

BIG SKY COUNTY
WATER & SEWER DISTRICT
NO. 363



PROCEDURE MANUAL

**An implementation guide to Policies and Practices
in the day to day operation of the
BIG SKY COUNTY WATER & SEWER DISTRICT**

**Big Sky County Water & Sewer District No. 363
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PROCEDURE MANUAL

1PURPOSE OF THE PROCEDURES MANUAL

The BIG SKY COUNTY WATER & SEWER DISTRICT, hereafter referred to as "District", Procedures Manual has been prepared as a guide, instruction manual, and reference to the Board of Directors, General Manager, and employees. The guide refers to the Policy Manual in matters relating to the employment relationship between the District and its employees. It is emphasized that neither the Policy Manual NOR the Procedures Manual are in any manner to be interpreted as a contract between the District and any of its employees. The District expressly reserves the right to modify or delete any policy not in conflict with stated laws and upon notification to the employees.

The Procedures Manual is to be used as a guidebook and instruction manual in the implementation of the many and varied daily personnel related tasks administered by employees of the District in a consistent, uniform, and non-discriminatory manner. These procedures do not address standard operational practices, standing orders, or other technical matters. The District has full authority to make rules not in conflict with the Policy Manual and to otherwise direct the conduct of the work performed by District employees.

If any section or portion of the Policy Manual or the Procedures Manual is found to be invalid this will not affect the validity nor application of the remainder of the policies or procedures. The Procedures Manual will be available for review in the District office.

3POLICY DISTRIBUTION, CHANGES, INTERPRETATION

The General Manager shall be responsible for custody and distribution of copies of the District Policy Manual. Each employee will be issued a copy of the Policy Manual and will sign a receipt for said Policy Manual.

Any employee may request consideration of a change in general policy to the Board of Directors. Likewise, matters not covered by the Policy Manual shall be brought to the attention of the Board of Directors in order that new policy considerations may be formulated if necessary. All changes to the Policy Manual, or the Procedures Manual, must be approved by the Board of Directors.

Should an employee have a question concerning a Policy or Procedure, the employee should seek their answer or interpretation from the General Manager. If the General Manager is unable to resolve the concern, the employee may refer the question to the Board of Directors for resolution.

5REQUEST FOR PERSONNEL ACTION, HIRING, ORIENTATION, AND EQUAL EMPLOYMENT OPPORTUNITY

6.1 Request for Personnel Action and Posting of Vacancy

When there is a need to fill a new or vacant position, the following procedures will be followed. All information needed to advertise the position will be gathered (position title, duty hours, location of work,

desired starting date, and any special requirements or conditions). If the position is new, a position description shall be established to allow classification and to determine grade and salary.

If it is determined that the need is for a new position, or additional personnel, a request for such need shall be submitted in writing to the Board of Directors for approval and funding prior to advertisement or the posting of a notice of vacancy.

In order to facilitate filling the position, distribution of the position announcement may include: advertisement in the local newspaper, in and out of state newspapers, notice to the State Water Quality Bureau, and such other locations as determined by the General Manager or Board. Such notices should include:

- A. The classification or working title;
- B. The grade and pay rate;
- C. A brief description of the work entailed;
- D. The essential job requirements;
- E. The qualification requirements;
- F. The work hours and work week;
- G. Job location and supervisor;
- H. Whether the position is full time, part time, or temporary;
- I. How and where to apply;
- J. Length of the recruitment period; and
- K. When the job is expected to begin.

6.3 Selection Process

Applications will be received by the General Manager and screened for qualification. Those applicants who do not meet the qualification requirements will have their applications returned with an explanation of where they do not meet the requirements. A copy of the application and letter will be retained.

