRESIDENT D. NOVIS CALLED THE REGULAR BOARD MEETING TO ORDER AT 3:01 P.M.

### I. ROLL CALL

DIRECTORS PRESENT

JOLENE COLOMY  
DAVID NOVIS  
JOHN FRANKLIN  
JAMES WITMER  
MARTIN TUCKER (VIA TELEPHONE)

ABSENT

-

ALO PRESENT

NOE AGUILAR VEGA Treatment Plant Operations Supervisor  
MARJON SOUZA District Administrative Manager  
TRACEY SOLOMON CPA, Bartlett, Pringle & Wolf, LLP  
ANTHONY TREMBLEY Legal Counsel (Via Zoom)

### II. PLEDGE OF ALLEGIANCE

### III. CERTIFICATE OF OATH OF OFFICE

Mr. M. Tucker took the Oath of Office, which was administered by the Clerk to the Board.

### IV. APPROVAL OF THE AGENDA

President D. Novis asked if there were any modifications and/or changes to the agenda. Hearing none, the agenda was approved as submitted.

### V. PUBLIC COMMENT [NON-AGENDA ITEMS]

No public comments were submitted, and no public was present via telephone, or Zoom.

VI. APPROVAL OF THE MINUTES FOR THE REGULAR BOARD MEETING OF DECEMBER 10, 2020  
[Action-item]

A motion was made by Director J. Colomy to approve the minutes of the Regular Board Meeting of December 10, 2020 with the amendment that Director Tucker was absent and did not abstain during the motions. The motion was seconded by Director J. Witmer. The motion was carried by the following roll call vote:

AYES:	5	J. Colomy, J. Franklin, D. Novis, J. Witmer, M. Tucker
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

VII. APPROVAL OF THE MONTHLY EXPENSES FOR DECEMBER 2020, INCLUDING PAYROLL AND PETTY CASH [Action-item]

District Management answered and clarified questions the Board had about pay out of bills. A motion was made by Director J. Colomy to approve the monthly expenses, including payroll and petty cash totaling \$91,145 for Fund 5215. The motion was seconded by Director J. Witmer and passed with the following roll call vote:

AYES:	5	J. Colomy, J. Franklin, D. Novis, J. Witmer, M. Tucker
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

VIII. COMMITTEE REPORTS

A. Finance Committee Report

The Finance Committee did not meet.

B. Administration, Operations & Personnel (AOP) Committee Report

The AOP-Committee did not meet.

C. Ad-hoc Committee

The Ad-hoc Committee did not meet.

VIII. NEW BUSINESS [Action Items]

A. **Financial Statements FY2019-20 and Management Report June 30, 2020**

The Board received a presentation of the Annual Financial Report and Management Report FY 2019-20 presented by Tracey Solomon, CPA of Bartlett, Pringle & Wolf, LLP. The Board was requested to accept the Financial Statements as presented.

Ms. Solomon first discussed the required letter of communication and informed the Board that no significant matters related to conducting the audit were found. Ms. Solomon then presented the Statements of Net Positions & Cash Flows and went over the management discussions and exhibits where requested. The District is showing a slight increase in net position and is in a healthy shape. Ms. Solomon advised to consider creating a Long-term Capital Replacement program for future expenses. The Board and staff thanked Ms. Solomon for the excellent presentation.



A motion was made by Director J. Colomy to accept the Financial Statements for FY2019/20 as presented. The motion was seconded by J. Witmer and passed with the following roll call vote:

AYES:	5	J. Colomy, J. Franklin, D. Novis, J. Witmer, M. Tucker
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**B. Request for Compensation Approval for the Board Members Attendance at the Mandatory Sexual Prevention Harassment Training Pursuant AB 1825 & AB1661 and Attendance Requirement of the Board President for Agenda Setting Meetings**

The Board of Directors were requested to approve a \$175 compensation for the required "Sexual Prevention Harassment" training pursuant AB 1825 & AB1661 and for the required Agenda Setting Meetings of the Board President with District Management for Regular and Special Board meetings. This approval request is pursuant Resolution No. 2015-01 Section 1, item C.

A motion was made by Director J. Franklin to accept the request for compensation of \$175 for the Required Sexual Prevention Harassment training and the Agenda Setting Meetings for Regular and Special Board meetings. The motion was seconded by J. Colomy and passed with the following roll call vote:

AYES:	5	J. Colomy, J. Franklin, D. Novis, J. Witmer, M. Tucker
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**IX. CLOSED SESSION ITEM**

Conference with Legal Counsel- Existing Litigation (Subdivision (d) of Section §54956.9)  
Title of Case: Santa Barbara Superior Court Case Number: 18CV01923/Court of Appeal Case No. B298730. Lucinda Malott Successor Trustee versus Summerland Sanitary District

Board President, D. Novis, announced that the Board entered into a closed session with legal counsel and district staff at 3:59 p.m. to discuss item IX.

President D. Novis announced that the Board reconvened into open session at 4:15 p.m. and reported that no action was taken.

**X. FINANCIAL STATUS REPORT DECEMBER 2020**

The Board received a Financial Status and Cash Balances Reports for Funds 5215, 5216 & 5217 and staff provided explanation where requested. The Board accepted the report as presented.

**XI. TREATMENT PLANT OPERATIONS SUPERVISOR REPORT**

Treatment Plant Operations Supervisor N. Aguilar Vega provided a written report and in addition to the report he informed the hydraulic study will be completed in two weeks. The

Summerland Sanitary District  
Minutes Regular Board Meeting 01/14/2021

District had a sewer overflow on Ortega Hill Road on December 19, 2020. Sewage was completely recovered from the creek nearby.

XII. DISTRICT ADMINISTRATIVE MANAGER REPORT

District Administrative Manager M. Souza provided a written report and answered questions the board had regarding the report.

XIII. BOARD COMMUNICATIONS

A. Board communications: President D. Novis informed the Board about talks about a possible merger between MSD and MWD and that it was mentioned to possibly include SSD in the merger conversations.

B. Items for future Board meetings. None

C. Next Board meeting date:

Regular Board Meeting February 11, 2021 at 3:00 p.m.

XIV. ADJOURNMENT

A motion was made by Director J. Colomy to adjourn the Regular meeting at 4:45 p.m. The motion was seconded by Director J. Witmer and passed with five ayes.

Respectfully submitted:

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Jolene Colomy  
Board Secretary

Date: February 11, 2020

Minutes prepared by M. Souza

# Expenditure Transactions

## Disbursement Report January 2021

From 1/1/2021 to 1/31/2021

Selection Criteria: Fund = 5215

Layout Options: Summarized By = Fund; Page Break At = Fund; Columns = Vendor

### Fund 5215 -- SummerInd San Dist Running Exp

Document	Post On	Dept	LI Acct	Description	Amount	Vendor	Vendor Name
JE - 0212715	1/5/2021		6475	HRA Administrative Fee - DEC 2020	9.00		
CLM - 0617125	1/7/2021		7450	Chocolates BM-s Xmas thank you & papertowels	96.38	790180	Summerland Sanitary District
CLM - 0617125	1/7/2021		7510	Monthly Payroll Program & CalPers Old Age Ins Prog	320.00	790180	Summerland Sanitary District
CLM - 0617125	1/7/2021		7363	Bed lining for new Company Truck	648.56	790180	Summerland Sanitary District
CLM - 0617536	1/8/2021		7362	Corner Guard, bevel casing	31.41	151096	CARPINTERIA VALLEY LUMBER CO
CLM - 0617540	1/8/2021		7510	Call Center Service - December 2020	63.11	106048	CENTRAL COMMUNICATIONS
CLM - 0617542	1/8/2021		7731	Gasoline December 2020	80.72	522736	McCormix Corporation
CLM - 0617544	1/8/2021		7053	Overpayment/Outst. for inv. Dec 27-Jan 26,2021	10.41	776537	COX COMMUNICATIONS - BUSINESS
CLM - 0617551	1/8/2021		7450	Drinking water Dec 2020	47.20	067307	CULLIGAN OF SYLMAR
CLM - 0617552	1/8/2021		7053	Phone line liftstations 12/13/20 -1/12/21	162.88	075391	FRONTIER
CLM - 0617554	1/8/2021		7363	Nozzle, Chisel 1/2 18GMP@4000 PSI w500 ft 1/2" hose	296.31	003838	ADVANCED INFRASTRUCTURE TECHNOLOGIES LLC
CLM - 0617533	1/11/2021		7516	Dig alert ticket cost December 2020	16.50	828128	UNDERGROUND SERVICE ALERT
CLM - 0617534	1/11/2021		7508	General Legal Services December 2020	2,500.00	111554	LAW OFFICE OF ANTHONY H TREMBLEY
CLM - 0617539	1/11/2021		7363	Contact Chamber CL2 Sensor Cable Replacement	491.37	835122	USA BLUEBOOK
CLM - 0617545	1/11/2021		6600	Medical Benefits February 2021	7,848.60	002073	SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
CLM - 0617548	1/11/2021		7121	Gloves 2 cases	506.43	069965	WINEMA INDUSTRIAL & SAFETY SUPPLY
CLM - 0618446	1/15/2021		6100	Regular Salaries January 1-15, 2021	15,889.49	790178	Summerland Sanitary District
CLM - 0618446	1/15/2021		6270	Standby January 1-15, 2021	381.11	790178	Summerland Sanitary District
CLM - 0618446	1/15/2021		6300	Overtime January 1-15, 2021	265.12	790178	Summerland Sanitary District
CLM - 0618446	1/15/2021		6500	Medicare and Fica January 1-15, 2021	1,332.76	790178	Summerland Sanitary District
CLM - 0618453	1/15/2021		6600	Dental, Vision and Life Ins. February 2021	513.68	002073	SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
CLM - 0618461	1/15/2021		7764	Trash Service December 2020	333.67	509950	MARBORG INDUSTRIES
CLM - 0618464	1/15/2021		7363	Company Truck Material: Coolant, Red Silicone	49.19	178358	COAST AUTO PARTS
CLM - 0618468	1/15/2021		7362	RAS Valve Replacement	790.19	001078	CS AMSCO
JE - 0213110	1/15/2021		6400	Retirement Contr. Payroll 01-15-2021	6,878.36		
JE - 0213110	1/15/2021		6475	Retirement Healthcare Contr. retirees 01-15-2021	241.67		
CLM - 0618450	1/19/2021		7460	Annual Instrument Calibration	1,312.50	226497	ELECTRICAL INSTRUMENTATION



# Expenditure Transactions

From 1/1/2021 to 1/31/2021

Selection Criteria: Fund = 5215

Layout Options: Summarized By = Fund; Page Break At = Fund; Columns = Vendor

## Fund 5215 -- SummerInd San Dist Running Exp

Document	Post On	Dept	LIAcct	Description	Amount	Vendor	Vendor Name
CLM - 0618455	1/19/2021		7404	FGL Lab testing 11/09/20-12/09/20	1,395.00	270150	SERVICES
CLM - 0618457	1/19/2021		7508	Legal review Personnel Policies/Handbook	1,610.00	128645	FGL ENVIRONMENTAL INC
CLM - 0618458	1/19/2021		7763	Water December 2020	131.50	556712	LIGHTGABLER
CLM - 0618463	1/19/2021		7053	Phone Wireless January 2021	214.74	297454	MONTECITO WATER DISTRICT
CLM - 0618466	1/20/2021		7510	Call Center Service - January 2021	71.57	106048	VERIZON WIRELESS
CLM - 0618684	1/20/2021		7110	Comp. Regular Board Meeting 01/14/2021	175.00	009934	CENTRAL COMMUNICATIONS
CLM - 0618685	1/20/2021		7110	Comp. Regular Board Meeting 01/14/2021	175.00	765907	JOLENE M COLOMY
CLM - 0618687	1/20/2021		7110	Comp. Regular Board Meeting 01/14/2021	175.00	091927	John Franklin
CLM - 0618688	1/20/2021		7110	Comp. Regular Board Meeting 01/14/2021	175.00	091927	JAMES WITMER
CLM - 0618689	1/20/2021		7110	Comp. Regular Board Meeting 01/14/2021	175.00	009758	MARTIN TUCKER
CLM - 0618690	1/20/2021		7110	Comp. Regular Board Meeting 01/14/2021	175.00	026964	DAVID NOVIS
CLM - 0618690	1/20/2021		7110	Comp. Agenda Setting Meetings Dec & Jan	350.00	026964	DAVID NOVIS
CLM - 0619274	1/22/2021		7508	Legal Serv June & Jul 2020 SSD adv Mallot w/credit	3,533.40	048258	MUSICK PEELER & GARRETT LLP
CLM - 0619277	1/22/2021		7508	Legal Services November 2020 SSD adv Mallot	14,870.58	048258	MUSICK PEELER & GARRETT LLP
CLM - 0619278	1/22/2021		7510	Annual Fire Extinguishers Inspection & Serv.	100.00	424150	JOY EQUIPMENT PROTECTION INC
CLM - 0619278	1/22/2021		7510	7 new fire extinguishers	730.55	424150	JOY EQUIPMENT PROTECTION INC
CLM - 0619278	1/22/2021		7653	Bi-Annual Hands-on Fire Safety Training	200.00	424150	JOY EQUIPMENT PROTECTION INC
DJE - 0137470	1/26/2021		6600	Reimb of Premium HC Ins. SSD Retiree (4 months)	-7,040.78		Transfer of funds from Montecito Bank to County Financial Information System
JE - 0213570	1/28/2021		6100	Employee Contr. SBCERS 6 months (July-Dec 2020)	10,367.50		Transfer of funds from retirement account line item into payroll account to reflect employee contributions made to retirement system
JE - 0213570	1/28/2021		6400	Employee Contr. SBCERS 6 months (July-Dec 2020)	-10,367.50		
CLM - 0620011	1/29/2021		6100	Regular Salaries January 16-31, 2021	15,429.21	790178	Summerland Sanitary District
CLM - 0620011	1/29/2021		6270	Standby January 16-31, 2021	381.11	790178	Summerland Sanitary District
CLM - 0620011	1/29/2021		6300	Overtime January 16-31, 2021	272.56	790178	Summerland Sanitary District
CLM - 0620011	1/29/2021		6500	Medicare and Fica January 16-31, 2021	1,296.65	790178	Summerland Sanitary District
CLM - 0620012	1/29/2021		7053	Phone line liftstations 1/13 -02/12/21	168.13	075391	FRONTIER
CLM - 0620013	1/29/2021		7761	Electric Bill Dec 4 through Jan 5, 2021	3,327.72	767200	SOUTHERN CALIFORNIA EDISON
CLM - 0620014	1/29/2021		7324	4ht Audit Invoice FY 2019-20	1,200.00	067460	BARTLETT PRINGLE & WOLF
CLM - 0620015	1/29/2021		7630	Handheld Flashlight	133.27	094089	GRAINGER
CLM - 0620017	1/29/2021		7121	Hach total Chlorine Accuvac & Wiper Disp.	171.90	835122	USA BLUEBOOK
CLM - 0620189	1/29/2021		7110	Comp. AOP-Committee Meeting 01/21/2021	175.00	026964	DAVID NOVIS
CLM - 0620190	1/29/2021		7110	Comp. AOP-Committee Meeting 01/21/2021	175.00	091927	JAMES WITMER

# Expenditure Transactions

From 1/1/2021 to 1/31/2021

Selection Criteria: Fund = 5215

Layout Options: Summarized By = Fund; Page Break At = Fund; Columns = Vendor

## Fund 5215 -- SummerInd San Dist Running Exp

Document	Post On	Dept	LIAcct	Description	Amount	Vendor	Vendor Name
JE - 0213572	1/29/2021		6400	Retirement Contr. Payroll 01-31-2021	6,681.42		
JE - 0213572	1/29/2021		6475	Retirement Healthcare Contr. retirees 01-31-2021	241.67		
Total SummerInd San Dist Running Exp					87,811.82		



Law Office of Anthony H. Trembley

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January 20, 2021

Mr. David Novis, President, and Members of the Board of Directors  
Summerland Sanitary District  
2435 Wallace Avenue  
P.O. Box 417  
Summerland, CA 93067-0417

Re: Retirement From Law Practice

Dear President Novis and Members of the Board of Directors:

I have decided to fully retire from law practice effective April 1, 2021. It has been a privilege to provide the District with legal services and I will be forever grateful for the opportunity to represent the District's interests.

I trust that this letter will provide you with sufficient time to retain new counsel. Please let me know how I can assist in making your transition to a new attorney as seamless as possible prior to April 1st. I am currently in the process of organizing files for eventual transfer to new counsel and will transfer files upon your written request.

Please contact me by email or cell phone [(805) 701-9768] should you have any questions. Again, thank you for the opportunity to represent you and I wish you the very best for the future.

Sincerely,



Anthony H. Trembley



IX C

TO : Board of Directors

FROM : M. Souza

DATE : February 5, 2021

RE : **SSD Personnel Policy and Employee Handbook Report**

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**BACKGROUND:** The Summerland Sanitary District's Personnel Policy and Employee Handbook was adopted by the Board of Directors on May 10, 2008 and since that time has been updated with updates and policy changes. During the Board meeting of September 2020, the board reviewed the personnel handbook, suggested a change in the sick leave policy and voted to have the handbook reviewed and updated by a labor law attorney.

**LEGAL CONCURRENCE:** The Personnel Policy and Employee Handbook has been reviewed by Mrs. Karen Gabler of LightGabler, LLC, and was completed in January 2021.

**COMMITTEE STATUS:** The Administrative, Operations & Personnel Committee reviewed the updated Personnel Policy and Employee Handbook together with Management on Thursday January 21, 2021 and report to the Board of Directors with a recommendation.

**RESOLUTION:** In the Handbook the following is recorded on Page 7: *"The provisions of this Handbook have been adopted by resolution of the District's Board of Directors. This handbook supersedes all prior handbooks, verbal or written policies or procedures that may conflict with its provisions. The District reserves the right and discretion to add to, modify or delete any provisions, policies, or procedures of this Personnel Handbook by subsequent resolution of the Board of Directors."*

Therefore, Resolution 2021-01 is prepared and presented to the Board of Directors with a request to accept the Personnel Policy and Employee Handbook if no additional changes are requested.

**LIST OF ATTACHMENTS:**

1. Resolution 2021-01
2. Exhibit A: Personnel Policy and Employee Handbook
3. Recap of Changes and Updates

IX C/1

**RESOLUTION NO. 2021-01**

**RESOLUTION OF THE GOVERNING BOARD OF DIRECTORS OF  
THE SUMMERLAND SANITARY DISTRICT ADOPTING  
THE PERSONNEL POLICY AND EMPLOYEE HANDBOOK**

**WHEREAS**, the Governing Board desires a comprehensive set of general guidelines and policies governing all personnel matters for all District Employees, including employee conduct, workplace conditions, drug and alcohol policies, policies that implement state and federal employment laws, and other aspects of public employment and District service; and

**WHEREAS**, the policies contained in Personnel Policy and Employee Handbook, attached to this resolution as Exhibit A and incorporated herein by this reference, are general guidelines for the District's current employment practices and workplace procedures. They are not intended to be a contract, expressed or implied, or any type of promise or guarantee of specific treatment upon which employees may rely, nor a guarantee of employment of any specific duration. Because of the District's small size, some exceptions to these policies may need to be made on a case-by-case basis; and

**WHEREAS**, the District contracted a labor law attorney to review and to update the personnel handbook. The update was completed in January 2021 and thereafter reviewed by staff and the Administrative, Operations and Personnel Committee. The District has incorporated the comments thus received into the version attached as Exhibit A to this Resolution; and

**NOW THEREFORE, BE IT RESOLVED** by the Summerland Sanitary District Board of Directors that the Personnel Policy and Employee Manual attached hereto as Exhibit A and incorporated herein by this reference, is adopted as the District's Personnel Policy and Employee Handbook and shall be applicable to all employees.

**PASSED AND ADOPTED** at the regular board meeting of the Board of Directors of the Summerland Sanitary District held February 11, 2021, carried by the following roll call vote:

AYES : \_\_\_\_\_  
NAYS : \_\_\_\_\_  
ABSTENTIONS : \_\_\_\_\_  
ABSENT : \_\_\_\_\_

\_\_\_\_\_  
David Novis, President  
Board of Directors, SUMMERLAND SANITARY DISTRICT

\_\_\_\_\_  
Jolene Colomy, Secretary  
Board of Directors, SUMMERLAND SANITARY DISTRICT

IX C/2  
Exhibit A



## PERSONNEL POLICY AND EMPLOYEE HANDBOOK



EFFECTIVE DATE: FEBRUARY 2021

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## **SUMMERLAND SANITARY DISTRICT INFORMATION**

### **Our Mission**

A community service commitment to protect public health and safety and to preserve the natural environment through the collection, treatment and disposal of wastewater in the most cost-effective way possible.

### **Our Background**

The Summerland Sanitary District was organized in 1957 to provide sewage collection and treatment for residents of the Summerland District.

The District is governed by a Board of Directors consisting of five members elected at large. The Board employs and is assisted by District Management, Secretary/Clerk to the Board and such other personnel as are required to meet its responsibilities.

The primary source of revenue is a yearly user fee levied on the property owners within the district. The County of Santa Barbara collects the revenues for the District.

### **Our Services**

- The collection, treatment, and disposal of wastewater from homes, businesses, and institutions within the District's service area.
- The operation and maintenance of:
  - ✓ More than eight miles of sewer pipelines and three pumping stations
  - ✓ A 0.3 MGD (million gallons per day) tertiary treatment plant to process wastewater biologically and chemically.
  - ✓ A 12-inch diameter ocean outfall line extending 740 feet into the ocean.
  - ✓ A testing laboratory to control the treatment process and monitor treated wastewater quality for compliance with State and Federal discharge requirements.
  - ✓ A system for ocean monitoring to assure that the marine environment is protected and safe for public use.

## **SCOPE, AUTHORITY AND APPLICATION**

The District's Personnel Handbook summarizes the employment and human resource policies and procedures of the District. It is intended to provide for a fair and equitable system of human resource management and for efficient and economical services to the public. It also defines the obligations, rights, privileges, benefits, and prohibitions that apply to District employees.

The human resource system of the District is based on the principles of a merit system of employment. Therefore, the hiring of all new, promotional, and transferring employees of the District shall be based upon merit, including job-related knowledge, experience, ability, performance, aptitude and such other factors as the District may deem necessary and appropriate for each position.



The provisions of this Handbook have been adopted by resolution of the District's Board of Directors. This handbook supersedes all prior handbooks, verbal or written policies or procedures that may conflict with its provisions. The District reserves the right and discretion to add to, modify or delete any provisions, policies, or procedures of this Personnel Handbook by subsequent resolution of the Board of Directors. Only the District Board of Directors has the authority to add to, modify or delete provisions, policies or procedures of this Personnel Handbook, and no individual has the authority to enter into any employment agreement or any other agreement that modifies the provisions of this Personnel Handbook, unless the Board specifically authorizes Management to do so on a case-by-case basis. No oral statements, representations, conduct or practices of any officer, member of management or employee of the District will modify any of these provisions, policies, or procedures. This Handbook does not limit the development of internal rules and operating procedures for specific departments of the District or the development of administrative procedures governing the implementation of these policies and procedures. This Handbook shall apply to all employees unless superseded by a written contract of employment signed by an executive employee and the District and the affected employee.

None of these policies are intended to interfere with employees' rights protected by Section 7 of the National Labor Relations Act or other federal or state law to engage in concerted protected activity or to discuss the terms of their employment or working conditions with or on behalf of co-workers, or to bring such issues to the attention of management at any time.

#### **AT-WILL DISCLAIMER: STANDARD PROVISION**

No policy or provision in this Handbook is intended to create a contract binding the employee or the employer to an agreement of employment for a specific period of time. A worker's employment can be terminated by either the employee or the employer at any time, for any reason, with or without cause or notice. No representative or agent of the employer, other than Executive Management, can authorize or sign an employment agreement contrary to the above terms or otherwise make any binding offer of employment for a specific term. Even then, the at-will relationship can be modified only by entering into a detailed written agreement signed by the affected employee and an executive employee of the District.

#### **CONTRACT DISCLAIMER**

This Personnel Handbook is not a contract and does not guarantee continued employment. Accordingly, it should not be interpreted to create any express or implied contractual rights between the District and any employee. It is expressly understood that the contents of this Personnel Handbook do not constitute the terms of a contract of employment. No oral or written representations or conduct of any manager or other employee shall create a contract of employment. Thus, this Personnel Handbook should not be construed as a guarantee of continued employment; rather, employment with the District is at-will and is based on continuous satisfactory performance and other required conditions of employment.

#### **CUSTOMER SERVICE RELATIONS**

Satisfied customers are the measure by which the District can be deemed successful. All employees contribute to satisfying our customers through responsive, cooperative, and thorough work results, as well as skillful interaction with customers, co-workers, Management, Board members and others in the community we serve. Therefore, it is the responsibility of every employee to be pleasant, have a positive attitude and always provide prompt and professional services to our customers.

Satisfaction is a composite of many things – a smile, a neat appearance, a friendly atmosphere, and a genuine concern for each and every customer – these cost nothing but are so important to our customers. Successful customer relations include providing quality services that consistently meet, if not exceed the expectations of our customers by meeting deadlines and bringing a project to completion on time. These items are always a matter of primary concern both to our customers and the District.

## **EMERGENCY PLANNING / DISASTER PREPAREDNESS**

The District is an essential business and provides vital public services to our customers and the community in which they live. Emergencies such as a pandemic, severe weather, flooding, fires, power failures, earthquakes, or planned/unplanned civil disturbances can disrupt District operations, or the services of other public entities that rely on our related services to the public. To deal effectively with such conditions, the District will set in place an Emergency/Disaster Plan in accordance with the Emergency Services Act, (Gov't. Code §§ 8550 et seq.), which will enable us to be prepared for conditions that may disrupt the service and lives of our customers and other service providers.

During your introductory employment period, you should become familiar with the District's Emergency/Disaster Plan through discussion with your Supervisor. It is imperative that each employee knows their role during such an event, including how other aspects of District operations will perform to properly coordinate our work under these conditions. Employees should also understand that it is our public service duty to promptly report to work, and/or call your Supervisor or the District office to confirm activation of the District's Emergency/Disaster Plan, to expedite service recovery or provide mutual aid to our service partners. A copy of the Emergency/ Disaster Plan will be available at the District's office and the operations room.