The District may use any selection procedure or combination of procedures which meets its needs so long as they provide information about the applicant's qualifications and documentation of the hiring decision. All procedures used shall be job related, developed in advance by persons familiar with the position, and applied consistently to each applicant. They may include any or all of the following:

- A. Review of employment application;
- B. Review of supplementary experience statement - a questionnaire developed to elicit further information about a candidate's specific training or experience for a particular job or a supplemental resume;
- C. Interview of all finalists considered for selection;
- D. Reference checking;
- E. Performance testing; and
- F. Physical examination (if applicable)*

NOTE:* If it is determined that an applicant must demonstrate that he/she has the physical ability to perform the duties required in any position, an applicant may be required to present evidence, or demonstrate, that they have the physical ability to perform the duties required of the position. **However such a requirement may not be requested until a conditional job offer has been made** to the applicant to the effect that the District offers the applicant the position subject to the satisfactory demonstration that the applicant can perform the tasks required within the Essential Job Functions of the position. The District then will be responsible for any costs associated with such a requirement.

6.5 Hiring

The General Manager shall administer any or all of the selection procedures. After obtaining all supporting documentation and completion of the selection procedures, the General Manager shall make his/her decision. The General Manager is the hiring authority for all employees. The Board of Directors shall appoint a three (3) member "Selection Committee" for the purpose of hiring a General Manager. Additional employees may be hired only with the prior determination that funds have been provided by the Board. No scheduling to work will be done until final approval and written notification to the applicant.

All candidates will be notified of the hiring decision. The selected candidate will be notified by letter offering the position and providing information such as the report date desired, starting salary, a copy of the Policy Manual, and the person to contact with questions concerning employment with the District.

When minors are hired for temporary and part-time positions, a federal certificate of age must be obtained in advance of employment for all new hires under the age of sixteen (16), even if they claim

otherwise. Certificates of age will be kept in the individual's personnel file.

Former employees who resigned from employment in good standing may be considered for re-employment. However, they will be considered as new employees from the date of re-employment. Such consideration will be based upon prior exit interviews with the applicant and a review of their interim employment.

6.7 Orienting and Probation

The General Manager shall establish an orientation process. At a minimum, the employee shall be given job site and duty orientation as to the expectation of the District and review of the Policies and benefits available to the employee. This will include review of their job description and job requirements, duties, hours, location of work assignment, equipment to be used, and establishment of a process of job training as needed. As a guideline, the following is suggested:

- A. During the probationary period of six (6) months, the employee's job performance will be observed by the Supervisor.
- B. The General Manager should strive to conduct a preliminary performance review after the first three (3) months of employment. Any weaknesses in performance or attitude should be brought to the employee's attention in a manner appropriate for understanding and self - correction. The General Manager should strive to conduct a final probationary appraisal at five (5) months of employment.
- C. New employees may be granted an extension of one (1) to three (3) months of probation if there is a need for additional time to achieve satisfactory job performance.
- D. At the end of the five (5) months the General Manager should cause a written evaluation of the employee's job performance. A copy will be included in the employee's personnel file.

If it is determined by the General Manager that the employee fails to perform satisfactorily, or is deemed unsatisfactory for any other reason, during the probationary period, such employee may be terminated at any time prior to the completion of the probation period. In such cases, the General Manager shall prepare a final evaluation for termination plus a description of actions taken to assist the employee in adjusting to the job. Copies will be placed in the employee's personnel file.

Any employee may be placed on probation for up to one (1) month when job performance has deteriorated and the General Manager believes it is necessary to impress upon the employee the need for improvement. Failure to gain a performance rating of satisfactory or better during such probation may result in termination. Employees who improve satisfactorily during such probation period shall be returned to their former status.

Full time or part time employees who have been placed on probation, under section 6 above, are eligible for paid holidays but may not take any vacation days during their probation period, except under unusual circumstances approved by the General Manager. If allowed, the probationary period would be extended the like number of days.

Upon the successful completion of the probationary period, the General Manager will notify the employee of this fact.

6.9 Equal Employment Opportunity Procedures

The **Finance Officer** is the Affirmative Action Officer for the District.

A. The duties of the Affirmative Action Officer are to:

- 1) Train employees as appropriate;
- 2) Disseminate Equal Employment Opportunity material;
- 3) Advise employees of changes and updates in the Equal Employment Opportunity area;
- 4) In general to make a conscious effort to create a work environment free of discrimination and to assure that employees are treated equitably and consistently including such areas as recruitment, selection, placement, testing, training, promotion, discipline, lay-offs, termination, and other conditions of employment;

Utilize the grievance procedures, if necessary, to achieve Affirmative Action goals and to assure that the District complies with all of the Equal Employment Opportunity laws and directives.