## EMPLOYMENT PRACTICES

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### EQUAL EMPLOYMENT OPPORTUNITY

Summerland Sanitary District is an equal opportunity employer and makes employment decisions based on merit. The District's policy prohibits unlawful discrimination based on race (including protective hairstyles and hair texture), religion (including religious belief, observance, dress or grooming practices), creed, color, sex, sex stereotype, pregnancy, childbirth or related medical conditions (including breast feeding), age (40 years or over), sexual orientation, gender, gender identification and expression, transgender status, transitioning employees, physical or mental disability, medical condition (including cancer), genetic characteristics, genetic information, family care, marital status, registered domestic partner status, enrollment in any public assistance program, status as military, or as a veteran or as a qualified disabled veteran, status as an unpaid intern or volunteer, ancestry, citizenship, national origin, protected medical leaves (including a request for or approval of leave under applicable leave of absence laws), domestic violence victim status, political affiliation, or any other classification protected by law ("Protected Characteristics"). It also prohibits discrimination based upon a perception that anyone has any of those Protected Characteristics or is associated with a person who has or is perceived as having any of those Protected Characteristics.

For purposes of national origin discrimination, improper and unlawful conduct includes, but is not limited to, an employee's or applicant's (or that individual's ancestors') actual or perceived physical, cultural, or linguistic characteristics associated with a national origin group, marriage to or association with persons of a national origin group, tribal affiliation, membership in or association with an organization identified with or seeking to promote the interests of a national origin group, attendance or participation in schools, churches, temples, mosques, or other religious institutions generally used by persons of a national origin group, and a name that is associated with a national origin group, possessing a driver's license issued under Vehicle Code § 12801.9, or any other characteristic protected by law.

All such discrimination is unlawful. The District maintains a zero tolerance of violations of this policy by any employee (including supervisors, managers, or co-workers), volunteer, intern or other persons doing business with the District and will take prompt and appropriate measures to enforce an atmosphere of non-discrimination in the workplace. Anyone engaging in any type of unlawful discrimination will be subject to corrective action, up to and including termination. This policy extends to conduct with a connection to an employee's work, even when the conduct takes place away from District premises, such as a business trip or business-related social function.

Any employee with questions or concerns about discrimination in the workplace should bring these issues to the attention of the employee's immediate Supervisor, or any member of Management. Employees can raise concerns, report problems, or make complaints without fear of reprisal. Reporting, or assisting in reporting, suspected violations of this policy and cooperating in investigations or proceedings arising out of a violation of this policy are protected activities under this policy.

The District has an Affirmative Action Plan that, among other things, is designed to increase the utilization of minorities, women, and veterans. This is an important program to the District. SSD has appointed the District Administrative Manager as our Affirmative Action Officer ("AAO"). The AAO is responsible for monitoring the District's Affirmative Action Plan

and maintaining all records and reports. The District will periodically analyze its personnel actions to ensure compliance with this Plan. Information concerning this Plan may be obtained by contacting Management or the AAO. Employees who believe that they have not been treated in accordance with the Affirmative Action Plan should direct their concerns to the AAO or, if necessary, Management.

### **AMERICANS WITH DISABILITIES ACT/FAIR EMPLOYMENT AND HOUSING ACT**

The employment-related provisions of the Americans with Disabilities Act (ADA), as well as the California Fair Employment & Housing Act (FEHA), and any equivalent local laws, apply to all employees and job applicants seeking employment with the District. Under the ADA and FEHA, a qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the position in which the individual is employed.

The District will attempt to provide reasonable accommodation for known physical or mental limitations or religious beliefs or practices if a job applicant or employee is otherwise qualified, unless undue hardship related to the necessity of business operations would result and so long as doing so will not pose a direct threat to the health or safety of others in the workplace or to the individual requesting accommodation. An applicant or employee who requires accommodation to perform the essential functions of the job should inform the employee's Supervisor, or Management to request an evaluation of such an accommodation. The District will work with any such applicant or employee to determine through an interactive process whether there are any reasonable accommodations that would enable the individual to perform the essential job duties.

Contact your Supervisor for further information.

### **UNLAWFUL HARASSMENT INCLUDING SEXUAL HARASSMENT**

The District is committed to maintaining a work environment that is free of any form of harassment. The District prohibits sexual harassment and harassment based on race (including protective hairstyles and hair texture), religion (including religious belief, observance, dress or grooming practices), creed, color, sex, sex stereotype, pregnancy, childbirth or related medical conditions (including breast feeding), age (40 years or over), sexual orientation, gender, gender identification and expression, transgender status, transitioning employees, physical or mental disability, medical condition (including cancer), genetic characteristics, genetic information, family care, marital status, registered domestic partner status, enrollment in any public assistance program, status as military, or as a veteran or as a qualified disabled veteran, status as an unpaid intern or volunteer, ancestry, citizenship, national origin, protected medical leaves (including a request for or approval of leave under applicable leave of absence laws), domestic violence victim status, political affiliation, or any other classification protected by law ("Protected Characteristics"). SSD also prohibit harassment based on the perception that anyone has any of those Protected Characteristics or is associated with a person who has or is perceived as having any of those Protected Characteristics.

For purposes of national origin harassment, improper and unlawful conduct includes, but is not limited to, harassment based upon an employee's or applicant's (or that individual's ancestors') actual or perceived physical, cultural, or linguistic characteristics associated with a national origin group, marriage to or association with persons of a national origin group, tribal affiliation, membership in or association with an organization identified with or seeking to promote the interests of a national origin group, attendance or participation in schools, churches, temples, mosques, or other religious institutions generally used by persons of a national origin group, and a name that is associated with a national origin group, possessing a

driver's license issued under Vehicle Code § 12801.9, or any other characteristic protected by law.

In keeping with this commitment, we will not tolerate harassment of employees by anyone working in or with the District, including any manager, co-worker, volunteer, intern, applicant, customer, supplier, vendor, independent contractor, or visitor. Similarly, any employee's harassment of persons seeking employment with the District, or harassment of our interns, volunteers, customers, suppliers, vendors, visitors, independent contractors, or anyone else who conducts, attempts to conduct, or is solicited for business with the District will not be tolerated.

The District is equally committed to providing a workplace that is free from sexual harassment, as well as unlawful harassment based on any other Protected Characteristic. All such harassment is unlawful and therefore deemed to be a form of gross misconduct. This policy extends to conduct with a connection to an employee's work, even when the conduct takes place away from SSD premises, such as a business trip or business-related social function.

As part of the District's commitment to providing a harassment-free workplace, the District provides and requires training for all of employees. This training is provided within six months of hire (or promotion to a management position), and once every two years thereafter. The training covers not only sexual harassment prevention, but also prevention of all other forms of prohibited harassment, discrimination, retaliation, and abusive conduct. District employees receive one hour of harassment prevention training for non-supervisory employees, or two hours of harassment prevention training for supervisors. The District believes that training its employees how to recognize and prevent harassment, discrimination, retaliation, and abusive conduct goes a long way toward eliminating prohibited conduct in the workplace.

Sexual harassment is one specifically prohibited type of harassment. Unwelcome or unwanted sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment. It is harassment when, for example:

- Submission to the conduct is an explicit or implicit term or condition of employment or other relationship with the District.
- Submission to, or rejection of, the conduct is used as the basis for an employment decision or a decision affecting any other relationship with the District; or,
- The conduct had the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. This behavior may include slurs, jokes, statements, email, texts, instant messages or other electronic messages, gestures, assault, interfering with another's movement or normal work activities, or pictures, drawings or cartoons based upon Protected Characteristics.

Examples of types of unlawful harassment include:

- Verbal conduct such as epithets, derogatory comments, slurs, comments about an individual's body or dress, dirty jokes, persistent request for dates, or unwanted sexual advances, invitations, or comments.
- Visual conduct such as derogatory cartoons, pictures, photographs, drawings, or gestures.
- Physical conduct such as assault, blocking normal movement, or interference with work directed at an individual because of his or her sex or other protected basis.
- Threats and demands to submit to sexual requests in order to keep a job or avoid some other loss and offers of job benefits in return for sexual favors.



- Retaliation for having reported harassment.

Sexual harassment refers to all of the prohibited conduct described above, as well as unwelcome conduct such as requests for sexual favors, conversation containing sexual comments and other unwelcome sexual behavior or advances. Sexually harassing conduct may occur between members of the same gender as well as those of the opposite gender. Sexually harassing conduct need not be motivated by sexual desire. Sexual harassment may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

Individuals can be held personally responsible for sexual harassment and other harassment, meaning their personal assets are at risk. Any employee is personally liable if that individual engages in sexual harassment or other harassment. This is true regardless of whether the employer knows or should have known of the conduct and fails to take immediate and appropriate remedial/corrective action.

### **GOSSIP, BULLYING AND ABUSIVE CONDUCT OR COMMUNICATIONS**

Bullying, gossip, profanity, abusive conduct, and negative comments are destructive to District culture, create false rumors, disrupt workplace operations, interfere with others' privacy and hurt other people. Employees may not bully, gossip, engage in abusive conduct or make unnecessary, profane, or disrespectful comments about other employees of the District.

Bullying is defined as repeated intentional and malicious behaviors by an employer or employee at the workplace, directed at an employee, that is intended to degrade, humiliate, embarrass, or otherwise undermine the employee's performance in a manner unrelated to legitimate business interests. It may include verbal abuse (such as repeated derogatory remarks, insults, or epithets), offensive conduct or behaviors which a reasonable person would find to be threatening, humiliating, or intimidating. It may also include work interference, gratuitous sabotage or undermining of a person's work performance without legitimate business purpose. A single act does not constitute abusive conduct unless it is especially severe or egregious.

This policy extends to conduct with a connection to an employee's work, even when the conduct takes place away from SSD premises, such as a business trip or business-related social function.

### **REPORTING DISCRIMINATION, HARASSMENT, BULLYING OR RETALIATION**

All employees are responsible for helping to assure a workplace free of discrimination, harassment, bullying and retaliation. If employees feel they have been subjected to any form of discrimination, harassment, bullying and retaliation, or have witnessed an incident of discrimination, harassment, bullying or retaliation, the employees are encouraged (but not required) to tell the person engaging in the prohibited conduct that it is unwelcome, offensive, and should stop at once. Also, an employee who has experienced or witnessed the prohibited conduct should immediately report the situation to their Supervisor and, or Management by submitting an oral or written complaint. If the problem is not remedied to the employee's satisfaction, the employee has every right to request a meeting with the Board President and/or the Board Directors.

Any Supervisor or manager, who is aware of alleged incidents of discrimination, harassment, bullying, and retaliation is required to immediately report such incidents or refer any complaints to Management. Retaliation against any employee for reporting a problem, filing a complaint, bringing inappropriate conduct to the District's attention, or participating in an investigation or proceeding is strictly prohibited. Reporting, or assisting in reporting, suspected violations of the District's policies and cooperating in investigations or proceedings arising out of a violation of those policies are protected activities.

Employees are encouraged to report conduct that they believe may be prohibited discrimination, harassment, bullying or retaliation (or that, if left unchecked, may rise to the level of prohibited discrimination, harassment, bullying or retaliation), even if they are not sure that the conduct violates the policy.

Any submitted complaint should include details of the incident(s) and the names of the individuals and witnesses involved. Anonymous complaints will also be investigated. It is the District's policy to investigate all reports or complaints of harassment fairly, thoroughly, promptly, and discreetly. The District cannot promise confidentiality in the course of an investigation but will make every effort to maintain discretion and to protect against unnecessary disclosure, consistent with the District's need to conduct a thorough investigation. The investigation will be conducted internally or externally by an impartial and qualified investigator. The investigation process will be documented and tracked for reasonable progress to ensure a timely resolution.

All personnel must fully cooperate in the investigation process. This includes, but is not limited to, maintaining an appropriate level of discretion regarding the investigation, and disclosing any and all information that may be pertinent to the investigation.

If SSD determines that harassment, bullying, discrimination or retaliation has occurred, SSD will take appropriate remedial action to prevent future instances of wrongful conduct and to resolve the complaint in light of the circumstances involved, up to and including discharge.

The District will inform the complainant, the accused, and any other involved persons about the general results of the investigation. The District will not retaliate against anyone for filing a complaint or participating in an investigation, and will not tolerate or permit retaliation by management, supervisors, employees, independent contractors, or other persons.

The District urges individuals to immediately report any incidents of discrimination, harassment, bullying, or retaliation so that the District can quickly and fairly resolve any complaints. The federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing also investigate and prosecute complaints of unlawful harassment, discrimination, and retaliation. Employees may file a complaint with the appropriate agency. Both agencies may be found on the internet or through Directory Assistance. The District has also provided employees with a copy of the Brochure on Sexual Harassment (DFEH 185).

Employees should contact the District's Management directly with any questions.

## **FRATERNIZATION**

The District strongly discourages personal and social relationships between supervisory and non-supervisory employees because they may lead to misunderstandings, complaints of favoritism, lack of objectivity, sexual harassment, or severe employee morale problems.

If an employee dates or asks to date, makes sexual overtures toward, or accept sexual overtures from, or attempts to establish a romantic or sexual relationship with any employee working under the employee's direct or indirect supervision or management, the employee must immediately disclose the circumstances to Management.

Any relationships with another employee (including sexual or romantic relationships, family relationships, close friendships, roommates, or similar relationships, whether or not one of the employees is a supervisor or manager of the other) must not disrupt District operations or violate SSD policy against harassment contained in this Personnel Handbook.

## **IMMIGRATION LAW COMPLIANCE**

The District is committed to employing only United States citizens and non-citizens who are authorized to work in the United States and does not discriminate on the basis of citizenship, national origin or other Protected Characteristics. In compliance with the Immigration Reform and Control Act, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present documentation establishing identity and the right to employment in the United States. Employment is contingent upon providing this documentation and keeping it current with the District throughout employment. To meet this obligation, new employees must provide the District with documentation establishing identity and the legal right to work in the United States within three working days after the hire date. If new employees have not completed this verification within three days, they may not work until the verification process has been completed or the employment relationship will be terminated. Qualified documents bearing an expiration date will be subject to renewal verification that, if not renewed by the required date, can result in termination of employment. Employees must also notify Management of any change in their immigration status.

## **JOB DUTIES and JOB DESCRIPTIONS**

The District shall maintain job descriptions/position classifications for every distinct job. Such job descriptions contain, at a minimum, a general summary of the job duties, minimum and desired qualifications and background, essential job functions, and physical/environmental factors associated with performance of the job. Job descriptions are used for such purposes as employment advertising, pay rate assignment, selection testing including pre-employment and other medical assessments, work-related injury assessments, and performance evaluations.

An employee's job responsibilities may change at any time during employment. From time to time, an employee may be asked to work on special projects or to assist with other work if necessary or important to the operation of the department or District. An employee's cooperation and assistance in performing such additional work is expected.

Due to the nature of operations and changes that can occur, the District reserves the right to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities within the scope of each employee's job. Employees are encouraged to ask their Supervisor any questions to become better informed about their job responsibilities and District operations.

Additionally, work hours and/or schedules may be subject to change at any time during employment. Employees are expected to cooperate and perform additional work or work a different schedule as requested.

## **HIRING**

All job applicants will be subject to a thorough, job-related employment screening and testing process to ascertain the relative merit of their education/training, prior experience, skills, knowledge, and abilities to perform the essential and more demanding aspects of the job for which they have applied. Selection tests may include, but not be limited to, interviews, submission or preparation of work samples, task demonstrations, written examinations and/or exercises, reference and background checks, post-offer, pre-employment medical assessment including drug, marijuana, and alcohol testing. The law allows "reasonable suspicion" drug, marijuana, and alcohol testing of existing employees and for those who work in a safety sensitive position. Reasonable suspicion for requiring an employee to submit to

drug, marijuana, and/or alcohol testing generally exists when the employee manifests physical or behavioral symptoms or reactions commonly attributed to the use of controlled substances or alcohol, or where other factors suggest a violation of our Drug-Free Workplace policy.

## **EMPLOYMENT OF RELATIVES**

On occasion, qualified applicants for job openings at our District may come from relatives of present employees. Although relatives will be given no preferential treatment, they will be considered when they apply for job openings. However, consideration will not be limited solely to a relative, but will include all other applicants. SSD reserves the right to refuse employment of an existing employee's relative where such employment would or could reasonably compromise the safety, security, supervision, or morale of District operations. Should a relative be hired, the new employee will not be employed in a department or a work group that already employs a relative. Additionally, relatives will not be employed in a direct reporting relationship with a related employee.

A relative is defined as any person related to an employee by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage, including registered domestic partners. The policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

In cases where employee relationships create a conflict or potential for conflict, even where there is no managerial relationship involved, the District will endeavor to transfer one or both employees to avoid such a conflict. If a transfer is not an option, the employees will be asked to decide which employee will resign from the District. If the employees do not make that decision, the District may be forced to terminate one of the employees.

## **JOB POSTINGS**

All job openings shall be publicized in the District Office and by such other methods as Management deems appropriate. District job openings will be posted on District bulletin boards unless the opening is considered confidential. Employees who wish to be considered for posted jobs should submit a written request to the District. All employees applying for any posted position must meet at least the minimum qualifications of the position description.

In the selection process, the District may consider several factors, including the employee's applicable skills, knowledge and education, performance and conduct record, time in current position, length of service, and other factors deemed relevant by the District.

Job assignments, promotions, pay increases, and similar decisions are solely within the discretion of the District. Any employee that is transferred or promoted into a new position, must go through a new introductory period.

## **INTRODUCTORY PERIOD**

The Introductory Period is intended to give new and rehired employees the opportunity to demonstrate their ability to achieve a satisfactory level of adaptation and performance, and to determine whether the new position meets the mutual expectations of the new hire and SSD.

The District uses this period to evaluate employee capabilities, work habits, conduct and overall performance.

All new and rehired employees work on an introductory basis for the first six months after their date of hire. The District may extend the duration of the introductory period if, in its sole and absolute discretion, it determines that such an extension is necessary and appropriate. Extensions of the introductory period may be in increments of 30, 60 or 90 days, but may not exceed 90 days. Any excused absence for 30 or more days, regardless of the type or purpose of the leave, will automatically extend the introductory period by the length of the absence.

During the Introductory Period, the District or the employee may terminate the employment relationship at any time, with or without advance notice and with or without cause. Termination during the Introductory Period is not subject to review through use of the problem solving/grievance procedure provided in this Handbook if deemed necessary. Completing the introductory period does not alter an employee's at-will employment status. Employees retain the right to terminate their employment at any time, with or without cause or notice, and the District has a similar right throughout the employee's employment with SSD.

#### **PERFORMANCE APPRAISAL PROGRAM**

Subject to business conditions, every employee will receive a written Employee Performance Report (EPR) from the employee's Supervisor immediately prior to the completion of any Introductory Period and annually thereafter on or near the employee's anniversary date of employment, or as needed. Semi-annual or more frequent progress evaluations may be conducted and discussed with each employee as needed.

Principal strengths, weaknesses, and any suggestion for improvement will be discussed at the time the EPR is given. Management will make the final decision on whether an employee is eligible for merit increase, promotion or continued employment. Repeated unsatisfactory scores on an Employees Performance Report may be grounds for discipline up to and including termination.

Upon completion, the EPR will become a part of the employee's official personnel file. The outcome of a performance review will not alter the employee's status as an at-will employee.

#### **PERFORMANCE IMPROVEMENT PLANS (PIP)**

The District provides an opportunity for performance improvement through the accomplishment of specific, performance-related goals, which may or may not be set up at the time of the Employee's Performance Report. The Performance Improvement Plan process may be used when an employee demonstrates an ongoing pattern of performance that is below standard in one or more areas of essential job duties and may be used in conjunction

with the discipline procedure. In accordance with the discipline process, failure to achieve satisfactory performance as provided in a Performance Improvement Plan may lead to corrective measures as deemed appropriate and up to and including termination of employment. This policy is not a promise or guarantee that a specific course of discipline will be administered in any case or in every case, or that any lesser form of discipline will be implemented prior to termination. The District reserves the right to impose any appropriate counseling and/or discipline at any time, up to and including termination.

## **PROMOTIONS, TRANSFERS AND DEMOTIONS**

### **Definitions**

A promotion or merit increase is defined as a move up in pay grade and position responsibilities and skills; a transfer is defined as a lateral move within the same pay grade; and a demotion is defined as a move to a lower pay grade position having lesser responsibilities and/or required skills.

### **Promotions**

It is the District's desire to promote from within the organization whenever it is operationally efficient and appropriate based on the skills, knowledge, and other competencies of employees in light of vacant position requirements and in contrast to external qualified applicants. At the time of promotion, consideration may be given for a promotional pay rate increase based on related experience, internal equity, and the length of time since the employee's last performance appraisal report. In all cases, promotions will re-establish the employee's new performance evaluation date to reflect the effective date of the change, but such change will not alter the employee's hire/seniority date or at-will status.

### **Demotions**

Demotions may occur when the District determines that they are necessary or appropriate, based on either performance or disciplinary reasons. Demotions may be voluntary or involuntary but, in either case, the affected employee will normally be provided with advance notice of the change of classification. However, the District reserves the right to determine, on an individual basis, how a demotion will affect pay and under what circumstances it is in the best interests of the District to demote an employee.

## **EMPLOYEE PERSONNEL FILES AND PAYROLL RECORDS**

The District maintains files of current and former employees and restricts disclosure of employee files only to authorized individuals or as required by law.

Only employees, a representative authorized in writing by an employee, and authorized members of management have access to personnel files. Employees or their representative designated in writing may review the contents of the employee's personnel file in the presence of a District authorized representative, but they may not remove, alter or mark any document in their file. Employees, or representatives authorized in writing by the employees, are also entitled to receive copies of any document in the employees' personnel file, although the employees may be required to pay for the cost of such copies.

Requests to review a personnel file or to receive copies of a file must be made in writing to Management. Within 30 days of receiving the written request, a personnel file will be made available for inspection at a time and place designated by the District. Such appointments should typically be made during normal working hours. If an employee has requested copies of the file, those copies will be sent to the employee at the address the employee has designated within 30 days of receiving the written request.

An employee may also request to review (in the presence of a District authorized representative) or receive copies of the employee's payroll records within 21 days of making a request. The request should be in writing and made to Management.

## **EMPLOYEE INFORMATION / EMERGENCY DATA**

It is important that employees promptly notify the District of any changes to their personal information including:

- Name
- Home and/or mailing address
- Telephone numbers
- Number, names, and status of dependents
- Change of emergency contact information
- Educational accomplishments
- Registered domestic partner or marital status (including legal separations)
- Payroll deductions
- Benefit plan beneficiary

Home/mailing addresses, telephone numbers, number and names of dependents, emergency contact information, educational accomplishments, and similar employee information should be accurate and current at all times.

## **EMPLOYMENT VERIFICATIONS / REFERENCES**

All employment verification requests, either verbal or written, must be forwarded to Management for response. Responses by the District to such requests will be in writing and restricted to dates of employment and the last or current job title held by an employee. Requests for salary and any other additional information must be made in writing and accompanied by the employee's signed authorization to release this information. The District will not provide salary history information to prospective employers.

## **OUTSIDE EMPLOYMENT**

Employees may engage in work outside their regular work hours at the District, provided this work does not detract from their job performance, is not harmful to the District's best interests, and does not present a direct or indirect conflict of interest with their employment at the District.

Outside employment or activities must not interfere with an employee's job performance with the District. Employees will be judged on the performance standards applicable to their



positions without regard for outside employment activities. Conducting work for a service provider of the District is considered an inherent conflict of interest and is not permissible. Employees must remember that the District's workers' compensation insurance does not pay for illness or injury arising from the employee's outside employment or activity.

## **USE OF DISTRICT VEHICLES**

It is District policy that before an employee can operate any vehicle for District business, a valid operator's license, proof of insurance, and a motor vehicle report which is acceptable to the District's insurance carrier be on file. In addition, employees whose jobs may involve driving on behalf of the District are responsible for immediately reporting to their Supervisor/manager any changes in their automobile insurance policy or the status of their driver's license such as suspension or revocation. If driving a District vehicle is necessary to perform the job duties and the employee loses the right to drive or the District revokes the right to drive a District vehicle, the employee may be terminated.

In addition to applying reasonable care and good common sense regarding the safe operation of vehicles, the following rules on operating all types of vehicles apply:

- Any employee who is under the influence of, or impaired by, any illegal drug or alcoholic beverage or any legal drug that may impair an employee's abilities, including marijuana, among others, must not operate any vehicle.
- Only District employees may drive District vehicles. An employee's use of any District vehicle for anything other than District business is prohibited and will result in corrective action, up to and including discharge.
- Non-employees may be transported in the District vehicle when there is a legitimate reason such as job-site visits, conference attendance, etc. if there is a District employee driving the vehicle and they are on District business.
- Any mechanical defects of a District vehicle should be reported by the employee for appropriate corrective action before operating the vehicle.
- All employees required or allowed to drive a District vehicle must provide the District with proof of insurability in accordance with the District's insurance carrier provisions as a condition of continued employment.
- The driver must obey all State and local driving laws and observe driving conditions with the utmost care, including but not limited to wearing a seat belt and avoiding the use of a cell phone while driving. The District prohibits eating or doing any other activity that prevents the employee having the full use of hands or attention for driving.
- All employees driving a vehicle on District business must immediately report any accident and any moving or non-moving violation for which they are cited while driving a vehicle. The District accepts no responsibility for citations issued to an employee by any law enforcement agency while driving a vehicle on District business under any circumstance. All liabilities created by any citation will be the responsibility of employees who receive them.

### In the Event of An Accident

Employees who are involved in an accident while using any vehicle on District business are expected to adhere to the following procedure including completion and submission of the Vehicle Accident form provided in each District vehicle:

- Do not argue (nothing is gained), do not admit liability, and do not make a statement to anyone except the police, your Supervisor, or other appropriate District Management.
- Obtain the names and addresses of:
  1. Owner of other vehicle(s)
  2. Insurance Carrier of the other driver(s)
  3. Witnesses
  4. Injured person(s)
  5. Other driver(s), including the number of and state issuing the driver's license
- Note these items:
  1. Estimated speed of each vehicle with its direction of travel
  2. Signal given by each driver if any
  3. Point and time of accident
  4. Any mechanical aspect of the other vehicle, which may have caused the accident (e.g., no brake lights, etc.)
- Promptly report to Management any damage done to a customer, the public, the District, an employee, or their property.

Completed accident reports and insurance contacts will be taken care of by Management.

Subject to applicable law, the District reserves the right to observe, track and/or record employee activity and whereabouts by use of Global Positioning Systems (GPS) or other similar tracking software or equipment. Any District-provided device, including but not limited to computers, cell phones and other electronic equipment, may be GPS-enabled and any activity involving District equipment can and may be monitored at any time. Similarly, District vehicles may be equipped with a GPS tracking device and any activity involving District vehicles can and may be monitored at any time. Employees are strictly prohibited from interfering with or disabling the GPS function on any District-provided device, equipment or vehicle. Employees should not expect any right of privacy with regard to their activities or location when using any District-provided device, equipment or vehicle.

### **USE OF PERSONAL VEHICLE FOR DISTRICT BUSINESS**

Employees who are asked and agree or are required as a condition of employment as defined in their job description, to use their personal vehicle in the course of performing District business shall be eligible for a mileage reimbursement at the current IRS established rate or a rate that is deemed appropriate established by the District. Travel must be confined to only the authorized destination and return location.

Employees who operate their own vehicles on District business may do so provided the following conditions are followed:

- The vehicle must be in sound and safe operating condition, with current motor vehicle registration, and maintained as such at the employee's own expense.
- The driver and vehicle must be insured in accordance with at least minimum coverage and liability standards established by the State of California.

- The driver must obey all State and local driving laws and observe driving conditions with the utmost care, including but not limited to wearing a seat belt and the use of a cell phone while driving. The District prohibits eating or doing any other activity that prevents the employee having the full use of hands or attention for driving.
- The driver must possess and maintain a valid California driver's license.
- Employees required to drive in the course of District business, or operations who have their license revoked, or suspended, or receive driving violations, other than parking tickets, are required to promptly report such conditions to Management. Such employees may be subject to either work modification or discharge at the District's discretion.

## **REIMBURSEMENT OF BUSINESS EXPENSES**

Certain employees may incur business expenses in the course of their duties. must be authorized in advance to incur business expenses, and all such expenditures must be documented on an expense report that is submitted for review and approval. All original receipts for expenses are to be attached to the expense report with an explanation as to the nature of the expense. The District will reimburse employees for such business expenses incurred while performing their job duties for the District.

The Board of Directors must approve all business expenses, including any airline travel or hotel reservations before they are incurred. Expenses will be paid by the employee and reimbursed upon submitting an expense report and receipts, unless other arrangements have been made. For questions regarding how particular expenses should be handled, contact Management before incurring the expense(s).

Employees will be reimbursed for their mileage at the SSD-approved rate (IRS for business-related travel in their own vehicle, other than the initial commute to the first work location that day and the commute away from the last work location of the day at the end of the shift. Employees will also be paid for their time during a business-related commute, other than the initial commute to the first work location that day and the commute away from the last work location of the day at the end of the shift. Employees may be paid for a portion of their commuting time and/or mileage for the commute to and from work in exceptional circumstances where the temporary work location is farther away from the employee's usual work location.

## **BUSINESS-RELATED TRAVEL**

Employees may be reimbursed for the cost of authorized travel to any business-related meeting or attendance at training or seminar programs or attendance at an out-of-area conference where such expenses are not charged on District approved credit cards. Reimbursement may be made upon written request or verbal consent from the Board of Directors for exempt employees and by consent of Management for non-exempt employees. Reimbursement requests must be accompanied by appropriate receipts. On those occasions when District employees are authorized to travel out of town on District-sanctioned business, the District will pay the reasonable expenses of such travel, including advance payment when necessary or reimbursement of expenses paid for by the employee.

Extra registration fees, transportation costs, lodging, meals or any other travel related expenses for spouses or guests will **not** be paid by the District.

### Registration

Generally, registration fees for approved conferences, seminars, workshops, and meetings will be paid in advance by the District.

### Transportation

Attempts should be made to have the District billed in advance for public transportation fares. If travel is to be completed by vehicle, a District vehicle will be used whenever possible. If a District vehicle is not available, the use of a properly insured private vehicle will be authorized and the owner compensated at the mileage rate allowed by the Internal Revenue Service. Under no circumstances will the reimbursement for transportation expense exceed the least cost of round-trip airfare from Santa Barbara to the meeting site. Special travel requirements, such as rental car, Uber, Lyft, taxi or shuttle service, will be reimbursed from receipts and records provided by the employee.

### Lodging

Employees authorized to travel on behalf of the District where an overnight stay is required should arrange to have the District billed in advance for lodging expenses. If prior arrangements are not possible, the employee should pay for lodging costs at the employee's own expense, and reimbursement from receipts and records will be made for normal lodging expense including single occupancy rate plus tax for each overnight stay required for reasonable travel and attendance. No reimbursement will be made for expenses related to extra services such as room service charges or entertainment requested by the employee.

### Meals

Employees will be reimbursed for reasonable cost meals and non-alcoholic beverages not to exceed Federal Per Diem standards per day purchased at their own expense based on receipts and records submitted to and approved by management.

## **CONFLICTS OF INTEREST**

Employees must avoid entering transactions where it may appear that they are improperly benefiting from their employment with the District. In general, a conflict of interest describes any situation in which the employee's own interest may influence the way the employee handles District business. This includes the use of an employee's position or relationship with the District for personal profit or advantage, either directly or indirectly. Situations that may involve a conflict of interest between personal interests and the interests of the District must be discussed with Management to protect the employee and the District.

Employees must not engage in any conduct that would create an actual or potential conflict of interest or create the appearance of such a conflict. While it is impossible to list every circumstance that may create a possible conflict of interest, the following should serve as a guide to the types of activities that may cause such a conflict:

- Having a direct or indirect financial or ownership interest in an outside concern that does business with or is a provider to Summerland Sanitary District (except where such financial or ownership interest consists of securities of a publicly owned corporation)

regularly traded on a public stock exchange). An example of this would be if an employee of the District had full or part time ownership of a hydro-jetting company and the District hired the company to clean collection lines. This would be in direct violation of District policy.

- Providing managerial, consulting, or other services to any outside concern that does business with, renders any services to, or is a service provider of the District, except with the knowledge and written consent of Management. An example of this would be if an employee of the District is a partner of a consulting firm and that company was hired to perform work for the District. This would be in direct violation of District policy.
- Soliciting business for any individual or another entity, redirecting business away from the District's normal services, soliciting existing customers while on duty, or interfering with any District contractual relations or business dealings.
- Accepting gifts of more than token value, loans, excessive entertainment, kickbacks, or other substantial favors from any outside concern that does or is seeking to do business with Summerland Sanitary District.
- Representing Summerland Sanitary District in any transaction in which there may be or is a conflict of interest.
- Disclosing or using confidential information relating to the District for personal profit, advantage, or any other reason unrelated to the performance of assigned District duties.
- Accepting outside employment or work, directly or through an intermediary, which can or will adversely affect an employee's productivity or availability for a position with the District.

This list is not intended to be all-inclusive or used as a substitute for good judgment. Should an employee become involved in a situation that may possibly give rise to a conflict of interest, immediate disclosure must be made to the District in order to protect the interests of both the District and the employee.

## **CONFIDENTIALITY**

All employees must treat any information relating to the business of the District and any of its activities, projects, board members, employees, or customers as confidential, and not divulge any of this information to outside parties, including family and friends, without the prior written consent of Management. All such information must be kept completely confidential during, and subsequent to, employment with the District. The following examples are intended to serve as a guide to the types of such information and material:

- Matters of a business or financial nature such as proprietary information including, but not limited to, pending proposals, disbursements, costs, contracts and forms, financial statements, pricing, customer lists, all data regarding customers, mailing lists, databases, designs, drawings, models, plans, plans for future expansion or business development, or any other writings or drawings that may contain proprietary information.
- Matters of a non-public, technical, or procedural nature such as manner of operations, processes, District reports, computer programs, software and

supporting documentation, security codes, training programs, procedure manuals, and related methods or technologies.

- Confidential data about employees, including employee names, addresses, telephone numbers, automobile identification, work location, pay rates of other employees, performance evaluations of other employees, and other such personal information.
- Information pertaining to any services or products and the results of all such services or products provided to the District's customers.
- Any information that, if disclosed, could adversely affect the District's business.

Upon separation of employment, or at any time upon the District's request, employees must deliver to the District all copies of District information or other District property.

### **CALIFORNIA CONSUMER PRIVACY PROTECTION ACT**

The District complies with the California Consumer Privacy Act. As such and wants to remind employees again of the information that SSD collects in connection with employment, and how SSD uses that information.

The categories of information SSD collects may include:

- Personal identification and contact information, including among others, names, mailing address, email address, phone number, Social Security number, driver's license, or passport.
- Information related to relevant third parties, including emergency contact information, beneficiary information, and banking or wire transfer information.
- Subject to legal compliance, personal characteristics necessary to process employment status, emergency contacts and medical benefits, including family and health information, marital status, disabilities, and current health conditions.
- Employee training, skills, and abilities, including education, prior work experience, and licenses or permits that employees hold.

SSD will use the information collected in the following ways:

- To evaluate an application for employment and to process onboarding once hired.
- To administer benefits.
- To process payroll and other payments, monitor pay changes, and ensure proper taxes, deductions, and withholdings.
- To conduct performance reviews, document promotions/demotions, and to administer discipline as needed.
- To ensure a safe and productive work environment, including monitoring time off work and leaves of absence.
- To monitor compliance with work-related licenses and credentials.

- To assist employees in case of emergency.
- To comply with the law.

The information SSD collects is securely stored within employee personnel files, and associated tools and databases. For questions about this policy, or inquiries about the information that SSD collects and maintains regarding employment, please contact Management.

## **SEPARATION OF EMPLOYMENT**

Separation of employment can be either voluntary or involuntary and may be initiated either by the employee or the District.

### **Voluntary Separation**

When an employee resigns, the separation is considered voluntary. Regular status employees are requested to give advance written notice, including all of the reasons for the resignation, to their Supervisor/Manager. Employees are requested to give two weeks' notice of resignation whenever possible as a courtesy to the District and to the remaining employees.

### **Involuntary Separation/Discharge**

An involuntary separation/discharge is one that is initiated by the District for any reason other than a reduction in force.

### **Job Abandonment**

An employee who has been absent for three (3) consecutive scheduled workdays without approval and without notification to the employee's manager will be considered to have abandoned the job and voluntarily resigned the employee's employment without notice. The last day worked will be the date of separation.

Subject to legal compliance, failure to return from an approved leave of absence or vacation within the time limits established also will be considered as a voluntary termination of employment without notice. The expiration date of the approved leave or vacation will be the separation date.

### **Exit Interviews**

Whenever possible, exit interviews normally will be conducted for all separating employees. This interview allows employees to communicate their views on working at the District as well as the job requirements, operations, and training needs of the position. At the time of the interview, or not later than the last day of employment, employees will be required to return all District property issued to, or in, the employee's possession.

### **Final Pay**

All accrued and vested pay that is due and payable will be paid upon separation of employment such as final hours worked and unused vacation, unused personal leave time and compensatory time off hours. The employee's final pay will be available on the last day of employment.



### **Return of District Property**

It is the responsibility of any separating employee to return all property issued by the District to the employee at any time during employment that has not previously been returned to the District. All such property, including any keys, uniforms, laptop computer, cell phone, manual, documents, and other items that the employee may have in the employee's possession, must be returned on or before the last day of work.

### **REDUCTION IN FORCE / LAYOFF**

A layoff is normally an involuntary termination that is initiated by the District as a result of reorganization, position elimination, declining operations/lack of work, or lack of funds and not otherwise caused by the affected employee. Layoffs will be determined by position(s) at the sole discretion of the District. Generally, positions identified for layoff will be those determined to be the least vital to the continuation of District operations even if service levels or types are reduced or modified, or other jobs become subject to reorganization and a change in job duties.

## COMPENSATION AND TIMEKEEPING

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### COMPENSATION PLAN / PAY RATE REVIEWS

Wage/salary rates are based upon an employee's job duties and responsibilities, work performance, periodic review of pay practices among similar organizations in our geographic area that may result in modifying pay rates for specific job classifications, and the economic conditions of the District. Pay increases are not automatic and will be granted based on progress in either meeting or surpassing performance standards since the last performance review and other factors relating to the District's pay practices and authority of the Board of Directors. Any compensation adjustment an employee may receive will not alter an employee's status as an at-will employee.

Individual pay rates within established pay ranges will be initially determined at the time of hire for new, re-employed, reinstated, demoted, and promoted employees. In determining a particular rate of pay within an established pay range, consideration will be given to such factors as the employee's experience, qualifications, special skills and training and education, internal equity, and such other factors deemed appropriate. Thereafter, pay rates for each employee shall be based on merit as determined by the ratings and other outcomes of their annual Employee Performance Report (EPR).

Unlawful pay discrimination is strictly prohibited by law and District policy. SSD will not pay any of SSD's employees' wage rates that are less than what SSD pays employees of the opposite sex, of another race, national origin, or ethnicity, or based on any other Protected Characteristic, for substantially similar work involving the same skill, effort, and responsibility, and performed under similar working conditions. Differences in compensation rates will be based upon legitimate business considerations such as education, experience, skill, productivity, and other performance qualities unrelated to the personal characteristics of any employee.

#### Basic Salary Table

The basic salary table for all District job classifications will be considered for adjustment annually with an effective date of July 1st according to the recommendations of Management and direction/approval by the Board of Directors.

The Board of Directors shall authorize all positions in the Basic Salary Table and shall be advised of all appointments to all positions. The Board of Directors may amend or abolish a classification, and it may establish, amend, or abolish provisions relating to a classification or positions within a classification.

#### Merit Increases

The Basic Salary Table establishes a ten-step range of compensation for all District job classifications except for Management. The Table identifies the minimum time in service for each step required to establish eligibility for a merit increase to the next higher step. The employee's EPR as well as time in service at the current step will determine granting of a

merit increase. A merit increase may be granted upon recommendation and approval by the Supervisor.

### Longevity Pay

Longevity pay may be earned by employees who have ten or more years of dedicated service and have reached the top step (Step 10) of the salary range for their position. Such employees may receive additional pay related to their longevity.

Employees who receive an employee evaluation lower than satisfactory will not be eligible for a longevity pay increase. If an employee does not receive a longevity pay increase because of a less than satisfactory annual performance review, the employee may be reconsidered for longevity pay in subsequent years if the employee receives a satisfactory rating on the annual performance review.

Performance reviews, issuance of incentive awards, and any salary or wage increases do not in any way create a contractual relationship or meaning of guaranteed continued employment and will not alter an employee's status as an at-will employee.

### **EMPLOYEE CLASSIFICATIONS**

For purposes of this handbook, all employees fall within one of the classifications below.

#### **Introductory Employee**

An employee in their first twelve months of employment, re-employment or in a new position is defined as an introductory employee.

#### **Regular Full-Time Employee**

An employee who is scheduled to work forty (40) hours per workweek who was not hired on a short-term basis is classified as a regular full-time employee. A regular full-time employee is either a non-exempt or an exempt employee and is entitled to all District-sponsored benefits described in this handbook, as specified by SSD's current carriers, or as required by law.

#### **Exempt Employee**

An exempt employee is one who, by virtue of the employee's duties and responsibilities, does not fall under certain wage and time requirements of applicable local, state or federal regulations. An exempt employee does not receive overtime or compensatory time off nor does follow the timecard procedures for non-exempt employees.

There may be occasions when an exempt employee must record time spent on a particular project. The Board of Directors will inform all exempt employees in writing of their status and responsibilities at the time of hire, rehire, or promotion.

#### **Non-Exempt Employee**

A non-exempt employee is one who is paid based on hours worked per pay period and who receives compensation for overtime. Non-exempt employees are required to record their hours worked on a timecard. All employees, unless notified are non-exempt.

#### **Regular Part-Time Employee**

A regular part-time employee is one who is scheduled to work less than forty (40) hours per workweek who was not hired on a short-term basis. Regular part-time employees who are regularly scheduled to work at least thirty (30) hours per week will be eligible for the District-

sponsored benefits as described in this handbook, as specified by SSD's current carriers or as required by law.

### **Temporary Employee**

A temporary employee is defined as an employee who is hired for a specific short-term project, a short-term freelance, per diem or temporary basis typically not to exceed ninety (90) days. Temporary employees may be full-time or part-time and are not eligible for District-sponsored benefits but are eligible to receive statutory benefits. Should a temporary employee be transferred to a regular position, retirement benefits under SBCERS shall be based on the employee's initial hire date as a temporary employee. All other benefits and terms of employment shall be based on the date the employee becomes a regular employee.

## **WORK SCHEDULES, WORK WEEK AND HOURS OF WORK**

The District's usual office hours are Monday through Friday from 8:00 a.m. to 4:30 p.m., whereas Plant and Field employee general work hours are from 7:00 a.m. to 3:30 p.m. All employees are expected to be at their work locations at the start of their scheduled shifts, ready to and engaged in the performance of their work. Scheduled work hours are determined by the Supervisor and subject to change based on the operational needs of the District. Generally, however, if any change in work schedule occurs, the District will endeavor to provide affected employees with adequate notice whenever possible.

The hours for regular full-time employees are generally 40 hours per week, eight (8) hours per day. The daily and weekly work schedules may vary among District operational areas and may change from time to time to meet the varying conditions of business operations. Employees are to check with their Supervisor regarding their individual work schedules. On-call schedules will be posted in advance.

## **PAY PERIODS AND PAYDAYS**

### Pay Days

Wages are paid on a semi-monthly basis. Paydays are on the fifteenth (15<sup>th</sup>) of each month and the last day of each month. If a District or bank holiday or a weekend falls on a designated pay day, SSD will issue paychecks on the day before whenever possible. A pay period schedule with paydays will be posted on an annual basis. Paychecks will not be given to anyone other than employees except with their prior written authorization.

### Direct Deposit

Employees may choose to have their paycheck deposited automatically into their checking or savings account. Forms for enrolling in the Automatic Deposit program are available from Management. If employees choose direct deposit, they may choose to receive their wage statements in electronic or paper form.

### Payroll Errors

Employees are expected to report any errors in their paycheck to Management for review. Any necessary corrections will be made immediately. If payroll errors result in an overpayment to an employee, the employee must promptly reimburse SSD for that overpayment.

## Pay Advances, Loans and Check Cashing

The District does not permit wage or salary advances on unearned wages to any employee. The District does not grant loans or cash pay checks for employees.

## **TIMEKEEPING / TIME RECORDS**

### Timekeeping

It is the responsibility of every non-exempt employee to accurately record time worked. Federal and state laws require the District to keep an accurate record of time worked to calculate employee pay, benefits and legally mandated deductions. Time worked is the time spent on the job performing assigned duties. Non-exempt employees must record the time they begin their workday, the time they left for a meal period, the time they returned from a meal period, the time they stopped work at the end of the workday, and whenever they leave the premises for any reason other than rest breaks or District business. Overtime work must always be approved before it is performed unless it is an emergency.

It is the employee's responsibility to sign the employee's time records certifying the accuracy of all time recorded and that meal periods have been made available. Employees are responsible for the accuracy of their own time records. Altering, falsifying or tampering with timecards, or recording time on another employee's time record is prohibited, even with another employee's permission and is a serious violation of District rules and may result in corrective action, up to and including discharge.

Working off-the-clock is strictly prohibited. "Off-the-clock" work is a generic term that means work employees may perform but that is not reported. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.

### Time Records

In accordance with applicable wage and hour laws, the District maintains time records for all hours worked by all employees. To comply with these laws, employees are given a time sheet. A time sheet is an official, legal document and therefore must be accurately maintained. Time sheets are to be kept updated daily and turned in for processing once the pay period has ended. The District Administrative Manager will turn the time sheets over to the Supervisor for approval.

It is important that time sheets be kept accurately and in a detailed manner. If an error is identified following the completion of a time sheet, the employee should immediately bring it to the attention of their Supervisor for proper handling.

## **DUTY-FREE AND UNINTERRUPTED REST AND MEAL PERIODS**

If an employee is unable to take a duty-free and uninterrupted rest or meal period in a timely manner for any reason, please discuss it immediately with a Supervisor so that SSD can work to ensure that rest and meal periods are always available. Employees may raise any concerns about their ability to take rest or meal periods at any time without fear of retaliation; it is the District's intent that employees be able to take all designated rest and meal periods, duty-free and uninterrupted, each day of work.

Exempt employees are entitled to take rest periods at reasonable intervals as needed. If the workload prevents an employee from taking rest or meal periods, let a Supervisor know immediately so that SSD can address the situation.

#### Duty-Free and Uninterrupted Rest Periods

Non-exempt employees are entitled to take a paid duty-free and uninterrupted ten-minute rest period for each four-hour work shift or major portion of four hours (i.e., more than two hours), except that employees whose work shift will end in 3.5 hours or less are not entitled to a rest period. Duty-free and uninterrupted rest periods are provided as follows: (1) employees working between 3.5 hours to six hours are entitled to take one rest period of ten minutes; (2) employees working shifts of more than six hours to ten hours are entitled to take two rest periods of ten minutes each; (3) employees working shifts of more than ten hours to fourteen hours are entitled to take three rest periods of ten minutes each, and so on.

Duty-free and uninterrupted rest period(s) should be taken in the middle of each four-hour work period whenever possible. Rest periods will be established according to start and end of work shift. Employees are entitled to leave the premises for duty-free and uninterrupted rest period(s).

Please keep in mind that when employees are not on a break, they are expected to devote their full efforts to their duties. Rest period will be counted as hours worked so long as they do not exceed 10 minutes in length. Minutes that exceed 10 minutes in length without prior approval will be deducted from an employee's hours worked except as prohibited by applicable law.

#### Duty-Free and Uninterrupted Meal Periods

Non-exempt employees are entitled to take an unpaid duty-free and uninterrupted meal period of 30 minutes whenever they work more than five hours. This meal period should commence before they have completed five hours of work. Employees are entitled to take a second unpaid duty-free and uninterrupted meal period of 30 minutes whenever they work more than ten hours. This meal period should commence before they have completed ten hours of work. Employees are entitled to take a third unpaid duty-free and uninterrupted meal period of 30 minutes whenever they work more than 15 hours. This meal period should commence before they have completed fifteen hours of work.

Non-exempt employees must record the beginning and the end of each meal period on their time sheet. If they perform any work for any reason during the meal period(s), they must record it on their time sheet so that they can be paid for the time. Working off-the-clock during any meal period is strictly prohibited.

If an employee's work shift will be six hours or less, or if the employee works more than ten but less than 12 hours in one shift and has already taken the first duty-free and uninterrupted meal period of the day, the law permits the employee to waive the meal period at the employee's option. If this circumstance occurs, or if an employee chooses not to take the duty-free and uninterrupted meal period(s) SSD has provided, the employee must note that the employee has voluntarily waived the meal period on the SSD Meal Period Waiver from which can be obtained from a Supervisor.

Employees are entitled to leave the premises for duty-free and uninterrupted meal period(s). Employees may not skip meal period(s) to work unauthorized overtime, to come in late or to leave early without the prior approval of Management. Employees may not extend the time available for a meal period by combining meal periods or by adding rest periods to a meal period.

## **RECOVERY PERIODS**

SSD provides employees who work outdoors with recovery periods to proactively prevent heat illness. The District provides shade, fresh water and recovery periods in accordance with the applicable statutes, regulations and standards promulgated by the Industrial Welfare Commission, the Occupational Safety and Health Standards Board, or the Division of Occupational Safety and Health.

Employees that are unable to take a recovery period should discuss it immediately with a Supervisor so that SSD can work with the employees to ensure that recovery periods are always available as needed. Employees may raise any concerns about the ability to take recovery periods at any time without fear of retaliation; it is our intent that employees be able to take all necessary recovery periods.

## **WORKWEEK/WORKDAY**

The SSD seven-day workweek begins at 12:01 a.m. on each Sunday and ends at midnight on the following Saturday. The 24-hour workday begins at 12:01 a.m. on each day and ends at midnight that night.

## **OVERTIME**

The nature of the District's basic mission to protect public health and preserve the environment make it necessary to provide staff and facilities for unforeseen emergencies and special projects. Therefore, all District employees may be required to work overtime hours from time to time.

When possible, advance notification of these mandatory assignments will be provided. While such situations are difficult for the District and its employees to anticipate, such requirements will be made only when based on operational necessity. Employees who refuse to work such overtime regularly shall be subject to corrective action, up to and including discharge, depending upon the circumstances. All overtime work must be pre-approved by the immediate Supervisor. Working unauthorized overtime is strictly prohibited unless an unforeseen emergency arises. If employees work unauthorized overtime, they will be paid for their time, but they will also be disciplined or terminated for doing so.

Non-exempt employees will be paid for overtime hours worked as required by applicable law. Generally, this means that non-exempt employees will earn overtime pay at the rate of time-and-a-half the usual rate for hours worked over eight in one workday, over 40 in one workweek, and for the first eight hours of work on the seventh day of work in the same workweek. Employees will receive overtime pay at the rate of double-time for hours worked over twelve in one workday, and for all hours worked in excess of eight hours on the seventh workday in the same workweek. Only hours actually worked are counted toward overtime. Hours worked on weekends do not automatically constitute overtime.

SSD will work with employees so that they have at least one full workday completely off duty during each workweek. If the nature of employment reasonably requires employees to work more than six days in the payroll workweek, then SSD will work with the employees so that they receive the equivalent of at least one day completely off duty for every seven days in the calendar month. While employees are normally required to work overtime when requested, this requirement does not apply if working the extra overtime hours would result in the employees failing to receive one full workday completely off duty during each workweek. Although, employees are entirely free to make their own choice to accept those extra overtime hours, they will not be required to do so, nor will they be viewed negatively for choosing not to accept the extra hours.



When an employee is assigned to work on a holiday, the workday is reduced to four hours a workday and paid at a rate of two times the employee's straight-time regular rate of pay. To qualify for overtime, such work must fall into the overtime categories described above.

## **PAYROLL DEDUCTIONS**

The District is required to withhold a portion of an employee's pay for tax or government-mandated benefit programs and other mandatory deductions from time to time. These legally required deductions include, but are not limited to, the following items:

- Federal income tax withholding
- State income tax withholding
- State Disability Insurance
- Federal Insurance Contribution Act (FICA)
- Medicare
- Court ordered deductions (such as garnishments) and tax liens

Additionally, employees may authorize certain deductions to be made from their paychecks each month for reasons such as payment of group medical insurance premiums and optional benefit plans like non-profit contributions, or contributions to the voluntary IRA plan. All deductions, whether they are legally required or voluntary, are itemized on each employee's paycheck stub.

## **PAY ADVANCES**

The District does not allow pay advances on either earned or scheduled but not yet worked hours. Employees are therefore not eligible to receive manually processed paychecks for hours worked through an existing pay period in advance of the District's normal payday regardless of the reason for such request.

## **CALL-BACK PAY**

Non-exempt employees who are called back to work outside their normally scheduled workweek and/or normally scheduled working hours will be paid at the rate of one and one-half times (or double time, if applicable) the employee's regular pay rate for actual time worked. Such call-back time shall include round trip travel time from the employee's residence. Unless otherwise instructed, employees who are called back to work have the option to go to the District facility to pick up a District vehicle in those cases where the nature of the work requires them to do so. This action is recommended in most cases.

Reasonable meal reimbursement costs will be provided to those employees called back under emergency conditions.