7 SALARY AND BENEFIT ADMINISTRATION

8.1 Salary

The Finance Committee of the Board of Directors will review wages and salaries on a periodic basis. It is the responsibility of the Committee to determine whether the salaries of individual employees accurately reflect their job performance and responsibilities.

New employees are hired at the rate assigned to their jobs. The rate will be contained within the established grade for the job until such time as a reclassification by the Board results in a higher grade. The result of any classification will become effective on a date set by the Board of Directors.

If an employee is required to work on a Holiday, work performed on that day will be paid at the rate of one and one-half (1 ½) times the employee's regular base pay for all hours worked, in addition to their Holiday pay.

8.3 Hours of Work

The hours of work, work day, and the work week are defined in the POLICY MANUAL. Overtime hours worked and Holiday time worked are each defined in the POLICY MANUAL. Time records shall cover the pay period and shall be completed at the close of each workday. Procedures for filling out time records are:

- A. Employees shall record total hours worked for each workday;
- B. All employee time records shall be checked and signed by the employee and initialed by the General Manager. The General Manager shall approve all time not worked (holidays, leave time, etc.) and all overtime claimed. All leave requests will accompany the time record;

C. Unapproved absences shall not be considered as hours worked for pay purposes. The General Manager shall inform employees when they will not be paid for certain hours of absence;

8.5 Qualifications for Time Worked

Attendance at meetings, lectures, and training programs are generally considered as time worked. For attendance to **not be considered as time worked, all of the following must occur:**

- A. The employee's attendance is outside regular working hours; and
- B. The employee's attendance is voluntary, *i.e.*: not required by the District; and
- C. The course, lecture, or meeting is not directly related to the employee's job; and
- D. The employee does not perform any regularly assigned work during such attendance.

8.7 Meal Breaks

The meal period shall be a minimum of one half hour and shall not exceed sixty minutes. Such meal period shall be at or near the middle of the work day unless other mutually agreed arrangements have been made. The meal period shall be scheduled taking into consideration operating requirements.

Each part-time employee scheduled to work more than four consecutive hours during any workday shall receive a meal break of the same duration as a full time employee.

Employees required to work more than ten hours in any work day shall be allowed a second meal period six hours after returning from their first meal break.

Employees shall not be compensated for their meal breaks unless they are required to remain at their work stations while eating.

8.9 Benefits

All benefits provided by the District are described in the official documents which are kept on file in the office and are available for examination by any plan participant or beneficiary. These documents are the only official and binding documents concerning the District health and retirement benefits. All summaries and communications, both written and verbal, must refer to them as binding in cases of questions or disputes. The Board of Directors reserves the right to modify, amend, or terminate its health benefits. (SEE POLICY MANUAL)

Under certain of the insurance and retirement plans, each employee must designate a beneficiary in the event of the employee's death. Such designation must be made in writing to the Finance Officer, and the beneficiary will be so informed. Employees may change a beneficiary designation by giving the Finance Officer written notice of such desire and change. It is the employee's responsibility to maintain the proper beneficiary designations.

The Finance Officer will furnish the following information to each participant in a health and/or retirement plan:

- A. A summary description of the plan within ninety days after the individual becomes a participant or first receives benefits;
- B. An updated summary description of the plan at such times as may be needed;
- C. A summary description of any material modification of the plan within a reasonable time following adoption of such modification.

8.11 Workers Compensation

If a full time employee is receiving worker's compensation benefits resulting from an injury incurred while employed with the District, the following shall apply:

- A. If the employee had been eligible for the group health insurance and had been in the group prior to the injury, the District will pay the employee's portion of any contribution toward the individual's premium for up to no more than three (3) months;
- B. If the employee is not able to return to full employment after three (3) months, and is still receiving worker's compensation benefits, the employee will be responsible for payment of the full premium in advance of each month to continue coverage under the District's group insurance plan.