For emergency call back, appropriate safety equipment necessary to resolve the problem must be worn.

## **ON CALL / STANDBY PAY**

All on call/standby assignments will be made at the discretion of the Supervisor. Generally, these assignments are made in advance with qualified employees and to the extent possible on a rotating basis. However, unexpected conditions may arise when advance notice is not possible whereby, similar to the periodic need for mandatory overtime, applicable employees

are expected to assume such assignments as a condition of employment. Any otherwise qualified employee who is in their Introductory Period; has had a formal disciplinary action during the prior six months; or is on a Performance Improvement Plan is not eligible for on call assignment unless otherwise approved by the Supervisor.

If a non-exempt employee is assigned standby duty, their on call/standby time while actually performing work is paid at the following rates: One and one-half times the hourly pay rate of the employee for being on call during weekdays and two times the hourly pay rate of the employee for being on call for weekends. On call/standby time while not performing work for the District is unpaid, and the employee is free to pursue personal pursuits. Employees must remain accessible during any on call/standby time and respond to emergency calls with 60 minutes.

On call pay is compensation paid to an employee for hours in which the employee responds should there be a requirement to report for work or to respond to a telephone advisory situation. If the on call/standby employee is required to respond to an on-site operational need, then the employee will also be paid as set forth below. In that instance, the employee will resume on-call/standby pay rate upon completion of the call back work.

If the standby employee is required to respond to an emergency and/or call out while on standby duty, the employee is entitled to a minimum of two hours overtime pay per call out. All time required on duty greater than the two-hour minimum will also be compensated at the employee's overtime hourly rate. If the standby employee responds to a subsequent call back within the two-hour minimum, overtime pay shall be based on the actual hours of on-site work but not less than two hours.

Since the time actual spent working while on call/standby time is paid, the time will be included for calculating overtime pay eligibility based on the total number of hours worked in the workweek.

Employees who are assigned on call/standby duty are expected to use an assigned cell phone to ensure the ability for continuous contact during the hours of on-call/standby duty, and to maintain a normal state of mental, emotional, and physical ability as might be exercised for the performance of the employee's regular duty hours.

## **WAGE GARNISHMENT**

A garnishment is a legal levy by a creditor against an employee's pay. All garnishments and other attachment orders that are required by law will be honored. An employee who suspects this may happen should review the situation with Management immediately. If the employee objects to the garnishment, the employee must take independent action to have it lifted; SSD cannot intervene on an employee's behalf.

## **ATTENDANCE AND PUNCTUALITY**

Employees of the District are expected to be punctual and maintain regular attendance. This is an essential function of every position with the District and is an essential element in determining satisfactory job performance. Tardiness and absenteeism place an additional burden on fellow employees and re-scheduling of work assignments. An unsatisfactory attendance record of tardiness and absences can result in corrective action, up to and including discharge.

An absence is the failure of an employee to be at a designated work area or perform assigned work as required because of a failure to report for work as scheduled, begin or end a rest break or meal period on time, and/or leave prior to the end of a workday as scheduled.

### **Reporting an Absence and Health Care Provider's Statement**

For any absence or tardiness, employees must notify their Supervisor whenever and as soon as possible. Failure to report the absence at the earliest time possible is subject to disciplinary actions up to and including discharge.

Employees that are absent more than one day must provide the same notice each day of absence, unless SSD has previously approved a specific date for the employees' return to work. If an employee is absent for three consecutive days without proper notification, SSD will assume that the employee has voluntarily resigned the position.

Subject to applicable law, SSD may require a doctor's certificate for any absence due to illness or injury. An employee who is unable to work due to illness or injury is required to notify the employee's Supervisor as promptly as possible. Subject to legal compliance and depending on the situation, the District may also request an evaluation of an employee's medical condition from an appointed health care provider at District expense. Alternatively, SSD also may require a doctor's certification that an employee has been released to return to work before the employee is permitted to return after an illness or injury.

Any falsification, misrepresentation, or other violation of an attendance obligation to the District can result in corrective action, up to and including discharge.

### **CERTIFICATION INCENTIVE AWARD PROGRAM**

This policy applies to employees of the District holding a position requiring an Operators Certification from the State Water Resources Control Board or certification from the California Water Environment Association. If the employee's position with the District requires a certain grade of certification and the employee is working for the District holding a certification at that level, they are eligible to participate in this program.

The employee, under their own initiative, may sit for a certification exam at a grade level that is higher than the one that is a requirement of their employment with the District. If the employee passes the exam and submits appropriate documentation of their passing, they will receive a one-time payment of \$350.00 from the District, plus reimbursement for gaining the extra certification. Eligible employees may participate in this program only one time during their employment with the District. Management will determine the requirements for this program for each employee.

## **EMPLOYEE RELATIONS AND CONDUCT STANDARDS**

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### **OPEN DOOR / SUGGESTIONS AND QUESTIONS**

Work-related questions or suggestions are best presented by frank and prompt discussion. Accordingly, the District promotes the following “Open Door” practices:

- The District is always looking for better ways of operating our business and serving our customers. Employees who have ideas for improving the District’s services or doing a job more simply and economically are encouraged to give their suggestions to Management. Management will review and discuss all such suggestions.
- All employees are encouraged to express their views on District policies to Management, either verbally or preferably in writing. Employees are expected to express such views in a calm, reasonable, and constructive manner. Anonymous suggestions may be submitted to Management.
- Suggestions and questions will be answered as quickly as possible.

SSD cannot guarantee that every problem will be resolved to an employee’s satisfaction. However, the District values employee observations and employees should feel free to raise issues of concern, in good faith, without fear of retaliation.

### **REPORTING FINANCIAL IMPROPRIETIES**

Employees who have a reasonable, good faith belief that a District employee, contractor or other third-party is engaging in financial misconduct relating to District operations or is engaging in conduct which results in the waste of the financial resources of the District, should report this belief to Management. If the employee feels uncomfortable about making a report to Management, or if Management is believed to be involved in the alleged misconduct, the report should be made to the District’s Board of Directors President.

Management or the Board President will promptly investigate any such report of financial misconduct or waste of financial resources, preserving confidentiality to the fullest extent possible. Retaliation against District employees or any other person for reasonable, good faith reporting under this policy will not be tolerated.

### **COMMUNICATIONS / BULLETIN BOARDS**

All District employees are encouraged to openly and honestly communicate while maintaining tact, courtesy, respect, dignity, and professionalism.

### Staff Meetings

Staff meetings are held on an “as-needed” or pre-scheduled basis. All employees scheduled to work on meeting days are expected to attend while unscheduled employees are expected to learn about the content of meetings on their next scheduled workday. These meetings are held to provide information, promote employee participation, contribute constructive ideas in solving problems, improve our District, and allow us to operate more efficiently. It is an opportunity to exchange ideas, set goals, discuss opportunities for growth, and solve any problems with projects or assignments. If unable to be present, employees should notify their Supervisor and offer to submit ideas in writing. When required by the District to attend a District meeting, employees will be paid for the time spent in the meeting, including any overtime that may result.

### Bulletin Boards

Bulletin boards are used to display required documents and to provide employees with information about job openings, changes in the District, or information of general interest relative to our operations.

Posting of any notice or document on bulletin boards or elsewhere on District premises must be approved by Management. Employees are not permitted to post personal notices and solicitations on District bulletin and electronic message boards without prior approval from Management.

## **WORKING RELATIONS**

All employees are expected to be courteous and considerate of one another and to work with a “team player” attitude, including assisting and providing helpful information to other employees. All employees should accept the suggestions or instructions given to them in proper spirit. Problems should be discussed in private. If differences persist, employees should discuss them with their Supervisor or Management.

## **PERSONAL POSSESSIONS**

Employees are encouraged to avoid bringing expensive items or personal possessions that have sentimental value to work and to take all precautions to safeguard all such items, especially wallets and purses, if brought to work.

Employees who bring any kind of personal items and possessions to work do so at their own risk because the District accepts no responsibility for any items or possessions that are stolen, lost or damaged in any way.

## **PERSONAL USE OF DISTRICT PROPERTY**

District resources are to be used only for legitimate business purposes and are not to be used for personal reasons by employees. District property includes equipment and tools, computers, copy machines, postage, office supplies, etc. Borrowing any District property for personal use or removing District property without approval is prohibited. Unauthorized use

or removal of District property by an employee is subject to corrective action, up to and including discharge.

## **SOLICITATION / DISTRIBUTION OF LITERATURE**

To avoid disruption of operations, the following rules apply to solicitation and distribution of literature on District property or premises.

### **Outsiders**

Persons who are not employed by the District may not solicit or distribute literature on District premises or property at any time for any purpose.

### **Employees**

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

Further, it is strictly prohibited for any employee to solicit or imply their availability to perform private work for any customer or service provider of the District. The solicitation of private work, for pay or no pay, on or off duty, shall result in disciplinary action up to and including discharge. This rule is not intended to curtail free speech rights; it is intended to prevent disruption and to avoid undue pressure upon employees to make financial contributions.

## **PERSONAL MAIL AND TELEPHONE CALLS**

In general, District facilities are available only for District business. Due to the volume of business calls required during the business days, personal calls on District telephones during working hours are to be kept to a minimum. Personal telephone calls, including cell phone calls, should be handled during non-work time to the extent possible (rest and meal periods).

Additionally, the District will assume that all mail addressed to the office is official District mail, even though it may be addressed to an individual. Employees should not, to the extent possible, have personal mail sent to them at the District, and the District will not assume responsibility for personal mail or packages sent to the District.

All employees should keep personal visitors to a minimum so as not to disrupt work or interfere with others.

## **VOICE MAIL, E-MAIL, AND COMPUTER FILES**

Voice mail, electronic mail (e-mail), and other computer information systems are made available to various positions throughout the District to enhance productivity and provide more efficient services for our customers and business contact sources. E-mail, voice mail, Internet access, and any other electronic communications systems are District property and are intended solely for carrying out District business. These systems may not be used for any illegal, offensive, harassing, bullying, retaliatory or discriminatory purpose, or in violation of any District policy.

Personal use of District electronic communications equipment is prohibited unless specifically authorized by a department Supervisor. Employees have no personal rights and no right of privacy in any use of our systems or equipment. All files and messages sent, received, composed, and/or stored on any computer system are the property of the District. Use of the District's electronic communications and information systems constitutes consent to this policy.

All messages transmitted via these systems will be treated as business messages. Any employee who sends a personal message on these systems should be aware that such messages will be viewed as a business message and not a personal, confidential message of the employee. Any use by an employee of a private password does not entitle that employee to any confidentiality. The use of passwords to gain access to these systems is for the protection of the District, not the employee.

District confidential or proprietary information should not be transmitted via these systems outside the organization or even to employees within the organization unless such recipients are authorized to receive such information. Employees must not copy and send by e-mail or the Internet any information or software that is protected by copyright or other intellectual property laws. No software licensed to the District may be duplicated or installed for use on another computer unless the District purchases a special "multi-user license" software package. Employees are not to load any software programs or download from the Internet any software, screen savers, files, etc. without obtaining approval from the District's computer network administrator.

All employees should keep e-mail, Internet, and voice messages businesslike and refrain from using the systems for gossip, personal messages, chat rooms, or chain letters. E-mail and voice messages should not be profane, vulgar, defamatory, or harassing, bullying, discriminatory nor retaliatory. No one may use the voice mail, e-mail, the Internet, or other computer systems to download, send, or forward to others any discriminatory or threatening messages, ethnic or racial slurs, indignities, obscenities, sexual or offensive comments, off-color jokes, lewd graphics or pictures, pornography, or anything that may be construed as harassment, bullying, discrimination, retaliation or showing disrespect for others. Nor may employees use voice mail, e-mail, or the Internet to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters. Any employee misusing the voice mail, e-mail, the Internet, or computer systems, including giving



another employee a personally assigned password, will be subject to discipline up to and including discharge.

The District reserves the right to access, search and monitor the voice mail, e-mail, or computer files or messages of any employee, without advance notice, that are created, stored on, or deleted from the computer and voice mail systems. Accordingly, no employees should expect their voice mail, e-mail or computer files, communications, or usage to be confidential or private.

## **SOCIAL MEDIA**

Social media refers to blogs, chat rooms, forums, and social networking sites such as Facebook, Twitter, LinkedIn, Pinterest, Instagram, Snapchat, and YouTube, among others. Employees have the right to engage in personal social media activities to express their thoughts or promote their ideas, as long as their activities are not performed on working time or by using SSD communications system, and do not cause harm to others or conflict with our policies, business, goodwill or reputation.

If employees engage in social media activities on their own time, they must comply with the following guidelines as a condition of employment with SSD:

- Do not disclose our confidential and proprietary information or trade secrets.
- Do not write or post harassing, discriminatory, retaliatory, bullying, or offensive material in violation of law or our District policies.
- Do not unlawfully defame the District or our personnel, activities, or competitors.
- Do not use or reproduce the SSD logo, website link or other proprietary District information without advance permission of Management.
- When expressing an opinion or position, employees must use their own names and Internet accounts, not the District's name or Internet account. Employees' comments or posts must be theirs alone and must not appear to be representative of or approved by our District.

Remember that employees are responsible for their comments or posts on social media sites. Employees can be sued by the District, its personnel or by any third party if they post defamatory, proprietary, harassing, libelous, or pornographic comments.

If employees want to use social media to promote the District's activities or initiatives, they must obtain advance approval of Management.

Employees are not required to disclose their personal social media passwords or to grant management access to their private social media postings or the postings of any third parties. Employee postings may be subject to disclosure by law or in the context of a workplace investigation. Employees should be aware that any content posted or published on the Internet is, by its very nature, subject to disclosure in any number of ways (including by third

parties who have received or viewed the posts), and employees do not have secure privacy rights with regard to their social media activity.

Nothing in this policy is intended to interfere with employees' rights protected by Section 7 of the National Labor Relations Act or other federal or state law to engage in concerted protected activity or to discuss the terms of their employment or working conditions with or on behalf of co-workers, or to bring such issues to the attention of management at any time. SSD will enforce this policy only to the extent necessary to protect District trade secrets, enforce our policies and protect District personnel and customers.

## **ENDORSEMENT**

SSD appreciates our employees' efforts to promote our products and services. However, the Federal Trade Commission ("FTC") has set specific guidelines for statements made by employees about any District service or product through social media, internet activity or other electronic publications or communications. The guidelines apply to employees even when they are using their personal computer, telephones, or other electronic equipment on their own time.

If employees are posting information about our products or services on any internet site (such as Facebook, Twitter, blogs, chat rooms, or other media sources), they must state only their honest opinions, beliefs, or experience. Employees must also conspicuously and clearly disclose their relationship to our District so that readers of the message know that employees are affiliated with our District when they read the employees' posts or comments.

Under the FTC guidelines, SSD is required to monitor employee Internet or other electronic endorsements of our products or services, and to act if the FTC guidelines are violated. If employees do not comply with these disclosure requirements, they are personally liable for any misleading or unsubstantiated statements made regarding our products or services.

## **INSPECTION OF FACILITIES / RIGHT TO SEARCH**

The District provides offices, desks, cabinets, lockers, computers, equipment, vehicles, and other property that employees use in the performance of their job duties. These facilities are the sole and exclusive property of the District. To prevent possession of illegal drugs, stolen property, weapons, or other improper materials at the workplace, the District may conduct inspections of its facilities.

Accordingly, the District reserves the right to inspect such facilities and property at any time, whether during work hours or not, and with or without advance notice. This policy applies to all District property, regardless of whether it is for an employee's exclusive use and regardless of whether an employee can maintain a lock or other means to limit access to the property. To facilitate enforcement of this policy, employees also may be questioned, and their personal possessions inspected upon entering and/or leaving the premises. Any employee who wants to avoid inspection of any articles or materials should not bring such items onto District premises.

Employees are expected to cooperate in such inspections and consent to inspection is required as a condition of employment. Refusal to consent may result in corrective action, up to and including discharge.

#### **USE OF FACILITIES – OFF DUTY**

Employees are prohibited from remaining on District premises or making use of District facilities while not on duty. Employees are expressly prohibited from using District facilities, property, or equipment for personal use without prior approval from Management.

#### **FALSIFICATION OF RECORDS**

The District strictly and expressly prohibits the falsification of employment applications, personnel records, time keeping, work orders, customer account information, injury reports, or any other report, document or record pertaining to District employment, operations, or compliance with any applicable laws. Any employee determined by the District to have engaged in this form of misconduct shall be subject to immediate discharge and possible prosecution.

#### **SMOKING**

Smoking, including the use of e-cigarettes or vaporizers, is prohibited on the District's premises, buildings structures and in all District vehicles. This policy also applies to visitors on the District's property. Employees are responsible for educating visitors about this policy.

Violation of the Smoking Policy may result in disciplinary action, up to and including immediate termination.

#### **GENERAL DRESS CODE**

At the District, professional image is important and is maintained, in part, by the image that employees present to customers, visitors, vendors, and others in our business. No one has a second chance at a first impression. Employees are expected to consistently utilize good judgment in determining dress and appearance daily. In choosing appropriate work attire, employees should consider tastefulness, public contact, the nature of the job, and working conditions.

The District always expects all employees to be appropriately dressed and groomed. It is, however, the responsibility of Management to communicate the District's dress code standards to all current employees and each new employee as the employee is hired. Employees are expected to check with Management or their Supervisor if they are unsure about the appropriateness of their attire or grooming.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

## **Non-Compliance**

Employees who are inappropriately dressed may be sent home and directed to return to work in the proper attire. Non-exempt employees will not be compensated for the time away from work.

Nothing in this policy is intended to interfere with religious dress or grooming practices, protective hairstyles, or any dress or grooming practices related to sex, gender, gender identity or gender expression. If these requirements impact an employee's religious dress or grooming practices, protective hairstyles, or any dress or grooming practices related to the employee's sex, gender, gender identity or gender expression, or if an employee requires alternative dress or grooming practices related to a disability, please see Management to discuss a reasonable accommodation.

## **UNIFORMED EMPLOYEES**

Uniform apparel required to be worn by designated employees shall be provided and maintained by the District. Uniforms must be worn during all work hours, excluding attendance at District approved conferences, workshops and similar business-related activities where uniformed employees may wear business casual attire.

## **Safety Boot Allowance**

The District shall reimburse designated employees up to a maximum of \$250.00 per year for the purchase, repair, or replacement of required safety (steel-toed unless otherwise approved) boots/shoes, beginning at the time of initial employment. Qualified employees must submit an acceptable receipt to Management to be reimbursed for this cost, and the safety or protective boot must meet District requirements. Safety boots reimbursed by the District may not be worn outside of work hours since doing so decreases the use and condition of the boots. All field personnel must always wear safety boots/shoes. Field personnel are defined as person's employed in Operations/Collections or Maintenance.

## **USE OF TOOLS AND EQUIPMENT**

When using equipment or tools in performing tasks, employees are expected to exercise care and follow all operating and maintenance instructions, safety standards, and guidelines. No employee is to attempt to repair any equipment without the express authorization of the department Supervisor. Use equipment and tools only for the purpose for which they were designed. Do not attempt to operate any equipment or machine until properly trained on the correct use.

If any District equipment, machine, or tool is broken, malfunctioning, damaged, defective, or in need of repair, notify your Supervisor. Prompt reporting of damage, defects, and need for repairs could prevent deterioration of equipment and possible injury to employees or others.

The improper, careless, negligent, destructive, or unsafe use or operation of tools or equipment, including their removal from District premises, can result in corrective action up to and including discharge.

## **CELL PHONES**

As a part of your position with the District, you may be issued a cell phone.

Each employee who is issued a District cell phone is required to maintain possession of this cell phone on the employee's person and be reachable via this cell phone during scheduled working hours (including on-call shifts, as applicable). Each employee shall be issued the protective case/cover appropriate for the make/model of issued phone. The employee shall leave in place said protective case or cover always.

Each employee who is issued a cell phone is required to establish and maintain a PIN, passcode or password to access the phone to protect confidential District and client information in the event the phone is lost, stolen, or accessed by anyone other than the employee. The PIN, passcode or password will be accessible by the District and there is no reasonable expectation of privacy in District-issued cell phones.

### **Damage to Cell Phones**

It is the employee's responsibility to protect the issued phone and its ancillary equipment such that damage does not occur. Damage to the phone or equipment resulting from being dropped onto a hard surface will be viewed by the District as negligence by the employee. Each employee who is issued a cell phone may receive a replacement phone and/or ancillary equipment at no expense to the employee if the phone becomes obsolete or inoperable through no fault of the employee.

### **Personal Use**

The District understands that employees may need to use their assigned phone for personal use from time-to-time. Employees who are provided a cell phone may use it to send and receive occasional and limited personal communications. Any personal use of a issued cell phone shall not interfere with the employee's work performance, take away from work time, or violate any District policies, including, but not limited to, policies against harassment, discrimination, bullying or retaliation, or disclosure of confidential or trade secret information. Employees may be responsible for paying for additional time or data usage in excess of any rate plan maintained by the District should it be determined that the overage was caused by usage unrelated to performance of job duties or following the District's directions.

The following actions and activities are prohibited on the District issued phones: non work-related long-distance calls, calls to phone numbers that accrue costs, unauthorized downloads or data transfers not related to business including video streaming, and the use of the phone as a wireless internet or Bluetooth Hotspot when not being used for District business. All costs for personal long-distance calls shall be the employee's responsibility and due payable immediately. Local personal calls are to be made or received during rest breaks, meal breaks or after-hours only. 911 calls are to be made for emergency purposes only.

Employees are not allowed to download or use offensive and/or profane ringtones, ring tones, media, or text messages on District issued phones, nor on personal phones while on District business. Employees are strictly prohibited from downloading applications without prior approval including, but not limited to, games, ringtones, or other forms of media.

Further, the District is committed to promoting driving safety by encouraging the safe use of cellular telephones by its employees while they are on District business. While the District recognizes that cellular phones for business purposes must be kept where it can be answered, safety must be the priority. If an employee needs to receive or make a phone call while driving, the individual should find a safe stopping location to make or receive the call. The only exception is for genuine emergencies such as an accident, or a car breakdown, and even then, the employee must use a hands-free device with the cell phone or similar communications device to make and receive telephone calls while driving.

Proper cellular phone use is one part of safe driving. Employees are reminded that while traveling on business, they are expected to follow posted speed limits, practice defensive driving, wear seat belts, take enough breaks so they remain alert, and avoid taking notes while driving.

## **VISITORS**

All visitors must enter District facilities at the main entrance and must not enter work areas without specific Supervisory or Management permission. Any unauthorized person or persons on District property will be asked to leave immediately. Those employees who allow unauthorized visitors to enter the premises in any way will be subject to corrective action up to and including discharge.

## **CONFIDENTIALITY OF EMPLOYEE AND CUSTOMER INFORMATION**

The District recognizes the need and expectation our employees have confidentiality of their private information. Therefore, it should be understood that records and information about our customers and employees is considered strictly confidential and only those that have a job-related need and authority to know have a right to access and use such information only for operational purposes. Similarly, employees should avoid undue intrusion into the personal affairs of other employees or customers except for an appropriate investigation by authorized members of management into an alleged act of misconduct by an employee. In these cases, the privacy of those employees being investigated, including potential witnesses will be maintained to the degree possible.

Failure on the part of an employee to maintain the confidentiality and privacy of customer and employee information can result in disciplinary action up to and including discharge.

## **INVESTIGATIONS**

As conditions warrant, it may be necessary for the District to conduct an investigation into an alleged or suspected form of misconduct by an employee or other person. In these cases, employees should understand that the District has a legal obligation to conduct, or have conducted, such investigations to ensure that the workplace remains efficient, safe, honest,

respectful, ethical, and legally compliant and in other ways professional at all times. Therefore, the District has made the reporting of any suspected inappropriate act by any person, and cooperation with any resulting investigation, both an expectation and condition of employment. Any employee who has information concerning an act of misconduct, or believes that such an act may have occurred, is required to report all known information about the incident to their Supervisor or Management promptly. Thereafter, employees should refrain from discussing the matter reported or under investigation with other persons. Under most circumstances, the results and outcomes of most investigations reported or affected by an act of misconduct shall be informed when the matter is resolved.

Failure to report a known or suspected violation of the District's policies, practices, procedures or administrative directives, or violations of any law, is considered an act of dishonesty and will be subject to disciplinary action up to and including discharge.

### **DISCIPLINARY AND OTHER CORRECTIVE ACTIONS THAT COULD INCLUDE DISCHARGE**

The District expects all employees to observe professional behavior while at work. As with all businesses, the District considers certain conduct unacceptable. It is not possible or practical to list every type of conduct that is unacceptable. To provide employees with some guidance concerning unacceptable behavior, the following are examples of conduct that should not take place in the work environment:

- Obtaining employment based on false or misleading information, falsifying information, or making material omissions in any District documents or records.
- Malicious or willful destruction or damage to District property supplies or to the property belonging to another employee, a customer, a supplier, or a visitor.
- Theft or unauthorized removal of property from District premises or the premises of a customer that belongs to or is in the possession of the District, another employee, a customer, a supplier, or a visitor.
- Misappropriation or unauthorized use of money, credit, property, or equipment of the District or belonging to another employee, a customer, a supplier, or a visitor.
- Dishonesty of any kind, including asking another employee to lie, withholding the truth from Management, or falsifying time sheets or any District documents or files.
- Rude, abusive, or threatening language or outbursts of anger toward Management, employees, customers, or others.
- Bringing or possessing firearms, weapons, or any other hazardous or dangerous devices or chemicals on District property.
- Willful violation of any law, rule, or regulation (other than traffic violations or similar offenses) or pleading guilty to or being convicted of a felony or a misdemeanor that affects an employee's suitability for continued employment.
- Engaging in any action on or off District premises that reflects unfavorably on the organization and its reputation, including criminal or illegal behavior of any kind.

- Violation of District Policies of Conflicts of Interests and Confidentiality.
- Possessing confidential information without proper authorization.
- Communicating confidential or proprietary information to unauthorized persons or entities.
- Unsatisfactory job performance, including but not limited to failure to perform assigned duties; excessive sloppiness, negligence, or incompetence; doing personal work during work time or failure to treat a customer in a courteous, friendly manner, etc.
- Malicious gossip and/or spreading rumors, engaging in behavior that creates discord or disharmony in the workplace, interfering with another employee on the job, or restricting work output or encouraging others to do the same.
- Unsatisfactory attendance, excessive absenteeism, repeated tardiness, not being ready to work at the start of a workday, stopping work before end of the workday, or leaving work early.
- Sleeping or malingering on the job.
- Moonlighting or engaging in activities that create a conflict of interest.
- Fighting or provoking a fight while on the job or on District property.
- Insubordination, including failure to follow job instructions, refusal to do assigned work, or refusal to perform work in the manner described by an employee's Supervisor or District official.
- Unlawful or unauthorized possession of alcohol or drugs while on duty or on District premises or reporting to work under the influence of alcohol or drugs.
- Engaging in the illegal sale or distribution of narcotics, drugs, or controlled substances while on the job or on District property, or any violation of the District's Drug and Alcohol Policy.
- Participating in an unsafe work practice, failing to observe safety rules or procedures, or disregarding any established safety rule, including not wearing required safety equipment or tampering with District equipment.
- Negligence, horseplay, or any other action that endangers other people or District property or that disrupts work.
- Gambling while on the job or on District premises.
- Smoking in designated non-smoking areas.
- Violating any security rules or procedures.
- Harassing, bullying, discriminatory, or retaliatory threatening, intimidating, or coercing any employee or another person, including violation of the District's Policy Against Harassment.
- Inappropriate and/or excessive use of the Internet (e.g., offensive e-mail, non-work-related websites, chat rooms, etc.)



- Failure to abide by set standards for lunch and break periods or working unauthorized overtime.
- Solicitation of any type, redirecting business or employees away from the District, or selling or passing out any products, information, or documents on District property or during work time. Work time means those hours that employees are on duty, excluding breaks, mealtimes, and other specifically designated periods during the day when employees are not engaged in performing work duties.
- Unapproved distribution of literature by employees or solicitations and distribution of literature by visitors on District premises.
- For employees in positions requiring the use of a vehicle for District business, becoming uninsurable based on the standards of the organization's insurance carrier due to a Department of Motor Vehicles record, driver's license suspension or revocation, or cancellation of the employee's automobile liability insurance policy.
- Any other violations of rules and policies of the District, or those laws governing employment and operations of the District, or directive of management.

To ensure proper employee conduct in the workplace, violations of District policies or standards will result in corrective action appropriate to the employee's conduct. Nothing in this Personnel Handbook or Management's discretionary use of corrective action creates any contractual obligation of the District to continue or discontinue the employment relationship.

Corrective action procedures may include, among other measures, a verbal counseling, written warnings, suspension, demotion, and discharge. The District may use any form of corrective action deemed appropriate to the situation and use stated procedures in any order or skip various disciplinary steps as needs. The use of any corrective action is completely within the sole discretion of Management. Giving corrective action warnings in one instance does not require the District to use such warnings in any other instances. Accordingly, the District reserves the right to utilize any corrective action, including discharge on a "first time" basis.

#### Notice of Evidence for Serious Disciplinary Actions

Employees subject to disciplinary actions involving paid suspensions exceeding five (5) days/shifts or discharge will be afforded an opportunity to present mitigating information generally before suspension. Employees subject to suspensions of five days or less may be suspended while investigation is ongoing where it is deemed necessary and appropriate to circumstances. The District retains the right to suspend an employee until the cause of action can be thoroughly investigated and the employee notified of an opportunity to respond. In the event of any disciplinary action(s) which will deprive an employee of a property interest, the employee shall be given the following rights and responsibilities:

1. A written notice of the disciplinary action intended.
2. The specific charges/violations upon which the action is based.
3. A factual summary upon which the charges are based.

4. A copy of non-confidential written material, reports, or documents upon which the discipline is based.
5. Notice of the employee's right to respond to the proposed action and/or charges, either orally or in writing, to Management or designee with the presence of the proposing or most factually informed manager.
6. The date, time, and person before whom the employee may respond, at least five (5) business days from the date the letter is likely to be postmarked; and,
7. Notice that failure to respond at the specified time shall constitute a waiver of the right to respond prior to the final action being imposed.

Following the conduct of such a meeting, or the employee's failure to request and attend such a meeting, Management or designee shall prepare and provide a letter to the employee, either in person or by delivery through first class postal service mailing, giving notice of the District's final decision on the matter which may include sustaining or in some respect modifying the proposed action.

## **PROBLEM SOLVING AND ARBITRATION**

### **Problem Solving Procedure**

The District encourages all employees to discuss any work-related problems or concerns with their Supervisor/manager and to review them with a higher level within the organization, if necessary. Resolving problems early often prevents misunderstandings that occur when communications break down.

Employees may use the following procedure to resolve any problems or concerns that have a material impact on the employee regarding application or interpretation of the District's human resource policies and practices as contained in this Handbook, working conditions, fair treatment, and other terms and conditions of employment without fear of ridicule, retaliation or reprisal:

1. **Meet with the Immediate Supervisor:** Within 10 working days of an incident that gave rise to the problem or concern, discuss the problem or dissatisfaction with your immediate Supervisor/manager, including what relief is being sought. The Supervisor/manager will attempt to resolve the problem to the mutual satisfaction of all concerned within ten (10) working days after meeting with the employee. The Supervisor shall thereafter prepare and provide a written response to the employee within 15 working days, subject to business conditions. If an extension of this deadline is required for business reasons, the employee will be notified in writing. In the event satisfaction is not received through this meeting, or if the employee feels he/she cannot go to their immediate Supervisor for any reason, employees may discuss the situation with the next higher level of management.
2. **Refer the Problem to Management:** Within 10 working days of receiving the Supervisor's response that does not resolve the problem to the reasonable satisfaction of the employee, the employee may submit a written request for review by Management or designee. Management or designee will discuss the problem with the

employee and any other concerned party within 10 working days of receiving the written request for review and shall respond in writing and verbally to the affected employee within 15 working days thereafter, subject to business conditions. If an extension of this deadline is required for business reasons, the employee will be notified in writing. If the employee is still not satisfied with the decision, he/she may file a written request for appeal to the District's Personnel Committee within 10 working days of receiving Management's or designee's response.

3. Refer the Problem for Appeal to the Administrative, Operations & Personnel (AOP) Committee: Upon the timely receipt by Management of an employee's appeal to have the matter reviewed by the AOP-Committee, a meeting of the AOP-Committee with the employee and any others deemed appropriate to conditions, along with all related documentation will be arranged within 20 working days, subject to business conditions. If an extension of this deadline is required for business reasons, the employee will be notified in writing. Unless requested otherwise, such appeals to the AOP-Committee shall be arranged as closed sessions with the Committee Chairperson acting as a voting hearing officer. Also, unless additional time is needed for a further investigation into the matter, the Committee Chairperson shall respond and notify the employee in writing of the District's final response to the problem or complaint within 10 working days following the evidentiary meeting. For purposes of internal resolution of employment related problems as defined above, the decision of the AOP-Committee shall be considered final.

The District Administrative Manager shall be responsible for the processing, monitoring and guidance of this problem-solving process to objectively ensure its timely and equitable administration.

Employees who do not feel comfortable discussing a problem or concern with their Supervisor may discuss the matter privately with Management who can advise employees on a proper course of action. Likewise, employees who feel they have experienced retaliation because of reporting a problem or filing a complaint should immediately contact Management.

#### Mutual/Bi-Lateral Arbitration of Disputes Procedure

As a condition of employment, the District promotes a system of alternative dispute resolution, which involves mutual, bi-lateral binding arbitration, to resolve all disputes that may arise out of the employment relationship not otherwise resolved through the District's Problem-Solving process. Private binding arbitration can provide mutual benefits to both the District and the employee such as reduced cost and increased efficiency. Employees are asked to agree that any claim, dispute, and/or controversy which would otherwise require or allow resorting to any court or other governmental dispute resolution forum between the employee and the District shall be submitted to and determined exclusively by binding arbitration under the Federal Arbitration Act in conformity with the procedures of the California Arbitration Act.

The cost of arbitration proceedings, including the cost of the arbitrator, transcriber if any, witness time off work, and any other related costs shall be paid by the District.

## **EMPLOYMENT BENEFITS**

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### **HEALTHCARE: GENERAL INFORMATION & ELIGIBILITY**

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

All employees should receive information regarding benefits plans during their introductory period and as changes occur thereafter. Employees having questions regarding benefit matters should contact Management.

The District reserves the right to change, suspend or eliminate any benefit at its sole discretion when conditions warrant and following Board approval and communications to employees. Employees will be notified of any changes in employee benefit programs at meetings or through memos.

#### **Eligibility**

Regular full-time employees and regular part-time employees working at least 30 hours per workweek are eligible to enroll in the group benefit plans as of the first of the month following successful completion of 30 days of employment, in accordance with the terms of the applicable policy and the Affordable Care Act, as well as any equivalent local, state or federal laws. Coverage is effective on the first day of the month following eligibility and confirmed enrollment.

#### **Insurance Enrollment**

The Plan Administrator will enroll new employees in the group insurance program. The enrollment forms are a part of a new hire packet of information regarding the District, and during annual "open enrollment" periods announced by the District thereafter. The employee, at their sole discretion, can decline insurance coverage if they choose to do so. An example of this is if they are insured through a spouse's insurance plan.

Summerland Sanitary District currently offers the following group benefits to its eligible employees:

- Medical
- Dental
- Life 20K

For details regarding these insurance plans, together with a schedule of specific benefits provided by each plan, employees should refer to the plan booklets and the Summary Plan Descriptions provided to each employee.

#### **Healthcare and Dental Insurance**

Employees hired before 2014:

District pays 100% premium for employee, plus one dependent.

Employees hired after 2014:

District pays 100% premium for employee.

#### Life 20K

District pays 100% premium for employee.

It is up to the employee to inform Management of any dependents they would like added to their insurance program for Healthcare and Dental Insurance, as well as to report the need to remove any dependent. Qualifying dependents that do not fall under the dependent premium coverage by the District will be paid for by the employee and deducted from the employee's paycheck on a bi-monthly basis.

#### Certificate of Coverage

Under the Health Insurance Portability & Accountability Act of 1996 (HIPAA), the District or the benefit provider will provide a certificate of prior insurance coverage: 1) whenever an employee, and/or the employee's qualified dependent, loses coverage or when continuation coverage begins; 2) when continuation coverage ends; or, 3) upon request by an employee within 24 months after coverage ends under the District's health insurance plan.

For additional information on group insurance coverage or continuation coverage qualifying events, contact the Plan Administrator.

### **CONTINUATION OF GROUP HEALTH INSURANCE**

Certain employees and their dependents that become ineligible for coverage under the group medical and health insurance plan due to a qualifying event may elect to continue such coverage up to 18 months in accordance with the California Continuation Benefits Replacement Act (Cal-COBRA) for employers with less than 20 employees.

Employees are to notify the District within 30 days of a qualifying event involving divorce, legal separation, and child or dependent becoming ineligible for health insurance coverage to be eligible for continuation coverage. The Plan Administrator will notify eligible employees and their covered dependents when group benefits are lost due to a qualifying event such as separation of employment, reduction in work hours, entitlement to Medicare benefits, retirement, death of a covered employee, loss of dependent status, divorce, or legal separation.

The continuation coverage will be identical or similar to the coverage currently being provided under the group health plan. However, covered employees and/or their covered dependents are responsible for the full payment of the monthly insurance premiums, plus any administration charge, for the continued insurance coverage.

Questions concerning qualifying events and eligibility requirements should be addressed to the Plan Administrator.

## CONTINUATION OF HEALTH, DENTAL AND VISION UPON RETIRING

Health, dental and vision insurance benefits upon retiring before January 2021 from the District can be continued based on the following criteria.

- The retiring employee must be at least sixty (60) years of age.
- The retiring employee must have at least fifteen (15) years of continuous service with the Summerland Sanitary District.
- The retiring employee may only elect this coverage on or before their effective retirement date and the retiring employee waives the option to elect coverage after the effective retirement date.
- The retiring employee must file to retire through SBCERS at the time of leaving employment with Summerland Sanitary District.
- If the retired employee discontinues medical benefit coverage at any time, they are no longer eligible to elect coverage again.
- Retiring employee contributes 100% of monthly premium for the retiree and the retiree's spouse which includes Medical, Dental and Vision. Payment must be paid in full by direct deposit within thirty (30) days of the invoiced monthly premium. If paid after (30) days, they are no longer eligible for coverage.
- Once a retiring employee turns sixty-five (65) they must enroll in Medicare A and B to continue under SDRMA's Medicare Supplemental Plan.

The retiree health, dental and vision benefits provided by the District are paid 100% by the retiring employee. Employees retiring after January 2021 are no longer eligible to continue Health Dental and Vision upon retiring.

## RETIREMENT PLAN

### Santa Barbara County Employees' Retirement System Defined Benefit Plan

The District participates in the Santa Barbara County Employees' Retirement System (SBCERS), which is a defined benefit retirement program that is integrated with Social Security.

Participation in the SBCERS can provide the following benefits:

	<b>General Plan 5 EE hired before 2012</b>	<b>General Plan 8 EE hired after 2013</b>
<b>Benefit Formula</b>	2% at age 57	2% at age 62
<b>Final Average Salary</b>	1 or 3 years, depending on tier	3- year average
<b>Member Contributions</b>	None	Is determined by actuarially each year
<b>Retiree COLA</b>	3% maximum	2% maximum
<b>Healthcare Benefits</b>	\$15/\$4 per month/year of service	Ineligible

For new employees hired after April 2013 SBCERS benefits could depend on previous employment situation

Since the SBCERS plan is integrated with Social Security, both the District and employees are required to make equal payment contributions to Social Security rates as determined by the Social Security Administration.

Full-time employees are eligible for and automatically enrolled in the SBCERS Plan effective the first of the month of initial employment. Employees become fully vested after the completion of five (5) years of service credits with the District. Service credit is computed on a bi-monthly basis, and 2080 hours equals one year of service.

Additional information concerning this Plan can be obtained from the District Administrative Manager or by contacting the County of Santa Barbara Retirement Department.

### **DEFERRED COMPENSATION PLAN**

The District also provides an opportunity for all employees to voluntarily participate in the District's Deferred Compensation (IRA) Plan as a supplemental means of investing toward retirement. Employees are eligible to enroll in this plan effective upon their date of hire and may change contribution amounts or percentage at the end of any pay period.

Employees may contribute up to the maximum amount or percentage of gross earnings allowed under IRS rules. Employee contributions are generally made on a pre-tax basis; therefore, contributions are deducted from the employee's gross taxable wages at the end of each year within limits established by the Plan Administrator and IRS regulations. Employee contributions can be made either by direct payment to their account through the Plan Administrator or through payroll deduction.

Employees having questions or interest in learning more about the eligibility, investment options, contribution limits, and other features of the District's Deferred Compensation Plan should contact Management for Plan materials and further information.

### **WORKERS' COMPENSATION INSURANCE**

All employees are covered by Workers' Compensation Insurance, effective the first day of employment. Workers' Compensation Insurance provides employees and/or their beneficiaries with certain benefits in the event of job-related illness, injury, or accidental death.

The District pays the full cost of this insurance. If employees sustain a job-related illness or injury, they must report the illness or injury to their Supervisor as soon as possible under the circumstances, preferably the day it occurs or not later than 24 hours after the occurrence. Failure to do so could result in a delay of benefits by the insurance carrier.

All payments for lost wages or salary due to a legitimate job-related illness or injury, medical treatment, and any other benefits will be made by the Workers' Compensation Insurance carrier as required by law. Workers' Compensation Insurance payments are coordinated with any accrued sick leave or vacation taken as part of a medical or disability leave of absence.

Contact the Management for more information about Workers' Compensation Insurance benefits.

District Provided Physician (also see Occupational Health and Safety under heading of Employee Health and Safety)

The District provides medical treatment for work-related injuries through pre-determined clinics that provide medical care to injured employees. These clinics are selected due to their experience in treating work-related injuries.

Employees who are injured in a work-related accident will be referred to the clinic assigned for the location, unless the District has received a written notice that the employee wishes to be treated by the employee's own health care provider. This notification must have been submitted to Management prior to any injury. In all cases, employees may seek treatment from their own health care provider after 30 days, should they so desire.

Workers' Compensation Medical Appointments/Treatments

An employee who is under the medical care of a physician or an approved health care provider for a workers' compensation illness or injury, and who needs related and foreseeable medical or treatment appointments during normal work hours, including any modified duty assignment, must provide at least two (2) workdays' advance notice to their Supervisor and may be required to provide proof of such appointments.

Additionally, subject to applicable law, such time away from any scheduled work must be taken as accrued and available sick leave or as unpaid time off.

Workers' Compensation Fraud

Employees and former employees are prohibited from filing fraudulent Workers' Compensation claims. California law makes it a crime to knowingly file a false or fraudulent claim for Workers' Compensation benefits, or to knowingly submit false or fraudulent information in connection with any Workers' Compensation claim. Violation of this law is punishable by imprisonment of up to five years, a fine of up to \$150,000, or both. Filing a false or fraudulent Workers' Compensation claim is also a violation of District policy, and will result in corrective action, up to and including discharge. The District's policy is to investigate all questionable Workers' Compensation claims and to refer them to the Bureau of Fraudulent Claims.

**HOLIDAYS**

All regular full-time employees will be eligible beginning on their first day of employment for eight hours holiday pay at their normal straight-time hourly rate in effect for each holiday observed by the District. Regular part-time employees will be eligible for holiday benefits on a pro-rata basis based on the number of hours per week they are scheduled to work.

To be eligible for holiday pay, regular full-time and part-time employees must work their full shift on their regularly scheduled workdays before and after a Holiday observed by the District, unless the absence is a pre-approved use of vacation, or the absence is excused by



law or policy. If an employee is on an approved paid leave (such as vacation, paid personal leave or bereavement) during a District recognized holiday, the employee will be paid the holiday rather than the type of pre-arranged paid leave.

Eligible employees are provided with the following District recognized paid holidays each calendar year:

New Year's Day	January 1st
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veterans' Day	November 11th
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	Day after 4th Thursday in November
Christmas Day	December 25th
Personal floating holiday*	Upon approval*

*\*The personal floating holiday may be used at any time throughout the fiscal year but is subject to scheduling and approval.*

When a holiday falls on a Saturday or Sunday, it may be observed on the preceding Friday or on the following Monday. The District may eliminate or change holidays or designate additional holidays at its discretion.

#### Pay for Holidays

Eligible, exempt employees receive their regular salary and will not incur any reduction in pay for a partial week absence due to a District-observed holiday. Eligible non-exempt employees will receive their regular straight time hourly wage rate in effect for the number of hours that they are regularly scheduled to work on the day a holiday is observed by the District. Paid holiday benefit hours are not considered hours worked for purposes of overtime pay eligibility.

#### Pay for Holiday Hours Worked

Non-exempt employees who are required or authorized to work on a holiday observed by the District will be scheduled to work four (4) hours on a Holiday and shall be compensated at the rate of double time (two (2) hours for each hour worked), in addition to eight (8) hours holiday pay compensation at their regular hourly rate. Non-exempt employees will not receive holiday pay if they are scheduled to work but do not report to work on a designated holiday unless the absence is excused. When any holiday observed by the District falls on an eligible full-time employee's regularly scheduled day off, eight (8) hours of holiday time shall be taken on the workday before or after the holiday with approval of the employee's Supervisor.

#### Floating Holiday

As noted above, the District provides eligible employees with a one-day (eight hours) floating holiday during each calendar year of employment starting with their date of hire and each

calendar year thereafter, accrued at a rate of 1/12 of one workday per month. SSD strongly recommends that all employees use their accrued floating holiday in the year in which it is earned, and the District reserves the right to schedule a floating holiday for any employees who do not schedule their own floating holidays or who do not use all of their accrued floating holidays each calendar year. However, in the unlikely event that employees do not use their accrued floating holiday each calendar year, the accrued, unused floating holiday time may be carried over from year to year. However, once the employees have accumulated 1.50 times as many hours as their annual floating holiday accrual benefit, they will stop accruing further floating holiday time until they have taken enough floating holiday hours to bring themselves below this accrual cap. Eligible employees must schedule their floating holiday at least 2 weeks in advance with their Supervisor. If there is a conflict in scheduling floating holidays, SSD will first consider our business needs. If all other factors are equal, the District will then give preference to seniority in approving conflicting floating holiday requests. All accrued but unused floating holiday time will be paid to employees at their final rate of pay when they leave the District.

#### Religious Holiday Accommodation

To reasonably accommodate the religious needs of employees, time off for religious observances that are not scheduled paid holidays observed by the District may be taken, without pay or through use of accrued vacation, under the following conditions:

- The employee must give reasonable advance notice to their Supervisor in order for another employee to be assigned, if required, to the work being performed by the employee requesting the time off. Reasonable notice is considered to be a minimum of 14 consecutive calendar days.
- Each regularly scheduled workday that is requested as a religious observance holiday will require individual review and prior approval by Management.

#### **VACATION**

The District offers paid vacation benefits that may also be used for rest and relaxation, personal time off due to personal matters or obligations, children's school activities, religious observances, or for other purposes as defined in this Handbook.

#### Eligibility

Regular full-time employees begin accruing vacation benefits per semi-monthly pay period from their date of hire to their anniversary date of each succeeding year based upon length of continuous service with the District. Eligible regular part-time employees accrue vacation time on a pro-rata basis to full-time employees depending on the number of regularly scheduled hours. Casual, temporary, or contract employees are not eligible for paid vacation benefits.

Regular full-time and part-time employees may begin taking paid vacation time after accruing vacation benefits. No advance paid vacation may be taken, unless otherwise approved by their Supervisor. Eligible employees continue to accrue vacation during any authorized paid leave; however, vacation time does not accrue during any leave without pay.

Based on the length of continuous service, the following vacation accrual schedule is based on regular full-time employees who are regularly scheduled to work at least 40 hours per workweek.

Length of Service (From Employee's Hire Date)	Vacation Hours Accrued Per Bi-Monthly Pay Period	Vacation Days/Hours Accrued Per Benefit Year
Date of Hire through 4 years	3.36 hours	Up to 80 hours
5 through 9 years	5.04 hours	Up to 120 hours
10 through 14 years	6.72 hours	Up to 160 hours
15 + years	8.32 hours	Up to 200 hours

#### Holidays or Illness/Injury during Vacation

If a District observed holiday occurs during a scheduled vacation and employees are otherwise eligible for holiday pay, such employees will be paid for the holiday rather than a vacation day and will be expected to return to work on the date originally authorized by their Supervisor. Similarly, if an employee on vacation experiences a bona-fide and verifiable disabling illness or injury that would otherwise qualify for normal and available sick leave time, such time during a vacation may be taken as sick leave upon the employee's submission of reasonable proof of such illness/injury.

#### Scheduling a Vacation

The time at which an employee takes vacation leave is determined by the prior approval of their Supervisor with due regard to the employee and the needs of the District. Requests for vacation must be filed with their Supervisor prior to the commencement of the time off, at least 30 calendar days in advance for vacations of five (5) or more consecutive workdays, and 14 calendar days in advance for vacation request of fewer than five (5) consecutive workdays. Vacation leaves are normally taken in periods of one or more weeks but may be used in smaller increments with prior approval, but not less than one-half hour increments.

Employees shall be given their preference in vacation time within the limits of the vacation schedule established by their Supervisor who shall establish a system for assignment of vacations, which affords reasonable recognition of seniority. If more than one employee requests the same vacation schedule, the request received and approved first shall have priority.

Approved vacation leave may be cancelled at any time by Management if it is determined that an emergency will require the services of the employee scheduled to go on leave or is already on leave.

### Vacation Pay

Vacation pay will be based on the employee's regular pay rate in effect at the time such vacation is taken. It does not include overtime or any other forms of compensation. Payment for vacation time will be made on an employee's regularly scheduled payday.

Pay in lieu of vacation, or vacation pay in advance of vacation time, is generally not allowed. In cases where operational requirements or scheduling prevent an employee from taking vacation, pay in lieu of vacation may be made only upon special approval by Management. All accrued and unused vacation at the time of an employee's employment separation (or within 72 hours if the District had no advance notice of separation) and will be paid at the employee's regular hourly rate of pay as of their last day of employment. In the event of death in service, the employee's beneficiary will be entitled to receive all accrued and unused vacation payout at the employee's regular hourly rate in accordance with applicable law.

### Accrued and Unused Vacation

Employees are encouraged to use their accrued vacation benefits each calendar year. Eligible regular full and part-time employees may accrue up to a maximum of two times their annual accrual amount as indicated below based upon full-time employment.

Years of Service Completed (Employee's Anniversary Date)	Maximum Vacation Accrual ("Cap")
Date of hire through 4 years	Up to 160 hours (20 days)
Beginning of 5th – 9 years	Up to 240 hours (30 days)
Beginning of 10th – 14 years	Up to 320 hours (40 days)
Beginning of 15th + years	Up to 400 hours (50 days)

In the event an employee earned but unused vacation benefit reaches the maximum accrual that is allowed, vacation benefits will cease to accrue until the employee takes enough vacation to lower the maximum accrual entitlement. Vacation benefit accruals will then resume up to the maximum time allowed.

The District reserves the right, if necessary, to designate vacation periods during which employees are expected to schedule their vacations in order to accommodate overall work schedules and/or to ensure employees actually use all of their accrued vacation benefits. The District may also direct an employee to take mandatory vacation time for a specified period if conditions warrant. SSD will give employees at least 90 days' notice of District-scheduled vacation time.

## **SICK LEAVE**

Sick leave is to be used for absences due to seeking preventive care or the diagnosis, care or treatment of an existing health condition, medical or doctor appointments, personal illness or injury, specific legally protected absences such as time off for victims of violent crimes or domestic violence, or to attend to an illness of a child, parent, spouse, a registered domestic partner of the employee, or the child of a registered domestic partner or any other family members specified by applicable law.

Sick leave should not be abused or taken merely because there are remaining hours available.

### **Eligibility and Accrual**

Regular full-time employees are eligible to accrued paid sick leave benefits up to 8.66 hours per month (up to 13 days a year), and they begin accruing sick leave benefits per semi-monthly pay period from their date of hire. Under this accrual method employees are eligible to earn at least 24 hours or three days (whichever is greater) of sick leave by their 120th day of employment. Regular part-time and other eligible non-full-time employees accrue sick leave benefits pro-rated to the number of regularly scheduled hours worked per week, but at a rate of not less than 1 hour of sick leave for every 30 hours worked. These employees may accrue and carry over sick leave up to a maximum of 48 hours or six days, (whichever is greater), but may only use up to a maximum of 24 hours or three days of paid sick leave (whichever is greater) per anniversary year. Employees on a leave without pay do not accrue sick leave benefits during the unpaid leave.

### **Sick Leave Notification**

An employee who is unable to report to work on a scheduled workday is required to notify a Supervisor, or Management no later than within one hour of the beginning of the employee's work shift, or as promptly as possible under the circumstances. During any period of sick leave absence, the employee may be required to contact their Supervisor daily to provide an update on their status and/or expected return to their normal work schedule, unless SSD and the employee have previously approved a specific date for the employee's return to work.