8.13 Vacations

- A. Employees earn vacation in accordance with the District Policy Manual. Accrual of vacation credits are likewise stated in the District Policy Manual.
- B. Vacation leave must be taken in minimum increments of one hour. All vacation leave must be approved, or denied, in writing by the General Manager.
- C. Vacation leave records for all employees will be kept in the office.

8.15 Holidays

- A. The legal holidays, who is eligible, and specific eligibility requirements are found in the stated District Policy.
- B. Part-time employees receive pay for the holiday on a pro-rated basis by dividing the number of hours worked and hours in the pay status by the number of working days in the pay period, including the holiday.
- C. If a holiday, or its complement, falls during an employee's annual vacation leave, that day will not be counted against the employee's leave time; if counted against leave time, the employee must be given a paid day off at a later time to make up for the lost holiday.

8.17 Sick Leave

Employee eligibility for sick leave credits is stated in the District Policy. Falsification of illness, injury or other authorized claim is a cause for immediate termination.

An employee may use sick leave credits for:

- A. Illness;
- B. Injury;
- C. Medical disability;
- D. Maternity related disability, including prenatal care, birth, miscarriage, abortion, or other medical care for either employee or child;
- E. Quarantine resulting from exposure to contagious diseases;
- F. Medical, dental, or eye examination or treatment;
- G. Necessary care of or attendance to an immediate family member, or at the District's discretion, another relative, for the above reasons until other attendance can reasonably be obtained; and
- H. Death or funeral attendance for an immediate family member or, at the District's discretion, for another person.

All full or part-time employees are eligible for sick leave benefits. A written physician's statement may be required to be submitted and attached to the employee's time sheet for any sick leave in excess of three (3) continuous working days. Sick leave must be taken in minimum increments of one hour.

Additionally the District may require an employee to be examined by a physician of the District's choice if the General Manager questions the validity of an employee's illness. The District shall pay for the costs of such required examinations.

After an employee uses all of his sick leave and vacation leave days on an extended illness, he may be placed on a leave of absence, not to exceed twelve (12) weeks total from day of initial absence, without pay in order that his job be held. During a leave of absence of more than fifteen (15) days, no benefits are accumulated or allowed. The employee has a responsibility of making arrangements for total payment for insurance premiums during any period where no salary or benefits are due.

Medical certification of maternity-related sick leave must be obtained in the same manner and under the same conditions as certification for any other sick leave.

A statement by a licensed physician may also be required to certify that the illness of a family member requires the immediate personal supervision of the employee.

Chronic, persistent, or patterned use of sick leave may be subject to disciplinary action.

There shall be no duplication of benefits *i.e.*: sick leave, worker's compensation payments, vacation etc. for the same hours.

The General Manager has the responsibility to monitor the use of sick leave. The General Manager shall maintain sufficient documentation so that improper use of sick leave credits can be discovered and corrected.

An employee MUST inform the General Manager as soon as practical of any absence due to illness of the employee or his family. The employee must receive advance approval for medical, dental, or eye appointments. Absences improperly requested or charged to sick leave may, at the District's discretion, be charged to leave without pay. Annual leave may be used at the mutual approval of the employee and the District.

9LEAVES OF ABSENCE

See the Policy Manual for details of all Leave Policies. All leaves, regardless of the nature, must be requested in writing and be granted only in writing. All leaves shall have a beginning date and an ending date.

10.1 Military Leave

All requests for Military Leave must be substantiated by a copy of the employee's Military Orders, upon receipt, from the appropriate authority. See Policy Manual.

10.3 Bereavement Leave

See the Policy Manual for details of Bereavement Leave, eligibility, and length of leave.

10.5 Maternity Leave

By the end o the third month of pregnancy, an employee must give the General Manager a statement from her physician which indicates:

- A.The approximate date of delivery; and
- B.How long she should continue to work.

This statement is filed in the employee's personnel folder. The District will be guided by the recommendation of the employee's physician. However, an employee who wishes to work beyond the end of the sixth month of pregnancy must present a physician's statement that she is able to continue to work.

The maternity leave of absence normally will not exceed sixty (60) calendar days from the date of the birth, unless a physician's statement is submitted stating that the employee is still disabled as a result of childbirth. The District may grant an extension if applied for in accordance with the LEAVE POLICY. The employee will give the District two (2) weeks advance notice in writing of her intention to return to work.

If the General Manager disagrees with the fitness or unfitness finding of an employee's personal physician, the District may require the employee to submit to an examination by a District selected physician at District expense.

10.7 Leaves of Absence Without Pay

As a general rule, Leaves of Absence create inequities in that all employees cannot be granted comparable privileges, and as such, requests for Leave are seldom in the best interests of the District. Requests for Leaves of Absence without pay may be granted only under extreme and unusual circumstances and in accordance with the following guidelines:

A. All other appropriate and available leaves must be used before a leave of absence without pay is granted. For Military Leave, Federal guidelines shall be followed.

B. Leaves of absence will be handled as follows:

- 1) Leaves of absence must be submitted in writing to the General Manager for approval.
- 2) Except in unusual circumstances, no requests for leave of absence will be granted unless the employee has completed one year of continuous, full time employment.
- 3) Vacation and sick leave eligibility dates will be advanced one day for each day of absence. All other employee benefit programs will be continued. In the case of absences of more than fifteen (15) days, special arrangements need to be made to continue group health and life insurance coverages.
- 4) Consideration will be given to requests and recommendations for unpaid leave of absence in accordance with the following conditions:
 - i) **Personal illness or accident.** When absence beyond the time provided by the paid sick leave policy is necessary, a physician's statement must be submitted showing diagnosis of illness or injury, prognosis, and expected date of return to work.
 - ii) **Family illness.** When circumstances are of such an exceptional nature that it compels absence from work, requests must be submitted in writing specifying complete details for the reasons for the request.
 - iii) **Personal business.** When circumstances are of an exceptional nature not involving outside employment, requests must be submitted in writing specifying complete details of the reasons for the request.

11 ATTENDANCE

Employees are expected to report for work whenever scheduled. They should notify the General Manager in advance whenever they are unable to report. As much advance notice as possible should be given to permit a replacement to be scheduled, if necessary. If the General Manager is unavailable, employees should contact the office. A failure to notify the District of any unanticipated absence or delay in reporting for work may result in loss of compensation during the absence and may be grounds for disciplinary action.

Authorized absences in excess of the number of days of paid absence accumulated by an employee under leave policies will not be compensated, but will not jeopardize the employee's employment status.

Employees who are delayed in reporting for work more than 30 minutes and who have not notified the

General Manager of their expected tardiness may lose their right to work the balance of the workday. Those employees permitted to report to work late will be paid only for the time actually worked.

Excessive absenteeism and chronic tardiness are patterns of behavior that are easily identified. The General Manager should be aware of these behavior patterns as they develop and make every effort to determine the reason for this behavior and to assist the employee in correcting the problems. It is equally important that these behavior patterns be documented and it is the responsibility of the General Manager to so document.

Employees who are absent from work for three (3) consecutive days without good cause and without giving proper notice, shall be considered as having forfeited their employment.

13JOB EVALUATION

The District shall cause written job descriptions to be prepared for each job. Job descriptions are evaluated in terms of essential functions, knowledge, skill required, and impact on operations.

The Board of Directors and General Manager shall administer the job evaluation plan. The administration shall include the following:

- A. Periodically review existing job descriptions to ensure that they adequately describe the jobs;
- B. Periodically review all existing wages and salaries to ensure that present employees are within their job classification rate range;
- C. Review all requests for re-evaluation of jobs as well as the evaluation of new jobs; and

15PERFORMANCE APPRAISALS

The performance appraisal is an evaluation of the employee's job performance, strengths, areas for improvement, and a plan of action for both the employee and Board for the next evaluation period. Information derived from the evaluation will be used to identify the training needs of the employee.

16.1 Frequency

The General Manager shall strive to make an evaluation upon the following occasions:

- A. During the first three (3) months of employment;
- B. Generally each year on or near the employee's anniversary;
- C. At the time of the employee's termination;
- D. Whenever appropriate, *i.e.*: each time the employee performs exceptionally poorly or well.