When sick leave must be taken for the illness of a qualified family member, or other allowable reasons not related to the employee's own disability, advance notice of needed sick leave use must be submitted to their Supervisor as promptly as possible under the circumstances.

### **Payment for Sick Leave**

Paid sick leave may be taken only to the extent accrued hours are available. All sick leave payments will be based on an employee's regular pay rate in effect at the time such payments are made, or as otherwise required by law. These payments may be coordinated with applicable State Disability Insurance and/or Long Term Disability Insurance or Workers' Compensation Insurance benefit payments. However, the sum of all such payments will not exceed the employee's normal semi-monthly base rate of pay.

Full or partial days off due to illness or injury in excess of accrued sick leave by non-exempt employees may be taken through the use of available personal leave, vacation or without pay. Exempt employees who have used all of their accrued sick leave benefits must use any other available form of paid leave for full or partial days of absence. Subject

to legal compliance, the salary of any exempt employee who has exhausted all forms of paid leave will be deducted for absences of a full day or more due to illness or disability.

If an employee remains absent due to an allowable sick leave use beyond their available sick leave hours, the employee shall be required to use available personal leave or vacation time. If all forms of paid time off are exhausted during any incident of sick leave absence, Management will determine the conditions applicable to the employee's continued absence and determine the action to be taken. Such a written decision will be provided to the employee by means of first class mail using the United States Postal Service.

#### Certification of Sick Leave

Subject to applicable law, SSD reserves the right to require a written statement from a physician or a family member's physician certifying an absence. If the absence is due to the employee's medical condition, to the extent allowed under the law, SSD reserves the right to require a written release from the employee's physician that the employee can return to work or, as allowed by my law, SSD may pay for and order an examination/consultation with a health care provider of the District's choice. Employees are not expected to disclose any diagnosis or confidential medical information, but any material misrepresentations regarding the use of sick leave (e.g., using sick leave for an unqualified absence) may result in corrective action, up to and including discharge.

#### Sick Leave Pay Out Policy (new policy)

Upon retirement from the District through the County of Santa Barbara Retirement System all accrued unused sick leave, up to a maximum of 80 hours, shall be paid to the employee in accordance with the following schedule:

<u>Years Worked at the District</u>	<u>Sick Leave to be Paid</u>
From 1 to 10 years	50%
From 10 to 20 years	75%
Over 20 years	100%

Sick leave pay will be calculated based on the employee's current regular hourly rate of pay. Accumulated sick leave over 80 hours will be rolled over to the retirement system for service time credit.

Employees who voluntarily resign before retirement through the County of Santa Barbara Retirement System, are discharged from District service, or in the event of death in service are not eligible for sick leave pay-out of any accrued and unused sick leave hours. However, if they are rehired within one year of the initial separation, all previously unused sick leave will be reinstated.

## **BEREAVEMENT LEAVE**

The District provides regular full-time employees with paid Bereavement Leave of up to 24 work hours (three working days) to prepare arrangements and attend a funeral when there is a death in the employee's immediate family. Eligible regular part-time employees receive bereavement leave on a pro-rata basis. Upon request for reasonable circumstances and approval by their Supervisor, accrued vacation time may be used to supplement the bereavement leave up to a maximum leave of five (5) workdays off for this purpose. Eligible employees will receive the pay they would have earned for the workdays missed. Immediate family is defined as:

- Spouse
- Child
- Stepchild
- Sibling
- Parent
- Stepparent
- Grandchild
- Mother/Father-in-Law
- Daughter/Son-in-Law
- Grandparent
- Niece/Nephew
- Sister/Brother-in-Law
- Registered Domestic Partner
- Mother/Father of Registered Domestic Partner
- Child of Registered Domestic Partner

No other relatives are considered immediate family for purposes of receiving paid bereavement leave under this policy. Employees who have a death of an immediate family member and intend to take bereavement leave must immediately notify their Supervisor of their intended absence from work. When possible and practical, a bereavement leave request should be submitted by the employee prior to taking the leave, otherwise it should be submitted no later than the employee's return to work.

Any other absence for bereavement related conditions, such as the death of a close friend or family member not otherwise qualified for paid bereavement leave, the employee may submit an advance request to use accrued and available vacation, or paid personal leave. To be authorized, such absence request must be approved in advance by the employee's Supervisor.

## **JURY DUTY**

Regular, full-time employees who work at least 40 hours per workweek will receive full pay for up to forty (40) hours of actual Jury Duty service pay in any 12-month period, plus full pay for any scheduled workday in which the employee is required to be present during the jury selection process. Exempt employees will not incur any reduction in pay for a partial week absence due to jury duty.

Within three days of receiving a Jury Duty "call-in" notice, the employee must provide a copy of the notice to Management. Immediate notification must be given as to the specific dates of service expected by the Court. The District may submit a request for a postponement in

the event that compelling District business reasons make postponement of Jury Duty necessary.

When on Jury Duty, employees must report for work whenever their presence is not required at court, including during "phone in" or "on call" status, or if released by the court early enough to return to work for at least two hours. Employees who cannot report to work due to Jury Duty may be required to show proof of jury service or appearance.

Upon completion of any Jury Duty service, the employee is to submit to the Supervisor verifying documentation from the Court Clerk of the days and hours of Jury Duty attendance. A copy of that information will be kept in the personnel file.

Employees who work for a governmental entity, such as the District, may be asked or required by the Court, to waive the normal daily Jury Duty service fee paid by the Court to jurors since eligible employees of the District receive their regular pay for the workdays/hours missed due to Jury Duty service. When the Court issues such a waiver, a copy of the waiver will be kept in the personnel file. Employees selected for Jury Duty service may retain any travel allowance provided by the Court for Jury Duty related travel.

Part-time non-exempt employees who are not eligible for paid time to sit for jury selection or Jury Duty can take time off from work without pay or use accrued vacation and/or personal leave time.

## **WITNESS DUTY AND SUBPOENAS**

Employees will be paid their normal wage or salary if required to be a witness or required by a subpoena to appear in court on District business. Exempt employees are paid for full weeks when working at least a portion of the workweek. Employees will not be paid for their time off if summoned to appear in court as a witness or because of a subpoena for any other reason. Use of any available vacation time may be used for this purpose with two weeks' advance notice, and proof of subpoena service, from the employee to their Supervisor.

## **SEMINAR ATTENDANCE AND CONTINUING EDUCATION**

It may be necessary for employees to attend training programs, seminars, conferences, lectures, meetings or other outside activities for the benefit of the District or the individual employee. Attendance at such activities may be required by the District or requested by individual employees. However, attendance will not be considered an officially authorized activity, subject to the following policies on reimbursement and compensation, unless prior approval has been issued from Management.

To obtain approval, employees wishing to attend an activity must submit a written request to the Supervisor detailing all relevant information, including date, hours, location, cost, expenses, nature, purpose and justification for attendance.

### **Seminars**



Where attendance is required or authorized, the District will reimburse reasonable expenses that generally include registration fees, materials, meals, transportation, and parking. Reimbursement policies regarding these expenses should be discussed with the Supervisor in advance. Employee attendance at any required outside activities will be considered time worked and will be compensated in accordance with normal payroll practices and applicable law.

### Continuing Education

Eligible employees are those who have completed one year of continuous District employment and who have either:

- Desire to advance professional knowledge by taking undergraduate or graduate level courses in a field of study related to their job assignment or in a field to be of long-range value to the District; or,
- Desire to advance professional knowledge by taking courses that are directly related to the employee's current job assignment or some job assignment to which they may logically advance.

The District will consider applications for financial assistance to cover tuition and certain other costs of a broad range of educational courses that may be taken by its staff outside of office hours. Such assistance will be dependent upon available funds budgeted for this purpose and advance approval of Management. If the employee is requested by the District to take an educational course, the District shall pay for all expenses associated with that course in addition to paid time.

Upon completion of the pre-approved voluntary course(s), employees must submit evidence of a grade "C" or better. In the case of a seminar or certificate program where no grade is assigned, proof of completion of the course would be required. Should the employee receive an unsatisfactory grade or less than a "C," the money would not be reimbursed, except as mandated by law, and the employee would be ineligible to participate in the program for the rest of the year.

A record from the educational institution of the grade received, or other evidence of course attendance and completion, must be submitted.

Seminars and other educational experiences in which an employee desires to participate, and involves any form of District subsidy, will be considered for approval on an individual and purely discretionary basis.

### Membership in a Professional Organization

Professional development is also provided through membership and participation in organizations relating to the employee's area of responsibility. Participation in professional organizations benefits both the District and the employee by providing:

- Information on new laws, procedures, and policies.
- Information on issues of importance to the profession.

- Opportunity to increase knowledge and resources in the profession which benefits the District; and,
- Professional and personal development.

An employee may elect to become a member of professional organizations for which the employee assumes responsibility for membership fees. However, if the District is to be responsible for the employee's membership fees, the membership decision shall be determined by Management for final consideration.

Involvement in professional organizations will not take precedence over job responsibilities.

## **LEAVES OF ABSENCE**

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### **GENERAL INFORMATION**

Benefit accruals, such as vacation, sick leave, and holiday benefits, will be suspended during any leave without pay, and will resume upon the employee's return to active employment unless otherwise required by applicable law. Any employee who uses a leave of absence with or without pay for other employment involving the same duties or activities as the employee's position with SSD may be terminated from the District. Employee performance and wage and salary review dates may also be adjusted by the total amount of time taken for leaves of absence exceeding 30 consecutive calendar days.

Upon request or as otherwise required by law, the District will attempt to accommodate employees returning to work from injuries or illnesses with short-term "modified duty" assignments when practical. Such accommodations may be made depending upon the extent and nature of the work restrictions imposed by the health care provider, the anticipated duration of the restrictions, the availability of modified duty assignments, and other relevant considerations.

Employees on a leave of absence which exceeds 12 workweeks (except for Pregnancy Disability Leave) will not be eligible for continued paid insurance coverage but may continue their group health insurance coverage through the District in conjunction with COBRA/Cal-COBRA guidelines by making monthly payments to the District for the amount of the applicable premium.

### **APPROVED TIME OFF**

Employees who know in advance they will be absent or late are required to make the necessary arrangements with their Supervisor. If foreseeable time off from work is needed, employees are required to schedule and obtain prior approval for any intended absence by submitting a written request for time off in accordance with the applicable advance notice time off/absence procedures specified in this Handbook.

Planned time off includes any situation that might prevent an employee from reporting to work on time for any scheduled workday or that needs to be scheduled (e.g., vacations, doctor's appointments, personal obligations, non-emergency leaves of absence, etc.). If prior arrangements have not been made, employees must discuss an absence or inability to be at work on time directly with their Supervisor.

The District recognizes that it is sometimes necessary for employees to take care of personal business during the workday. However, personal business should be kept to a minimum and should be conducted during break times whenever possible. Employees may not conduct business for another employer during their scheduled working hours.

## **MEDICAL AND FAMILY LEAVES OF ABSENCE**

### **DISABILITY LEAVE**

In addition to any legally mandated leave to which employees may be entitled, SSD will make every effort to reasonably accommodate their need for an unpaid leave of absence in the event of a disability, as long as it will not pose an undue hardship for the District. If employees require a disability leave, make a written request to Management.

Employees must notify Management of their intent to resume work at least one week prior to the expected return date. Before returning to work after a disability leave of absence, employees must provide SSD with a written statement from their physician, stating their ability to return to their regular duties and any restrictions they may have.

Although SSD cannot guarantee that the job will be held open for employees until they return from a disability leave, SSD will make every effort to return employees to the same or a similar job position. If no job opening exists for which employees are qualified, they will be separated from employment.

While on a disability leave, employees may not accept other employment involving the same duties or activities as their position with SSD. If employees do so, or if they fail to return to work at the end of the disability leave, SSD will assume employees have voluntarily resigned their position at the District.

### **FAMILY AND MEDICAL LEAVE ACT**

Entitlement to Leave. The federal Family and Medical Leave Act ("FMLA") guarantees eligible employees a medical or family care leave of absence without pay for a maximum of twelve weeks within a rolling twelve-month period measured backward from the date employees uses any FMLA leave.

To be eligible for FMLA, employees must (1) have been employed with SSD for at least 12 months within the past seven years; and (2) have worked at least 1,250 hours in the year preceding the request for leave.

FMLA leave will be granted for (1) an employee's own serious health condition that makes the employee unable to perform the functions of the employee's position; (2) the birth, adoption, foster care placement or serious illness of the employee's child; or (3) to care for the employee's parent or spouse who has a serious health condition. Leave for the birth, adoption or foster care placement of the employee's child must be taken within one year of the employee's child's birth, adoption, or placement.

If the employee's own serious health condition continues beyond twelve weeks, the District cannot guarantee reinstatement to the employee's position, but the District will review the circumstances with the employee to determine whether further leave time would be a reasonable accommodation without causing undue hardship to the District. If the employee does not return to work as scheduled at the end of a leave without obtaining prior approval for continued leave, the District will assume the employee has voluntarily resigned the position with the District.

**Key Position Employees.** If the employee is in a "key position" (defined as the highest-paid 10% of District employees within 75 miles of that worksite), the employee may not be returned to the employee's former or equivalent position following a leave if keeping the employee's position available would cause substantial economic injury to the District, as determined on a case-by-case basis. The District will notify the employee and explain these rights if the employee falls within this designation.

**Leave for Care of Family Members in the Military.** Employees may take up to 12 weeks of FMLA leave because of any special circumstances that arise out of the fact that the employee's spouse, child or parent is on active duty or has been called to active duty as a reservist, National Guardsperson or existing active-duty serviceperson. This leave applies even if no medical condition or injury exists that would otherwise qualify for FMLA leave.

**Leave for Care of Injured Military Family Member.** Employees may take up to 26 weeks of FMLA leave to care for a parent, child, spouse, nearest blood relative or registered domestic partner who is injured while on active duty in the U.S. Armed Forces within the five years preceding the date of the employee's requested leave.

**Applying for Leave.** Submit the request for leave in writing to Management. The District will notify the employee in writing if the leave has been approved. At least one week prior to the employee's return to work, the employee must provide written notice to Management of the intent to resume work.

If the employee's request for leave is because of the serious health condition of the employee personally or a qualified person, the employee must provide SSD with a physician's certificate along with the request for leave. The certificate must set forth the date when the condition commenced, its probable duration, an estimate of the time needed for care and a statement that the condition warrants the leave. Before returning to work after a leave of absence based on the employee's own medical condition, the employee must provide SSD with a written statement from the employee's physician, confirming the employee's ability to return to the employee's regular duties and any restrictions the employee may have.

**Disability Benefits.** Employees may be eligible for State Disability Insurance ("SDI") for the unpaid portion of the leave. Information regarding SDI benefits may be obtained from Management. If employees wish to apply any accrued paid time off to the leave, the District will work with those employees to coordinate the use of paid leave with state disability benefits where applicable.

This leave may run concurrently with CFRA leave.

### **CALIFORNIA FAMILY RIGHTS ACT**

**Entitlement to Leave.** The California Family Rights Act ("CFRA") guarantees eligible employees a medical or family care leave of absence without pay for a maximum of twelve weeks within a rolling twelve-month period measured backward from the date the employee uses any CFRA leave.

To be eligible for CFRA, the employee must (1) have been employed with SSD for at least 12 months; and (2) have worked at least 1,250 hours in the year preceding the employee's request for leave.

CFRA leave will be granted for: (1) the employee's own serious health condition that makes the employee unable to perform the functions of the position (excluding pregnancy, childbirth, or related medical conditions); (2) the birth, adoption, foster care placement or serious illness of the employee's child (biological, adopted, foster child, stepchild, legal ward, child of a domestic partner, or a person to whom the employee stands in loco parentis); (3) to care for the employee's child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or domestic partner who has a serious health condition. Leave for the birth, adoption or foster care placement of the employee's child must be taken within one year of the employee's child's birth, adoption, or placement; or (4) a qualifying exigency related to the covered active duty or call to covered active duty of the employee's spouse, domestic partner, child, or parent in the Armed Forces of the United States.

If the employee is covered by a group health insurance plan at the time of the CFRA leave, the employee is entitled to continue the employee's group health insurance coverage for the duration of CFRA leave (up to 12 workweeks) under the same terms and conditions as when the employee is actively working.

At the end of the employee's leave, the employee will be reinstated in the same or a comparable position. If the employee's own serious health condition continues beyond twelve weeks, the District cannot guarantee reinstatement to the position, but the District will review the circumstances with the employee to determine whether further leave time would be a reasonable accommodation without causing undue hardship to the District. If the employee does not return to work as scheduled at the end of a leave without obtaining prior approval for continued leave, the District will assume the employee has voluntarily resigned the position with the District.

**Applying for Leave.** Submit the request for leave in writing to Management. The District will notify the employee in writing if the leave has been approved. At least one week prior to the employee's return to work, the employee must provide written notice to Management of the intent to resume work.

If the request for leave is because of the serious health condition of the employee personally or a qualified person, the employee must provide SSD with a physician's certificate along with the request for leave. The certificate must set forth the date when the condition commenced, its probable duration, an estimate of the time needed for care and a statement that the condition warrants the leave. Before returning to work after a leave of absence based on the employee's own medical condition, the employee must provide SSD with a written statement from the employee's physician, confirming the employee's ability to return to the employee's regular duties and any restrictions the employee may have.

**Disability Benefits.** Employees may be eligible for State Disability Insurance ("SDI") for the unpaid portion of the leave. Information regarding SDI benefits may be obtained from

Management. If the employee wishes to apply any accrued paid time off to the leave, the District will work with the employee to coordinate the use of paid leave with SDI benefits where applicable.

This leave may run concurrently with FMLA leave.

### **PREGNANCY DISABILITY LEAVE**

Employees that are disabled by pregnancy, childbirth or related medical conditions, or a condition related to these areas, may take an unpaid pregnancy disability leave ("PDL"). The PDL covers any period(s) of physician-certified disability of up to four months (17.3 workweeks) per pregnancy. For employees who work part-time or do not work a regular schedule, the PDL covers the amount of time employees would typically work in a four-month period. At the end of the leave, employees will be reinstated in the same or a substantially equivalent position unless their position has been eliminated because of a change in business conditions or operations.

Employees do not need to take PDL in one continuous period of time but can take it on an as-needed basis. Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth and recovery from childbirth and pregnancy-related medical appointments would all be covered by PDL. Employees must provide a certification from a health care provider of the pregnancy disability. Before returning to work after a disability leave of absence, employees must provide SSD with a written statement from a physician, confirming the ability to return to the employee's regular duties and any limitations the employee may have.

If covered by a group health insurance plan at the time of the leave, employees are entitled to continue their group health insurance coverage for the duration of the pregnancy disability leave under the same terms and conditions as when they are actively working.

If employees have been on PDL and intend to take CFRA leave or Paid Family Leave for baby bonding purposes after the birth of the child, they must provide us with a certification of their change of leave status.

For more information regarding eligibility for a leave and the impact of the leave on seniority and benefits, please contact Management.

### **Coordination of Leaves**

If the employee is eligible for both FMLA and PDL, then the 4 months (17.3 workweeks) of PDL and the 12 workweeks of FMLA leave will run concurrently. However, leaves under PDL and CFRA *do not* run concurrently. Therefore, the employee who is disabled by pregnancy may still have some of the employee's 4 months of pregnancy disability leave remaining. In addition, the employee may also still be entitled to take an additional period of up to 12 weeks under CFRA to bond with the child after the employee's physician has released the employee from post-delivery PDL. There is no need for the employee to establish a serious health condition for the employee or the child to take CFRA leave. Bonding leave must be

taken in minimum increments of two weeks and is available to employees only within one year after the child's birth. CFRA leave may overlap with the Paid Family Leave.

If an employee suffers a work-related injury and goes out on an occupational disability/workers' compensation leave of absence, then the employee's time away from work will constitute and run concurrently with the medical leave available under FMLA/CFRA, assuming that the injury constitutes a serious health condition which would otherwise entitle the employee to medical leave.

#### **Notice and Certification Requirements**

If possible, the employee must provide at least 30 days' advance notice before taking a leave attributable to a foreseeable event. For events which are unforeseeable, the employee should notify Management as soon as they learn of the need for a leave. The initial notification can be verbal but should be followed up by submitting the appropriate leave of absence forms and medical certifications as soon as possible thereafter. All leaves of absence must be approved.

The District will require medical certification as to the necessity of the leave, if applicable. The employee may also be required to provide re-certification when an existing medical certification expires until the employee returns to work or the leave period is exhausted. An employee may also be required to provide a fitness-for-duty certification to their Supervisor prior to returning to work. All documentation related to the employee's or family member's medical condition will be kept confidential and maintained in the employee's medical records file.

#### **Benefits**

An employee requesting FMLA/CFRA leave for their own serious health condition is required to utilize all accrued sick, personal and vacation leave as part of the leave (except as noted below or as prohibited by law). An employee requesting FMLA/CFRA leave to care for a family member with a serious health condition or otherwise qualifying event besides the employee's own serious health condition is required to utilize all accrued personal and vacation leave as part of the leave (except as noted below or as prohibited by law) and may request to utilize accrued sick leave in compliance with the District's sick leave policy. An employee on FMLA/CFRA leave may also be entitled to SDI or PFL. If the employee is eligible to receive SDI or PFL, the employee is *not* required to utilize all accrued paid leave *prior* to applying for said benefits. Using sick, personal or vacation leave during a FMLA/CFRA will not extend an employee's available leave time.

An employee will cease to accrue sick and vacation hours during any pay period in which the employee is on a leave without pay (i.e. no paid leave hours during the pay period). In addition, no holiday pay will be provided to an employee on leave unless the employee receives paid leave immediately before and after the holiday.

Group health insurance will be maintained for an employee on FMLA/CFRA leave up to a maximum of 12-workweeks at the same level and under the same conditions as coverage



would have been provided if the employee had been continuously employed during the entire leave period. For pregnancy disability leave, the District will continue to pay its share of group insurance coverage for a period of up to 17.3 workweeks. Such benefits may overlap with the District's obligations to continue premium payments under the Family and Medical Leave Act. During any unpaid part of the FMLA leave, the employee shall be responsible for assuring prompt and timely payment to the District for their share of health and related employee benefit insurance premiums that are otherwise handled through payroll deduction. Failure to make timely premium payments to SSD during leave, will result in coverage being cancelled for nonpayment of premiums, and the employee will receive information regarding the right to continue coverage under COBRA at the employee's own cost.

### **Reinstatement**

Employees who return to work following an FMLA, CFRA, PDL, or other job-protected leaves of absence, and who comply with the provisions of these policies and applicable law, will be reinstated to their original position or to a position with equivalent pay, benefits and terms and conditions of employment, except when business circumstances require (and the law authorizes) a different result. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on a leave of absence.

### **Transfers and Other Reasonable Accommodations**

In lieu of a leave of absence, an employee disabled due to pregnancy, childbirth or related medical condition may, when medically necessary, request a transfer to a less strenuous or hazardous position as a reasonable accommodation. However, the District will not be required to create additional employment that the District would not otherwise have created, nor to discharge any employee, transfer any employee with more seniority, or promote any employee who is not qualified to do the job. The District will also consider requests for reasonable accommodations other than leaves or transfers for conditions related to pregnancy, childbirth or related medical conditions. Such requests for reasonable accommodations should be accompanied by a certificate from a health care provider verifying that the request for accommodation is being made with the advice of such health care provider.

### **Extension of Leave**

The period of FMLA leave is 12 weeks and may not be extended. If the employee is not entitled to additional time off under PDL or CFRA, the employee may request additional time off after the employee's FMLA entitlement is exhausted under the federal ADA or California FEHA as noted previously in the handbook. Such additional time off is considered a general leave of absence and may be granted at the sole discretion of the District on a case-by-case basis.

### **Lactation Accommodation**

Nursing employees are entitled to a reasonable amount of break time to express milk in private in an area (other than a bathroom) designated by the District. That area will be in close proximity to the employee's workstation, and it will be safe, clean, free of hazardous materials, shielded from view and free from intrusion. It will also contain a surface on which to place a breast pump and other personal items, a place to sit, and will have access to electricity or alternative devices needed to operate an electric or battery-powered breast

pump. SSD will also provide a sink with running water and a refrigerator, or other cold storage device suitable for storing milk, in close proximity to the workstation. Employees should use their regular paid rest periods for this purpose. Additional break periods necessary to express milk will be unpaid. If an employee requires additional information or lactation accommodation, please contact Management, who will respond promptly.

SSD urges employees to immediately report any incidents or failures to accommodate lactation needs to Management, so that SSD can quickly and fairly resolve those concerns. The District will not discriminate or retaliate against any employee based upon lactation needs or activity. However, Employees are also entitled to file a complaint with the California Division of Labor Standards Enforcement (DLSE), if they think they have been discriminated or retaliated against in this regard. That agency may be found on the internet or through directory assistance.

### **CALIFORNIA STATE DISABILITY INSURANCE BENEFITS**

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments may not begin until after you have been absent from work for seven (7) calendar days. If you have accrued sick leave, sick leave will be used for the first seven (7) days before SDI payments begin, unless you are receiving wage replacement through an employer-provided benefit. If you do not have accrued sick leave, but do have accrued vacation, vacation will be used to cover the unpaid absence.

SDI benefits do not replace all your usual wages. Your SDI benefits will be supplemented with any accrued and unused sick leave unless you are receiving wage replacement through an employer-provided benefit. If you have no sick leave, or once you exhaust your sick leave, accrued and unused vacation will be used to supplement your SDI benefits.

### **MILITARY LEAVE**

Leaves of absence and re-employment resulting from service in the National Guard or U.S. Military Armed Forces or Military Reserve (including federal and state Military Reserves) units, will be handled in accordance with applicable state and federal laws. A copy of the applicable, official military orders for training or active duty must accompany an employee's request for a leave of absence.

An employee who is assigned to an U.S. Military Armed Forces Reserve organization and is subject to active or inactive duty training will be granted leaves of absence without pay, generally for up to two weeks. An employee may use accrued, unused vacation benefits for all or part of an unpaid leave of absence for Reserve training to supplement the employee's military pay so as to equal the amount of pay that would have been received from the District during the leave of absence. Any portion of a leave that occurs after all available accrued vacation benefits have been used will be without pay.

A military leave of absence without pay will be granted to an employee who is called to active duty in the U.S. Military Armed Forces. An employee returning from military duty shall be

offered re-employment in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 (USERRA). If an employee fails to notify the District of the employee's intent to return to work within the time period allowed by law, the employee will be considered to have resigned.