The General Manager is encouraged to keep an informal written record of significant events concerning the job performance of the employees.

The job performance of each employee shall be evaluated on the basis of the experience and training of the employee, the job description, and the attainment of a set of objectives or goals. Factors to be considered in the performance evaluation include knowledge of the job, quantity and quality of work,

promptness in completing assignments, cooperation, work habits, dependability, attention to safety, respect for property, punctuality, initiative, and other factors.

16.3 Performance Evaluations

The Evaluator must be aware of the fact that he/she will be rated on their ability to make performance evaluations and should make every effort to avoid the following common errors that can distort the evaluation process:

- A. Basing the evaluation on the employee's most recent behavior instead of evaluating the whole performance period.
- B. Allowing irrelevant or non-job related factors such as physical appearance, disabilities, social standing, or personal habits to influence the evaluation.
- C. Failing to include unfavorable comments on the evaluation, even though justified.
- D. Rating all employees at about the same point on the scale, usually in the middle.
- E. Allowing one characteristic of the employee, or aspect of his/her performance, to distort the rest of the rating process.

If, after a review of any evaluation by the Board of Directors, the Board determines additional direction or instructions should be given to an employee, the Board shall direct the General Manager to take appropriate action.

Each written evaluation by the General Manager shall be signed by the employee, the General Manager, and the Chairman of the Board to help assure objectivity and fairness. The employee shall be given the opportunity to make written comments about any aspect of it. The evaluation shall then be placed in the employee's personnel file. The Board of Directors will perform evaluations of the General Manager.

If the written evaluation contains an unfavorable comment or rating which the employee believes is unfair and/or unjustified, and the matter has not been resolved to the employee's satisfaction during the discussion with the General Manager, the employee may ask for a personal review with the Board of Directors and write a rebuttal for inclusion in the personnel record.

Nothing should prohibit or discourage the General Manager from discussing an employee's job performance with the employee on an informal basis whenever the need to do so arises. This practice should be encouraged to maintain good communication and work related advice.

16.5 Evaluation Guidelines

In preparing for and conducting an employee's Performance Appraisal, the General Manager should be guided by the following principles:

- A. Allot adequate time for the meeting and arrange for as much privacy as possible;
- B. Tell the employee in advance about the appraisal interview. This will give the employee a chance to prepare for the discussion;

- C. Review the employee's written evaluation before the interview;
- D. Give the employee ample time to talk about any problems that may be impeding progress or job satisfaction. Listen attentively;
- E. Encourage the mutual establishment of specific goals for improvement in the coming period.

17 PERSONNEL RECORDS

The District shall maintain certain records on each employee which are directly related to the employee's job. At all times the District will attempt to balance the employee's right to privacy with the District's need to collect and use information.

Each employee's personnel file will contain only such information as is needed by the District in conducting its business or as required by Federal, State, or local law. This information normally will include:

- A. Application forms for employment;
- B. Performance evaluations and training records;
- C. Commendations and awards;
- D. Disciplinary records; and
- E. Resignation/termination records.

****AND A SEPARATE FILE FOR THEIR PERSONAL MEDICAL INFORMATION**

The information contained in each personnel file will be obtained directly from the employee to the extent possible. When information must be obtained from an outside source, the employee will be informed of the identity of the source and the reason the District is obtaining the information.

Personnel files will be reviewed periodically to ensure that the file contains only information that is relevant to the individual's employment with the District. Material that is not relevant, is inaccurate, or obsolete will be deleted from the file.

Various Federal, State, and Local laws require that certain records be retained for a specific length of time. Records dealing with hiring, promotion, termination, and similar personnel decisions shall be retained for a minimum of five (5) years from the date of the personnel action.

Employees may inspect and make copies of their personnel records.