## **OTHER LEAVES WITH OR WITHOUT PAY**

### **Victims: Domestic Violence, Sexual Assault Leave Stalking, and Crime or Abuse**

Employees who are victims of a crime or abuse, including domestic violence, sexual assault, stalking or other violent crimes or abuses, are eligible for unpaid leave. Leave may be requested if an employee is involved in a judicial action, such as obtaining restraining orders, appearing in court to obtain relief to ensure the health, safety or welfare of the employee or the employee's child. Employees are also entitled to reasonable unpaid time off if the victim is the employee's immediate family member. If these situations arise, SSD will work with employees to determine whether there are any reasonable accommodations that would enable the employees to perform their job duties without causing undue hardship to the District. The District will allow affected employees to use accrued vacation, or paid personal leave for this purpose or, sick leave to the extent allowed by law.

Notice and certification of the need to take leave under this policy must be provided to Management. Certification may be any of the following:

- A police report indicating that the employee was a victim of domestic violence, or documentation from legal counsel or attorney.
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee appeared in court.
- Documentation from a medical professional, domestic violence services advocate, health-care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.
- Any other form of documentation that reasonably verifies that the crime or abuse occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf.

The District will, to the maximum extent possible and as required by law, maintain the confidentiality of an employee requesting leave under this provision.

Employees are also entitled to time off without pay to seek medical attention, to obtain relief, assistance or services from a domestic violence shelter, program, rape crisis center, or a victim services organization or agency, to obtain psychological counseling, mental health services, or to take other steps to ensure the employees' safety and wellbeing related to an experience of crime or abuse. Employees must provide Management with reasonable advance notice

whenever possible, and with documentation of the need for time off. This time off will run concurrently with leave time provided under FMLA/CFRA.

#### Organs and Bone Marrow Donor Leave

Employees are eligible for leave of up to five business days in any twelve consecutive months to serve as a bone marrow donor and leave of up to 30 business days in any twelve consecutive months to serve as an organ donor. This leave is paid by the District, except that if employees have accrued sick leave or vacation days available, they must apply five days of their accrued sick leave or vacation days to the leave for bone marrow donation and two weeks of their accrued sick leave or vacation days to the leave for organ donation. Using available paid leave does not extend the total amount of leave available to employees by law. In addition to the paid leaves described above, employees are also eligible for a separate *unpaid* leave of up to 30 business days in any twelve consecutive months to serve as an organ donor. Employees may apply any available accrued but unused sick leave or vacation days to this unpaid leave for organ donation.

To be eligible for this leave, employees must provide medical certification of the need for leave and a written release to return to work at the conclusion of the leave. Benefits will continue to accrue and the absence will not be considered a break in service. SSD will pay its usual share of insurance premiums during the leave. Depending upon the circumstances of the leave, FMLA/CFRA may apply to the request for donor leave.

#### School Visit and School Activities Time Off

The District allows a parent, stepparent, foster parent, grandparent, guardian or a person standing in loco parentis to take up to a total of 40 hours of time off each calendar year, but no more than eight (8) hours in one month, without pay to participate in their children's activities at school (grades K through 12) or licensed day care facility, or to find, enroll, or reenroll a child in a school or with a childcare provider. The absence is subject to the following conditions:

- Employees must use their accrued and available vacation to receive compensation for this time off.
- Employees must provide their Supervisor with documentation from the school verifying that the employee participated in a school activity on the day of the absence for that purpose or of their efforts to find, enroll, or reenroll a child in a school or with a childcare provider.

An employee who is the parent, stepparent, foster parent, grandparent, guardian or a person standing in loco parentis of a child facing suspension from school is allowed time off to go to the school to discuss the matter. The employee should alert a Supervisor as soon as possible before leaving work of the need to do so.

### Time Off to Vote

The District encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees can find time to vote either before or after their regular work schedule. If employees are unable to reach a polling place during their non-working hours, the District will grant up to two hours of paid time off to vote.

Employees must request time off to vote from their Supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the workday/shift, whichever provides the least disruption to the normal work schedule. Employees must submit documentation of their polling place and a voter's receipt on the first working day following the election to qualify for paid time off.

### Volunteer Firefighter/Peace Officer/Rescue Personnel

Employees that are a volunteer firefighter, reserve peace officer or emergency rescue personnel (including any officer, employee or member of a disaster medical response team sponsored by the state), may take all necessary unpaid time off from employment to perform emergency duty. Employees must provide as much advance notice as possible to Management and they must provide documentation of the need for leave. If Employees are a healthcare provider, they must notify SSD at the time they become designated as "emergency rescue personnel" and when they are notified of deployment based on that designation.

## EMPLOYEE HEALTH AND SAFETY

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### SUBSTANCE ABUSE POLICY

Employees are the most valuable resource at the District. For this reason, the District has a critical interest in assuring the health, safety, and wellbeing of its employees and the maintenance of a safe and efficient work environment.

To this end, the District has adopted standards and guidelines in accordance with the Drug-Free Workplace Act of 1988, the federal Department of Transportation, and other federal laws applicable to public entities including those employing "safety sensitive" positions as defined in the District's Injury and Illness Prevention Program (IIPP). Such positions shall be designated by the District using federal standards to identify which positions are subject to discretionary random drug testing.

The possession, use, or sale of controlled substances (such as marijuana, cocaine, heroin, crack, methamphetamines, acid, speed, downers, uppers and other drugs) in the workplace, or individuals who are under the influence of these substances, pose unacceptable risks for safe, healthful, and efficient operations. Likewise, the possession, use, or being under the influence of alcohol in the workplace poses safety and production risks. All employees must report to work in a fit condition to perform their jobs safely and well.

The manufacture, use, sale, purchase, possession, or distribution of alcoholic beverages, marijuana and/or illegal drugs or controlled substances by any employee while on District property or in a vehicle while performing District business is strictly prohibited. An illegal drug is any drug that is not legally obtainable or that is legally obtainable but has not been legally obtained. Possession or use of marijuana remains unlawful under federal law. Coming to work with illegal drugs or marijuana in the employee's system or being under the influence of alcohol, marijuana or drugs while performing District business or while on District property is prohibited and will be subject to disciplinary action up to and including discharge.

This policy covers illegal drugs, including marijuana, as well as prescribed or over-the-counter drugs that are not legally obtained or are not being used for prescribed purposes. Using or being under the influence of any legally obtained drug while performing District business while in a District facility or on District property, or while operating a District vehicle or equipment is prohibited to the extent that such use or influence affects job safety or efficiency. Impairment from the use of alcohol or drugs may affect the safety of co-workers, customers, or members of the public, job performance, and the safe and efficient operation of District facility.

For purposes of this policy, a drug will be considered an "illegal drug" if its use is prohibited or restricted by law or if employees improperly use or possess the drug, regardless of whether such conduct constitutes an illegal act. Being "under the influence" of alcohol, marijuana or any other drug means that a drug, marijuana, or alcohol test would detect the presence of the drug, marijuana or alcohol in the employee's body.

Employees who are or will be using legally prescribed drugs that may affect their performance or impair their judgment should immediately inform their Supervisor. The District may consult with the prescribing physician to learn if the drug would be safe to use when working. A written statement may be required. An employee may continue to work if the District

determines that the employee does not pose a safety threat and/or that job performance is not affected by use of the drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate measures.

Although California has legalized marijuana for medicinal and recreational purposes, the District is not required to allow the medicinal or recreational use of marijuana in the workplace. Using or being under the influence of marijuana is strictly prohibited while on work time and may result in discipline, up to and including discharge. A California Medical Marijuana Identification Card is not sufficient to overcome these prohibitions. If employees have a medical issue for which a doctor wants to prescribe marijuana, they may bring this to SSD's attention and SSD will work with them to consider any available leave of absence or allow them to find another treatment method that does not cause them to be under the influence of marijuana while working for the District. SSD will not accommodate an employee who has already violated this policy and is now subject to disciplinary action.

In certain instances, the District may permit, provide, or serve alcohol at District-related events or on District premises. Employees who use alcohol at District events or on District premises must appropriately limit their intake to avoid any unprofessional or prohibited conduct and to ensure the utmost safety and professional behavior. Employees who consume alcohol at a District event or on District premises should not drive a vehicle to any location after the event if their consumption would cause them to be impaired in any way and should instead arrange for a designated driver or driver service before leaving the District event or premises. Provision of alcohol or permission to consume alcohol at a District event does not excuse, nor does the District condone, any violation of District policy or applicable law.

#### Violation of Policy

Violation of this policy will result in corrective action, including discharge, even for a first offense. Refusing to be tested, interfering with the validity of the testing process, and testing positive will be considered violations of this policy.

#### Reasonable Suspicion for Drug, Marijuana and Alcohol Testing

If the District has reason to suspect that an employee may be using drugs, marijuana, or alcohol, or may be under the influence of or impaired while at work, or when reporting for work, that employee may be ordered to submit to a blood test, urinalysis, breathalyzer, or other test conducted by a professional medical staff certified by the State and laboratory. Likewise, when the District reasonably suspects that an employee's impairment from drugs, marijuana or alcohol may have been a factor in an injury or accident during work or while operating District equipment or a vehicle, that employee may be ordered to take a blood test, urinalysis, or other drug/marijuana/alcohol test. If an employee tests positive for drug, marijuana, or alcohol use, that employee will be given notice of the adverse test result and an opportunity to explain.

Such examination and/or tests, when requested, will be performed on District time, are considered a condition of employment, and will be at the sole expense of the District. Transportation will be provided to and from the medical facility. If the employee tests positive, the employee may be subject to immediate discharge. If an employee refuses to submit to the requested examination or test this will result into termination.

### District Inspections

The District retains the right to search and inspect all District owned property and premises, including common areas used by employees, to detect the presence of drugs, marijuana, controlled substances, or alcohol. District owned property includes, but is not limited to, machinery, equipment, furniture, lockers, buildings, and vehicles. In addition, the District may question employees and inspect any of their packages or belongings when entering or leaving District premises. Such inspections may occur at any time, with or without notice. As a condition of employment, every employee is expected and required to fully cooperate with any search being conducted to detect the presence of drugs, marijuana, or alcohol on District property.

### Alcohol, Marijuana and Drug Rehabilitation

An employee who may have an alcohol, marijuana or drug problem is encouraged to seek treatment before the employee's performance or conduct is affected. The District will reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol, marijuana, or drug rehabilitation program unless it imposes an undue hardship on the District. Employees may use any available sick leave as well as any accrued, unused vacation benefits for the purpose of entering and participating in such a rehabilitation program.

A request by an employee for assistance or participation in an alcohol, marijuana or drug rehabilitation program may not be used by the employee as means of avoiding any corrective action, up to and including discharge, when there has been a violation of this policy.

### **FITNESS FOR DUTY**

Subject to legal compliance, the District reserves the right as a condition of employment to refer an employee for professional evaluation of their fitness for duty. Such evaluations may include drug, marijuana and/or alcohol testing, a medical examination by a qualified occupational health physician, referral for evaluation by the District's Employee Assistance Program, or such other professional sources as may be considered by the District to be appropriate to prevailing conditions.

Employees so referred, including secondary referrals from the original source of a District approved source, must comply with instructions, dates, times, and locations of the referred source as a condition of continued employment. Failure to cooperate and/or participate in such referrals may be considered grounds for termination of employment.

All information pertaining to a fitness for duty referral shall be regarded and held in the strictest confidence by the employee's Supervisor and Management personnel on a "need to know" basis. Only Management or administrative designee shall have the authority to receive information from referred sources regarding the conditions surrounding the nature of the referral and resultant outcomes from the referral source.



## **OCCUPATIONAL HEALTH AND SAFETY / JOB INJURIES**

The District is dedicated to a goal of maintaining standards for the safety and health of its employees. As part of that goal, the District is committed to providing employees with a work environment that is conducive to safe, effective, and productive job performance. The health and safety of our employees is a priority. All employees must follow safe working practices and instruct others to work safely.

Employee safety is and will remain an integral part of our operation. We heartily welcome and support this program. Administration of the program is specifically assigned to Management, and general responsibility given to our managers, Supervisors, and every employee. Your Supervisors have been given the full responsibility and authority to enforce the safe job procedures developed for each job function. However, prevention of injuries in our operation is only possible through a team effort doing everything possible to provide a safe working environment. We expect you and your fellow employees to do everything possible to avoid creating conditions that can result in injury to yourselves or others.

Employees are expected to follow all applicable safety procedures and when uncertain of the safe way to do the job, ask for help. We ask that you also inform your Supervisors of any perceived hazards and we expect each employee to exhibit the same enthusiasm and pride in supporting our safety program that we do in providing the service that our customers expect from us. Let us work together to maintain a safe environment for all of us.

### **Accidents**

All accidents must be immediately reported to Management and/or immediate Supervisor. Any injury, no matter how minor, which occurred at the workplace or during employment must be reported as promptly as possible. Employees may be entitled to Workers' Compensation benefits for on-the-job injuries, and prompt, accurate reporting of accidents will assist in obtaining the benefits.

### **Safety**

It is our policy to provide and maintain a safe working environment for our employees. By using good judgment, following proper safety procedures when lifting and carrying heavy objects, and operating equipment properly, employees will help the District meet its objective of preventing personal injury and property damage. Employees who jeopardize or violate health and safety rules are subject to corrective action, up to and including discharge. The following are a few of the safety guidelines employees must follow:

- Report any unsafe or hazardous condition to the immediate Supervisor immediately. Reports and concerns about a workplace health and safety issue or the existence of a hazardous condition or practice in the workplace may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.
- Comply with the District's safety rules and follow the code of safe work practices.

- Do not operate defective equipment and report all equipment defects to your Supervisor immediately. Under no circumstances should any repairs be attempted by anyone other than authorized maintenance personnel. It is the employee's responsibility not to operate defective equipment.
- Notify Supervisor or Management of any emergency.
- Avoid awkward positions when bending, stooping, or turning.
- Request assistance when lifting, pushing, or carrying heavy objects.
- Be cautious in the use of extension cords and multi-unit plugs.
- Do not leave any obstructions on the floor. General housekeeping is each employee's responsibility.
- Do not block any exit doors or electrical panels.
- Know the location, contents, and use of first aid, fire equipment, and other safety equipment.

Employees who violate health and safety standards, who cause hazardous situations, or who fail to report or, where appropriate, remedy such situations may be subject to corrective action, up to and including discharge.

#### First Aid

First aid kits are in various locations throughout the treatment facility as well as the District vehicle. First aid should not necessarily be the only treatment for a job injury that an employee seeks. All injuries that occur in the course and scope of employment with the District, regardless of how minor, must be reported to the injured employee's Supervisor and Management as soon as possible under the circumstances.

#### On the Job Accidents and Reporting Job Injuries

All accidents (injury to you, customer, or visitor) must be reported as soon as possible under the circumstances. The District provides full diagnostic and medical treatment for any employee who suffers an injury or illness on the job.

- You are required to notify your Supervisor as soon as possible under the circumstances if you suffer an industrial injury. Failure to properly notify Management may delay any claim for compensation.
- As part of the accident investigation, employees involved in any industrial injury may be required to submit to a post-accident drug, marijuana, and alcohol test if the District reasonably suspects that an employee's impairment from drugs, marijuana or alcohol may have been a factor in the injury.
- If you experience an emergency at work, you must notify your Supervisor (or another on-the-scene Supervisor or co-worker). Your Supervisor will call the paramedics, if necessary, or arrange for transportation to an emergency treatment facility. Transportation for additional treatment will be your responsibility.

Supervisors will be required to make a written report of the on-the-job injury/illness on the required forms. These forms must be completed immediately and submitted to the District Administrative Manager not later than 24 hours following the reporting of the incident.

- The District maintains all required logs and reports, posts appropriate notices on the bulletin boards, and ensures that notices are current and adequate.
- When a minor first aid injury occurs, utilize the closest first aid station to you.

Emergency care beyond the ability of a first aid station will be provided by a District designated medical facility.

### **SAFE WORKPLACE PRACTICES**

It is the policy of the District to comply fully with all State and Federal safety laws that apply to our operations. To ensure the establishment and continuation of a safe and healthy work environment, the District has adopted an Injury and Illness Prevention Program (IIPP) that will be part of each new employee's orientation and periodically reviewed. A copy of the IIPP is handed out to every employee and is available for review in the Administrative office. We will do everything possible to provide our employees with safe and healthful working conditions and we require, as a condition of employment, your compliance with the applicable safe job procedures for your specific job assignment. Failure to follow these safety responsibilities will lead to disciplinary action up to and including termination.

It is every employee's responsibility to be aware of the safety guidelines for the District. Most industrial accidents are caused by carelessness. Common work-related injuries are caused by moving furniture, tripping over cords, leaning back in swivel chairs, falling on slippery surfaces, etc. We ask all employees to report to their Supervisor any possible hazards such as loose wires, sharp objects on equipment, dangerous stocking, or shelving of supplies.

Caution, prevention, and notification will help to make our operation a safe place in which to work.

### **COMMUNICABLE DISEASE CONTROLS**

SSD is dedicated to doing its part to protect the health and safety of applicants, employees, interns, customers, vendors, and others associated with our business. As part of this commitment, SSD at times must make difficult decisions involving persons who have been, or who are believed to have a communicable disease. Communicable diseases include sicknesses like, Coronavirus (COVID-19), influenza, measles, Severe Acute Respiratory Syndrome (SARS), tuberculosis, or others identified by the Centers for Disease Control and Prevention (CDC), the World Health Organization (WHO) or similar government agencies or civil authorities. Because safety and health can be severely compromised if an employee contracts a communicable disease and then has any contact with co-workers, interns,

customers, vendors, or others associated with our business, SSD takes communicable disease situations very seriously in all cases.

When facing a communicable disease situation becomes necessary, SSD is also committed to engaging in an interactive process with the affected person and medical professionals to ensure that all decisions are made based on current and well-informed medical judgments; while taking into account important considerations like, the risks of transmitting the illness to others, the symptoms or special circumstances of individual situation. Please rest assured that SSD will not discriminate against any job applicant or employee based on the individual having a communicable disease.

Employees that have a communicable disease or develop symptoms that they believe may be related to a communicable disease, should immediately notify management so that SSD can appropriately address the situation with employees confidentially. SSD will comply with all laws and regulations, and SSD will follow the best practices outlined by the CDC, the WHO and civil authorities, as well as making every effort to protect the privacy of any persons who have a communicable disease.

Depending on the circumstances, and in accordance with applicable law, SSD reserves the right to exclude a person with a communicable disease from the workplace, based on a medical determination, that such restriction is necessary to either protect the person with the communicable disease, or the health and safety of other employees or our customers. SSD may also require a fitness for duty examination where medically necessary or allowed by law. As well, SSD reserves the right to require a medical certification from a medical provider indicating that the person is no longer contagious before that person will be allowed to return to the workplace. Other legally appropriate actions may also be taken to prevent any direct threat to the health and safety of any person in this regard.

## **INCLEMENT WEATHER AND NATURAL DISASTERS**

SSD makes every effort to remain open during most periods of inclement weather. In extraordinary circumstances of severe inclement weather, or in the event of a natural disaster such as a pandemic, earthquake, fire, or an explosion, SSD may be closed if our facilities are damaged, the highways or roads leading to the District are damaged or closed, or the civic authorities require closure. If this occurs, the District will make every effort to communicate with employees in a timely manner regarding the closure. Employees may also reach out to Management for instructions and information. As well, employees are encouraged to monitor radio and television broadcasts regarding the inclement weather or disaster to monitor the situation. Pay issues will be evaluated on a case-by-case basis depending on the circumstances and in compliance with applicable law.

If the inclement weather or a natural disaster prevents employees from safely traveling to or from work, contact Management as soon as possible under the circumstances for instructions. For further information about what to do in emergency situations, please refer to the District's IIPP, or SSD's general emergency procedure information, which can be obtained from Management.

## **GENERAL HOUSEKEEPING**

The District wants to provide an attractive and pleasant atmosphere for its employees and customers. All employees are expected to keep work areas clean, organized, and uncluttered. It is important that employees understand and fulfill responsibilities to the District and to fellow employees when it comes to housekeeping. The result will be a work environment in which we all can take pride.

## **WORKPLACE SECURITY AND MONITORING**

The District is committed to providing a workplace that is free from acts or threats of violence. Although some kinds of violence result from societal problems that are beyond the District's control, the District believes that measures can be adopted to increase protection for employees and to provide a secure workplace. Accordingly, acts and/or threats of violence by or toward employees will not be tolerated and will be grounds for remedial action. Remedial action includes but is not limited to; removal of offenders from the premises; removal of employees from work schedules; unpaid administrative leave pending the outcome of an investigation; disciplinary action up to and including termination of employment; the filing of a temporary restraining order or court ordered injunction; and such other actions as may be deemed appropriate based on specific conditions and circumstances. Similarly, acts and/or threats of violence by visitors, members of the public, or other non-employees will likewise not be tolerated and will be grounds for appropriate remedial action.

The District believes prevention of workplace violence begins with recognition and awareness of potential early warning signs of a situation that presents the possibility of violence. Workplace violence includes threats of any kind; threatening or physically aggressive or violent behavior; harassing or threatening phone calls; stalking; other behavior that suggests a propensity toward violence such as belligerent speech, excessive arguing or swearing, sabotage or threats of sabotage of District property; a demonstrated pattern or refusal to follow District policies and procedures; defacing District property or causing physical damage to the facilities; or bringing weapons or firearms of any kind on District premises.

Consequently, every employee has an obligation to report to their Supervisor, or a member of Management, any incident of any threat or act of violence, use or observation of any weapon on District premises or vehicles, including acts of intimidation or confrontational behavior. Employees should request assistance from the nearest available manager to help resolve any difficult situation or security problem. Do not confront any person who is hostile or overly agitated. Instead, immediately report to Management of any person(s) who acts in a suspicious, hostile, or violent manner. All reports of workplace violence will be taken seriously and will be reviewed promptly, and appropriate corrective action will be taken.

In addition to these efforts, all employees are to notify Management of any security hazards. Recommendations of appropriate action to prevent workplace violence and limit access to

work areas by unauthorized persons should be made to Management. In emergency situations dial 911.

To ensure the proper security of District premises and related work locations, the District may visit, inspect, monitor and/or provide camera surveillance at certain locations and from time to time as conditions warrant.

## **WEAPONS**

Employees are absolutely prohibited from using, possessing, selling or purchasing weapons or dangerous materials at any time on District premises (including in employee vehicles parked on District property or in a bag, briefcase or purse that an employee brings into the District), during work hours, or while representing SSD or conducting SSD business anywhere. In addition to disciplinary action, doing so may subject employees to additional legal action.

Employees that observe any person is in possession of a weapon or dangerous material on SSD property or during SSD activities, should report it to Management immediately. In emergency situations dial 911.

## **ERGONOMICS**

The District encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines. The District believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and wellbeing and is essential to our business. We desire to create a safe, healthy, and risk-free work environment.

## **SUITABLE SEATING**

SSD will provide employees with access to suitable seating if the nature of the work reasonably permits the use of seats. If the nature of the work requires standing, SSD will provide an adequate number of suitable seats within a reasonable proximity to the work area. These seats are provided for use when it does not interfere with the performance of job duties.

## **EMERGENCY ACTION**

Employees are required to know the location of all emergency exits in their work area and the routes to these exits. Employees are required to know the location of all alarms and fire extinguishers and become familiar with the proper use of emergency equipment should the need ever arise. Employees are also to review and become familiar with the District's emergency evacuation plan and to clarify any unclear aspect of our emergency procedures with their Supervisor.

## **MISCELLANEOUS POLICIES**

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### **DISTRICT SPONSORED SOCIAL EVENTS**

Employees are not required to attend or participate in any off-duty party or recreational, social, or athletic activity sponsored by the District. The District may periodically sponsor such voluntary activities as recognition luncheons and a holiday party for employees and their immediate families, but no employee is required or obligated to attend.

Participation in any off-duty District sponsored recreational, athletic, or social activity is strictly voluntary and is at the employee's own risk. The District assumes no liability for any injury or accident arising out of any off-duty party, social event, or recreational activity. It is important to remember that injuries or illnesses that may result from participation in a District sponsored recreational, athletic, or social activity are not covered by the District's Workers' Compensation Insurance.

Employees are advised and expected to refrain from drinking alcoholic beverages or engaging in any other activity to the extent that it would cause the employee to be unfit for the safe operation of a motor vehicle, or to behave in an intoxicated or disorderly manner. Any employee who feels driving skills or reaction times might be impaired, even a little, should not drive. Safe options include but are not limited to taking a cab home, calling a friend or relative for a ride, asking another employee who has not been drinking alcohol for a ride home, or requesting any Supervisor or manager to arrange transportation.

The behavior of all employees and their guests attending a District sponsored social event is expected to conform to the provisions in the conduct guidelines section in this Handbook.

### **MEDIA CONTACT / PUBLIC REQUESTS FOR INFORMATION**

The District has designated Management as the sole spokespersons to represent the District for public purposes. Other employees do not have the authority to make public statements to the media or other outsiders on behalf of the District. In the event the media makes contact, the staff member should request the name, phone number and the organization represented. The staff member should give that information to Management for appropriate action.

### **GIFT / GRATUITY ACCEPTANCE**

District policy expressly prohibits the acceptance of gifts or gratuities by employees from members of the public or service providers. The exception to this policy is seasonal holiday gifts of nominal value (less than \$50) given to, or shared with, a group of employees in recognition of their customer service excellence. Similarly, it is strictly prohibited for any

employee to solicit any gift, gratuity or other item, service, or product of monetary value from any other person in connection with their employment with the District. Such actions will be subject to discipline up to and including discharge. Employees having any questions concerning this policy, or specific instances, should direct their questions to their Supervisor, Management.

## **POLITICAL ACTIVITIES**

Generally, the District encourages employee participation in political activities as a matter of good citizenship. However, since the District is a public agency as chartered under the State of California, and governed by an elected Board of Directors, guidelines concerning certain political activities by employees must be observed. Therefore, employees may not campaign for or against any candidate or issue, engage in political activities, or solicit funds for political groups during working hours, on District premises, or while wearing a District uniform, badge or similar apparel that is likely to identify you as a District employee. Likewise, employees may not solicit or distribute politically oriented information or materials, nor place or post such materials on District bulletin boards including the placement of such stickers on District vehicles, buildings or other property owned by the District.

These restrictions are solely for the purpose of keeping District jobs free from political influence. Nothing in this policy is intended to prevent employees from voting, belonging to political organizations, or attending political meetings on their own time.

## **PETS IN THE WORKPLACE**

Employees are prohibited from bringing pets onto District premises without prior approval from Management. Service and assistive animals will be accommodated in accordance with applicable laws.



## **ACKNOWLEDGEMENT OF RECEIPT OF PERSONNEL HANDBOOK**

ALL EMPLOYEES OF THE DISTRICT MUST READ THE ATTACHED PERSONNEL HANDBOOK, THEN SIGN, DATE AND RETURN THIS PAGE WITHIN TWO WEEKS OF RECEIPT.

### **ACKNOWLEDGEMENT OF RECEIPT**

I, \_\_\_\_\_, acknowledge that I have received a copy of the Summerland Sanitary District (the District) Personnel Policy and Employee Handbook have read the Handbook and am familiar with the contents therein. I agree to follow the guidelines and policies contained in the Handbook and any amendments to the Handbook. It is specifically agreed that the Handbook is for informational purposes only, and that it is not a contract for, or a guarantee of, employment or continuing employment. I further understand that the District has the right to revise the policies and procedures in this Handbook at any time. Any such revisions must be in writing. No statements, representations or actions of any employee or principal of the District will modify these policies and procedures unless they are in writing.

**AT-WILL ACKNOWLEDGEMENT:** I also understand and agree that, unless I am advised in writing otherwise, my employment is for no definite period and I am an at-will employee of the District. This means that I may leave my employment at any time and the District may terminate my employment at any time, with or without cause, and without any prior notice. I understand and acknowledge that this constitutes the entire agreement between me and the District regarding my at-will employment status, and that it supersedes and replaces any prior written, oral, or implied agreements concerning this subject. I further agree that this at-will relationship cannot be modified or changed during my employment except by specific written agreement between me and the District, signed by Management.

**Discrimination, Harassment, Bullying and Retaliation Acknowledgment.** I understand and acknowledge that the District forbids discrimination, harassment, bullying and retaliation. I have reviewed and understand the Equal Employment Policy, the Policy Against Harassment, the Gossip, Bullying, Abusive Conduct or Communications Policy and the policy on Reporting Harassment, Discrimination, Retaliation or Bullying to the District, contained in this Handbook. I agree to abide by those policies and to immediately report any incident of discrimination, harassment, bullying or retaliation against me or any other person working for or related in any way to the District.

**Duty-Free and Uninterrupted Meal and Rest Period Acknowledgment.** I understand and acknowledge that the District provides me with the opportunity to take duty-free and uninterrupted meal and rest periods. I have reviewed and understand the Duty-Free and Uninterrupted Meal Period and Rest Period policies contained in this Handbook. I also agree to abide by those policies. I agree that if I am unable to take a desired duty-free and uninterrupted meal or rest period in a timely manner for any reason, I will let the District know immediately so that the District can work with me to ensure that my duty-free and

uninterrupted meal periods and/or rest periods are always available to me. I understand that I may raise any concerns about my ability to take my duty-free and uninterrupted meal and/or rest periods at any time without fear of retaliation. I understand that it is the District's intent that I be able to take all of my designated meal and rest periods, duty-free and uninterrupted, each day of work.

**Communications Acknowledgment.** I understand and acknowledge the District's policies on Communications Systems, Social Media, Endorsements and Use of Communication Devices contained in this Handbook. I understand that all electronic and media communications equipment provided to me by the District or used by me to perform my job duties remain the sole property of the District. I further understand and acknowledge that I have no right of privacy in the work product, data, messages, or communications sent to or from me in the course of my work for the District or related in any way to the District. I understand that the District may review my sent and received e-mail, voicemail, text messages, internet activity and any other use of electronic storage, media, or communications by me at any time.

**NLRA Acknowledgment.** I understand and acknowledge that the District's policies are not intended to interfere with my rights protected by Section 7 of the National Labor Relations Act or other federal or state law to engage in concerted protected activity or to discuss the terms of my employment or working conditions with or on behalf of my co-workers, or to bring such issues to the attention of management at any time.

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Employee Signature

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Date

**Summerland Sanitary District**  
**Personnel Policy and Employee Handbook - Recap of Changes and Updates**

Section	Policy	Comment	Page
Summerland Sanitary District Information		Updated	6
Employment Practices		Overall Updated	9
	Unlawful Harassment Including Sexual Harassment	New sections added regarding gossip, bullying and abusive conduct communication & fraternization	10
	Business related travel	Added approval by the Board for MT	21
	California Consumer Privacy Act	Added this policy	24
Compensation and Timekeeping		Overall Updated	27
Employee Relations and Conduct Standards		Overall Updated	36
	Social Media	New Policy	40
	Endorsement	New Policy	41
Employment Benefits		Overall Updated	51
	Continuation of Group Health Insurance	Will be no longer available for employees retiring after January 2021.	52
	Kin Care	Has been removed	na
	Sick Leave	Updated Policy	60
Leave of Absence		Overall Updated	66
	Disability Leave	Replaced with current laws and regulations	67
	Family & Medical Leave	New Policy	67
	California Rights Leave	New Policy	67
	Pregnancy Disability Leave	New Policy	70
	Lactation Accommodation	New Policy	72
	Organs and Bone Marrow Donor Leave	New Policy	75
	Volunteer Firefighter/Peace Officer/ Rescue Personnel	New Policy	76
Employee Health and Safety		Overall Updated	77
	Communicable Disease Control	New Policy	82
	Inclement Weather and Natural Disasters	New Policy	83
	Weapons	New Policy	85
	Suitable Seating	New Policy	85
Miscellaneous Policies		Overall Updated	86
	Discrimination, Harassment, Bullying and Retaliation Acknowledgement	Added under Acknowledgement of receipt	88
	Duty-Free and Uninterrupted Meal and Rest Period Acknowledgement	Added under Acknowledgement of receipt	88
	Communication Acknowledgement	Added under Acknowledgement of receipt	88
	NLRA Acknowledgement	Added under Acknowledgement of receipt	88

IX  
C/3

# Financial Status (Real-Time) Fund 5215 January 2021

As of: 1/31/2021 (59% Elapsed)  
Accounting Period: CLOSED

Selection Criteria: Fund = 5215

Layout Options: Summarized By = Fund, LineItemAccount; Page Break At = Fund

## Fund 5215 -- SummerInd San Dist Running Exp

Line Item Account	6/30/2021 Fiscal Year Adjusted Budget	1/31/2021 Year-To-Date Actual	6/30/2021 Fiscal Year Variance	6/30/2021 Fiscal Year Pct of Budget
<b>Revenues</b>				
<b>Taxes</b>				
3010 -- Property Tax-Current Secured	230,000.00	133,933.63	-96,066.37	58.23 %
3015 -- PT PY Corr/Escapes Secured	0.00	566.38	566.38	--
3020 -- Property Tax-Current Unsecd	9,500.00	8,292.14	-1,207.86	87.29 %
3023 -- PT PY Corr/Escapes Unsecured	0.00	41.84	41.84	--
3040 -- Property Tax-Prior Secured	0.00	-14.45	-14.45	--
3050 -- Property Tax-Prior Unsecured	0.00	74.31	74.31	--
3054 -- Supplemental Pty Tax-Current	3,500.00	657.04	-2,842.96	18.77 %
3056 -- Supplemental Pty Tax-Prior	0.00	-6.20	-6.20	--
Taxes	243,000.00	143,544.69	-99,455.31	59.07 %
<b>Fines, Forfeitures, and Penalties</b>				
3057 -- PT-506 Int, 480 CIOS/CIC Pen	0.00	6.02	6.02	--
Fines, Forfeitures, and Penalties	0.00	6.02	6.02	--
<b>Use of Money and Property</b>				
3380 -- Interest Income	15,000.00	2,532.25	-12,467.75	16.88 %
3381 -- Unrealized Gain/Loss Invstmnts	-870.00	-2,869.42	-1,999.42	329.82 %
Use of Money and Property	14,130.00	-337.17	-14,467.17	-2.39 %
<b>Intergovernmental Revenue-State</b>				
4220 -- Homeowners Property Tax Relief	1,000.00	534.39	-465.61	53.44 %
Intergovernmental Revenue-State	1,000.00	534.39	-465.61	53.44 %
<b>Charges for Services</b>				
5091 -- Planning & Engnrg-Plan Ck Fes	1,200.00	1,488.00	288.00	124.00 %
5430 -- Sanitation Services	1,006,726.00	570,698.50	-436,027.50	56.69 %
5433 -- Inspection Fees	2,700.00	2,555.25	-144.75	94.64 %
5746 -- Administrative Revenue	2,700.00	1,392.00	-1,308.00	51.56 %

H

# Financial Status (Real-Time)

As of: 1/31/2021 (59% Elapsed)  
Accounting Period: CLOSED

Selection Criteria: Fund = 5215

Layout Options: Summarized By = Fund, LineItemAccount; Page Break At = Fund

## Fund 5215 -- SummerInd San Dist Running Exp

Line Item Account	6/30/2021 Fiscal Year Adjusted Budget	1/31/2021 Year-To-Date Actual	6/30/2021 Fiscal Year Variance	6/30/2021 Fiscal Year Pct of Budget
Charges for Services	1,013,326.00	576,133.75	-437,192.25	56.86 %
Revenues	1,271,456.00	719,881.68	-551,574.32	56.62 %
<b>Expenditures</b>				
<b>Salaries and Employee Benefits</b>				
6100 -- Regular Salaries	409,214.00	231,596.29	177,617.71	56.60 %
6200 -- Extra Help and/or Labor	0.00	2,704.42	-2,704.42	--
6270 -- Stand-by Pay	12,500.00	5,584.09	6,915.91	44.67 %
6300 -- Overtime	4,200.00	2,886.78	1,313.22	68.73 %
6400 -- Retirement Contribution	145,889.00	84,261.99	61,627.01	57.76 %
6475 -- Retiree Medical OPEB	9,800.00	3,516.87	6,283.13	35.89 %
6500 -- FICA Contribution	31,305.00	18,382.51	12,922.49	58.72 %
6600 -- Health Insurance Contrib	72,812.00	46,694.28	26,117.72	64.13 %
6900 -- Workers Compensation	16,866.00	16,051.68	814.32	95.17 %
Salaries and Employee Benefits	702,586.00	411,678.91	290,907.09	58.59 %
<b>Services and Supplies</b>				
7030 -- Clothing and Personal	2,100.00	2,140.54	-40.54	101.93 %
7053 -- Telephone Service Local	9,000.00	5,337.83	3,662.17	59.31 %
7090 -- Insurance	36,800.00	37,898.69	-1,098.69	102.99 %
7110 -- Directors Fees	15,000.00	8,575.00	6,425.00	57.17 %
7121 -- Operating Supplies	26,700.00	15,440.89	11,259.11	57.83 %
7324 -- Audit and Accounting Fees	25,000.00	19,584.50	5,415.50	78.34 %
7362 -- Building Maintenance	8,000.00	3,535.22	4,464.78	44.19 %
7363 -- Equipment Maintenance	14,000.00	11,714.45	2,285.55	83.67 %
7404 -- Public Health Lab Serv	23,200.00	15,825.00	7,375.00	68.21 %
7430 -- Memberships	8,490.00	7,031.58	1,458.42	82.82 %
7450 -- Office Expense	4,000.00	2,012.00	1,988.00	50.30 %
7454 -- Books & Subscriptions	290.00	48.00	242.00	16.55 %

# Financial Status (Real-Time)

As of: 1/31/2021 (59% Elapsed)  
Accounting Period: CLOSED

Selection Criteria: Fund = 5215

Layout Options: Summarized By = Fund, LineItemAccount; Page Break At = Fund

## Fund 5215 -- SummerInd San Dist Running Exp

Line Item Account	6/30/2021 Fiscal Year Adjusted Budget	1/31/2021 Year-To-Date Actual	6/30/2021 Fiscal Year Variance	6/30/2021 Fiscal Year Pct of Budget
7459 -- IT Professional Services	4,000.00	1,504.00	2,496.00	37.60 %
7460 -- Professional & Special Service	12,350.00	3,436.21	8,913.79	27.82 %
7508 -- Legal Fees	45,000.00	39,701.58	5,298.42	88.23 %
7510 -- Contractual Services	12,940.00	4,789.75	8,150.25	37.02 %
7516 -- Permitting Services	9,600.00	7,701.45	1,898.55	80.22 %
7530 -- Publications & Legal Notices	300.00	205.92	94.08	68.64 %
7546 -- Administrative Expense	3,600.00	0.00	3,600.00	0.00 %
7630 -- Small Tools & Instruments	500.00	173.27	326.73	34.65 %
7653 -- Training Fees & Supplies	7,175.00	1,521.00	5,654.00	21.20 %
7671 -- Special Projects	11,900.00	13,073.00	-1,173.00	109.86 %
7730 -- Transportation and Travel	1,000.00	402.50	597.50	40.25 %
7731 -- Gasoline-Oil-Fuel	2,400.00	1,146.32	1,253.68	47.76 %
7761 -- Electricity	34,500.00	23,939.37	10,560.63	69.39 %
7763 -- Water	2,000.00	1,024.61	975.39	51.23 %
7764 -- Refuse	4,000.00	2,313.65	1,686.35	57.84 %
Services and Supplies	323,845.00	230,076.33	93,768.67	71.05 %
Expenditures	1,026,431.00	641,755.24	384,675.76	62.52 %
<b>Changes to Fund Balances</b>				
<b>Decrease to Restricted</b>				
9797 -- Unrealized Gains	3,564.00	3,563.07	-0.93	99.97 %
Decrease to Restricted	3,564.00	3,563.07	-0.93	99.97 %
<b>Increase to Restricted</b>				
9797 -- Unrealized Gains	694.00	693.65	0.35	99.95 %
Increase to Restricted	694.00	693.65	0.35	99.95 %
Changes to Fund Balances	2,870.00	2,869.42	-0.58	99.98 %



# Financial Status (Real-Time)

As of: 1/31/2021 (59% Elapsed)  
Accounting Period: CLOSED

Selection Criteria: Fund = 5215

Layout Options: Summarized By = Fund, LineItemAccount; Page Break At = Fund

## Fund 5215 -- SummerInd San Dist Running Exp

Line Item Account	6/30/2021 Fiscal Year Adjusted Budget	1/31/2021 Year-To-Date Actual	6/30/2021 Fiscal Year Variance	6/30/2021 Fiscal Year Pct of Budget
SummerInd San Dist Running Exp	247,895.00	80,995.86	-166,899.14	32.67 %
Net Financial Impact	247,895.00	80,995.86	-166,899.14	32.67 %

# Financial Status (Real-Time)

Fund 5216 January 2021

As of: 1/31/2021 (59% Elapsed)  
Accounting Period: CLOSED

Selection Criteria: Fund = 5216

Layout Options: Summarized By = Fund, LineItemAccount; Page Break At = Fund

## Fund 5216 -- Summerland San Cap Facilities

Line Item Account	6/30/2021 Fiscal Year Adjusted Budget	1/31/2021 Year-To-Date Actual	6/30/2021 Fiscal Year Variance	6/30/2021 Fiscal Year Pct of Budget
<b>Revenues</b>				
<b>Use of Money and Property</b>				
3380 -- Interest Income	6,300.00	856.22	-5,443.78	13.59 %
3381 -- Unrealized Gain/Loss Invstmnts	590.00	-1,421.95	-2,011.95	-241.01 %
Use of Money and Property	6,890.00	-565.73	-7,455.73	-8.21 %
<b>Charges for Services</b>				
5091 -- Planning & Engrng-Plan Ck Fes	0.00	0.00	0.00	--
5432 -- Connection Fees	12,385.00	2,110.00	-10,275.00	17.04 %
Charges for Services	12,385.00	2,110.00	-10,275.00	17.04 %
Revenues	19,275.00	1,544.27	-17,730.73	8.01 %
<b>Expenditures</b>				
<b>Capital Assets</b>				
8200 -- Structures&Struct Improvements	10,000.00	2,361.00	7,639.00	23.61 %
8300 -- Equipment	20,000.00	4,184.26	15,815.74	20.92 %
8400 -- Infrastructure	60,000.00	53,202.50	6,797.50	88.67 %
Capital Assets	90,000.00	59,747.76	30,252.24	66.39 %
Expenditures	90,000.00	59,747.76	30,252.24	66.39 %
<b>Changes to Fund Balances</b>				
<b>Decrease to Restricted</b>				
9797 -- Unrealized Gains	1,423.00	1,421.95	-1.05	99.93 %
Decrease to Restricted	1,423.00	1,421.95	-1.05	99.93 %
Changes to Fund Balances	1,423.00	1,421.95	-1.05	99.93 %
Summerland San Cap Facilities	-69,302.00	-56,781.54	12,520.46	81.93 %
Net Financial Impact	-69,302.00	-56,781.54	12,520.46	81.93 %



# Financial Status (Real-Time)

Fund 5217 January 2021

As of: 1/31/2021 (59% Elapsed)  
Accounting Period: CLOSED

Selection Criteria: Fund = 5217

Layout Options: Summarized By = Fund, LineItemAccount; Page Break At = Fund

## Fund 5217 -- SummerInd San Dist-Capital Rep

Line Item Account	6/30/2021 Fiscal Year Adjusted Budget	1/31/2021 Year-To-Date Actual	6/30/2021 Fiscal Year Variance	6/30/2021 Fiscal Year Pct of Budget
<b>Revenues</b>				
<b>Use of Money and Property</b>				
3380 -- Interest Income	8,500.00	2,262.70	-6,237.30	26.62 %
3381 -- Unrealized Gain/Loss Invstmnts	4,013.00	-2,515.04	-6,528.04	-62.67 %
Use of Money and Property	12,513.00	-252.34	-12,765.34	-2.02 %
Revenues	12,513.00	-252.34	-12,765.34	-2.02 %
<b>Expenditures</b>				
<b>Capital Assets</b>				
8200 -- Structures&Struct Improvements	6,000.00	0.00	6,000.00	0.00 %
8300 -- Equipment	45,000.00	0.00	45,000.00	0.00 %
8400 -- Infrastructure	100,000.00	0.00	100,000.00	0.00 %
Capital Assets	151,000.00	0.00	151,000.00	0.00 %
Expenditures	151,000.00	0.00	151,000.00	0.00 %
<b>Changes to Fund Balances</b>				
<b>Decrease to Restricted</b>				
9797 -- Unrealized Gains	2,516.00	2,515.04	-0.96	99.96 %
Decrease to Restricted	2,516.00	2,515.04	-0.96	99.96 %
Changes to Fund Balances	2,516.00	2,515.04	-0.96	99.96 %
SummerInd San Dist-Capital Rep	-135,971.00	2,262.70	138,233.70	-1.66 %
Net Financial Impact	-135,971.00	2,262.70	138,233.70	-1.66 %

# Cash Balances

As of: 1/31/2021  
Accounting Period: CLOSED

Selection Criteria: Fund = 5215, 5216, 5217

Layout Options: Summarized By = Fund; Page Break At = Fund

Fund	1/1/2021 Beginning Balance	Month-To-Date Cash Receipts (+)	Month-To-Date Treasury Credits (+)	Month-To-Date Warrants and Wire Transfers (-)	Month-To-Date Treasury Debits (-)	1/31/2021 Ending Balance
5215 -- SummerInd San Dist Running Exp	1,194,284.77	7,040.78	902.36	0.00	75,851.85	1,126,376.06
5216 -- Summerland San Cap Facilities	262,721.11	0.00	307.32	0.00	0.00	263,028.43
5217 -- SummerInd San Dist-Capital Rep	750,490.77	0.00	878.00	0.00	0.00	751,368.77
Total Report	2,207,496.65	7,040.78	2,087.68	0.00	75,851.85	2,140,773.26

## SUMMERLAND SANITARY DISTRICT

XI /

### Regular Board of Directors Meeting February 11, 2021 Treatment Plant Operations Supervisor Report

#### **OPERATIONS AND FACILITY MAINTENANCE:**

- Daily water meter readings being performed by staff. Water usage normal.
- In January 2021 the following reports were submitted in CIWQS automated online program on a timely basis with no violations to report: December 2020 Monthly Report (1/16/21), 2020 Annual Report (1/23/21), 2020 Annual Outfall Report (1/26/21).
- On January 26, 2021, the 2020 Annual Backup Generator Runtime report for lift station #3 and the treatment plant was sent via email to the Air Pollution Control District with no violations to report.
- Staff continued to follow COVID-19 safety guidelines.
- The Ocean Outfall Hydraulic Study was completed by MPM. The study found that lining the existing outfall pipeline is feasible. MPM was requested to provide a proposal for a video inspection of the inside of the outfall pipe to ensure that the pipeline is free from any obstruction that might impact the feasibility of the linear.
- Electrical instrumentation technician replaced the treatment plants existing flow meter due to it exceeding its percent error margin. The new flow meter was calibrated after being installed. The technician also replaced the contact chamber chlorine sensor cable due to the cable being damaged.
- All District staff participated in fire safety training that is schedule every two years. Annual fire extinguisher maintenance was completed as well.
- Staff repaired damaged dumpster enclosure caused by strong winds.
- Staff replaced the return activated sludge 4-inch plug valve due to the valve not closing and opening properly.
- Staff cut through the sludge holding bed concrete floor to expose clogged drainage system. After clearing the blockage a cleanout was installed for easy cleaning access and excavated area was backfilled with concrete.
- Staff replaced two corroded support brackets that support the treatment plant 4-inch airline that runs along the surface of digester #1.
- Staff operated the belt press for 8 hours.
- Staff completed weekly grounds maintenance and landscape work which consists of mowing, weed whacking, blowing, edging and raking. Grounds are watered weekly during dry months with reclaimed water.

#### **COLLECTION SYSTEM / LIFT STATIONS:**

- Reviewed and approved plumbing plans for the construction of a 540  $ft^2$  ADU at 2510 Whitney Avenue.
- Robotic Sewer Solutions installed a sectional fiberglass linear in the sewer mainline that runs in front of Summerland Antiques Collective. The linear was installed to prevent mainline root intrusion from an abandoned private sewer lateral.
- Staff continued monthly FOG (Fats, Oils and Grease) inspections at restaurants in town. All restaurants are in compliance.

## **SUMMERLAND SANITARY DISTRICT**

XI  
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### **Regular Board of Directors Meeting February 11, 2021 Treatment Plant Operations Supervisor Report**

- Staff made periodic rounds of the collection system to check for any problems, primarily checking the hot spot manholes to ensure proper flow activity.
- Staff conducted daily rounds at all lift stations to check for proper operation including the checking of each lift station's emergency generator and filling generators with fuel if necessary and performed maintenance.
- Staff cleaned 2,198 feet of mainline.



MARINE PROJECT  
MANAGEMENT, INC.

X  
3

January 29, 2021

Mr. Noe Aguilar Vega  
Operations Supervisor  
Summerland Sanitation District  
2435 Wallace Ave.  
Summerland, CA 93067

SUBJECT: Transmittal - Summerland Sanitation District Outfall Liner Hydraulic Study Report and Summary of Findings

Dear Mr. Aguilar Vega,

MPM completed the above referenced study in accordance with our proposal and has assembled the final Hydraulic Study and associated documents incorporated by reference.

**Summary of Findings** – The study found that the outfall with an 800-ft long, 10-inch SDR 11 HDPE liner will function as a gravity flow outfall at the maximum permitted flow of 0.3MGD; however, there are three items of note as follows:

1. The outfall flow will back up to a point above the plant output elevation within the standpipe in the event both a maximum tide and maximum sea state event occurs simultaneously. This is worth communicating, but the existing unlined outfall has the same risk, and it is not likely to affect the operation of the facility with the liner in place because:
  - a. The probability of both events occurring simultaneously is low.
  - b. A maximum tidal event will be short duration (hours), and the plant reportedly has 24-hours of holding capacity. The holding capacity will allow the plant to restrict or stop flow into the outfall during the high tide portion of a combined high seas, high tide event.
2. The study is based on 2019 sea level (MLLW) elevation and maximum seas. Increases in either sea level or maximum sea states reduces the pressure differential and the potential for 1., above to occur will increase.
3. If the outfall discharge outlet is restricted by sand or debris, the ability to discharge will be reduced. This condition exists in the present unlined outfall and the study shows that either of the discharge outlets has in excess of 0.3MGD discharge capacity individually.

**Transmittal Attachments:**

- A. Hydraulic Study Summerland Outfall Line-012721-Rev0.pdf, along with the study references which are itemized as follows:
  - 1 - 2019 Data from SSD
  - 2 - Martin Northhart 1986 MH Elevation
  - 3 - SSD Ocean Outfall – Ivor and Lyons 1958 Sheet 17 of 17
  - 4 - SSD Email of 12-15-20
  - 5 - HDPE Plexco Cut Sheet

- 6 - Proposed Outfall 10-1958
- 7 - 2019 Wave Data – NOAA-Station 46053 LLNR 196East – Santa Barbara
- 8 - 2019 Observed Water Levels at 9411340 Santa Barbara, CA, NOAA/NOS/CO-OPS
- 9 - MPM Parameters, elevations, sizes, effluent, environmental R1.1 - spreadsheet

We trust that this information meets your requirements and look forward to working with you on future projects. If you have any comments or questions, please contact me directly.

Regards,

*Steve Simpson*

Steve Simpson  
President  
Marine Project Management, Inc.  
201 Bryant St., Suite 2B  
Ojai, CA 93023  
ph. (805) 640-0799 x 4  
e-mail steves@mpmi.com

## **SUMMERLAND SANITARY DISTRICT**

### **Regular Board of Directors Meeting February 11, 2021 District Administrative Manager Report**

Due to precautions measurements concerning Covid-19 the District Administrative Office is open by appointment only.

#### **Administrative Fees received and deposited for:**

- 2320 Ortega Ranch Road (ADU)
- 2510 Whitney Avenue (ADU)

#### **Requests for a revised Will Serve Letter for conversion of Guesthouse into ADU:**

- 2730 Montecito Ranch Place
- 200 Montecito Ranch Lane

#### **SSD Customer Database SSD**

Purchased the new property tax roll addresses per July 31, 2020 and updated customer database.

#### **Training & Webinars:**

- Sexual Harassment Prevention Training through CSDA
- California Grants Portal Grant seekers feedback session (together with T.P. Operations Supervisor)

**Compensation/Salary Analysis:** Koff & Associates completed the salary analysis, as budgeted for this fiscal year, for the District's Treatment Plant Operator Supervisor and the District Administrative Manager position. Results will be shared with the AOP-Committee.

#### **Other annual administrative tasks completed.**

Filled Statement of Facts with Secretary of State with information of newly elected officers.

Annual Audit Report filling with State Controller.

Form W-2 filing for all employees and annual payroll reporting completed.

Posted Annual Required Osha Form-300 for year 2020.

Completed Internal Control Report SDRMA.

#### **CSDA Board of Directors Call for Nominations Seat A**

The Elections and Bylaws Committee is looking for Independent Special District Board members who are interested in leading the direction of the CSDA for the 2022-2024 term.

Commitments: usually 4-5 meeting annually, at the office in Sacramento

Participate in at least one committee.

Attend CSDA events.

Board of Director Nomination Form needs to be submitted by board resolution by March 29, 2021 if one of SSD Board of Directors are interested in applying for this position.