18.2 Requests for Personnel Information

All requests from sources outside the District for personnel information concerning applicants for employment, current employees, and former employees will be directed to the Finance Officer. The Finance Officer will release information to outsiders in response to written requests only, and after obtaining the written consent of the individual who is the subject of the inquiry. However, the Finance

Officer may release the following information without first obtaining the consent of the individual involved:

- A. Employment dates
- B. Position Title

In order to guarantee the security of the personnel records, all files are to be kept locked during non-working hours and when the Finance Officer is absent from the office. Access, by someone other than the employee involved, or the Finance Officer, to any personnel file must be on a need to know basis and have the prior approval of the Board of Directors. (Examples of those with legitimate need-to-know to inspect or review personnel records include the General Manager, Finance Officer, and the Board of Directors).

Financial and Payroll records of each employee are to be kept in the office of the District, or Agency retained to provide payroll services if one is selected. Such records include payroll information, W-4 forms, hours worked, sick leave, payroll deduction authorization, beneficiaries, etc.

18.4 Personnel Record Updates

In order to keep personnel records up to date, employees are urged to notify the General Manager in writing of any changes in the following, with a copy to the Finance Officer for filing in the employee's personnel file:

- A. Name;
- B. Address;
- C. Telephone number or a number where the employee can be reached;
- D. Marital status; and
- E. Persons to be notified in case of emergency.

When a change in the number of dependents or marital status occurs, the employee should report to management to complete a new W-4 Form for income tax withholding purposes and if applicable, any change in dependents for insurance and beneficiaries on retirement.

No records of any personnel of the District may be removed from the personnel files except by written authorization of the District's Attorney.

19 DISCIPLINE AND/OR DISCHARGE PROCEDURES

If an employee violates any of the District's rules and/or regulations, standards of employee conduct or behavior, or POLICY, that employee shall be subject to the disciplinary action.

In cases involving serious misconduct, see the Policy Manual. The General Manager may suspend an employee immediately prior to any determination of potential termination of an employee.

If the General Manager determines that an employee should be terminated, a complete investigation of the situation shall be conducted before such action is taken and a copy will be provided to the

employee. The employee may be granted a hearing before a final decision is made.

At any investigatory review conducted for the purpose of determining the facts involved in any suspected violation of the District rules, regulations, or POLICY, the following procedures shall apply:

- A. Prior to the interview, the employee who is suspected of violating any rules, regulations, or POLICY must be told in general terms what the interview is about;
- B. The employee may have a co-worker present at the interview, provided he/she so requests.

No employee benefits shall be paid or accrued to any employee while suspended from work without pay.

Employees who believe they have been disciplined too severely or without good cause may utilize the grievance procedure.

If an employee has been discharged for cause, the General Manager shall write a letter of notification to the employee and provide the terminated employee a copy of the District POLICY regarding the Grievance Procedure to assure that the employee knows of their rights to utilize such procedures including the right to have their termination reviewed by an independent Arbitrator.

21 GRIEVANCE PROCEDURE

The Grievance Procedure is spelled out in the POLICY STATEMENT. Employees should be allowed to use the grievance procedure liberally and must not, under any circumstances, be penalized or harassed for doing so. The General Manager is responsible for ensuring that the grievance is fully processed until the employee is satisfied with the decision or until the employee's right of appeal is exhausted.

23 OUTSIDE EMPLOYMENT/CONFLICT OF INTEREST

While outside employment is not encouraged, The District recognizes that it does occur. The following guidelines are established for those instances where an employee is engaged in outside employment.

Employees' rights to the use of their own time must be balanced against the District'S needs for full productivity, confidentiality where applicable, and loyalty from its employees.

Employees seeking outside employment shall notify the General Manager and Board of Directors in writing stating the name and address of the outside employer, the nature of the job, and hours of employment. If the outside employer does business with the District, the employee will be required to complete a Conflict of Interest Statement in the form of a letter that includes:

- A. If the firm is doing business with the District and the employee's interest is sufficient to affect the employee's decisions or action as an employee, the employee may not represent the District with the firm doing business with District.
- B. No employee shall accept gifts from any person or firm doing business with the District under circumstances where it might reasonably be inferred that the purpose of the gift is to influence the employee in the conduct of District business with the donor. Such gifts should be returned

with a note of explanation.

- C. When an employee has a question concerning a possible conflict of interest, it is expected that he/she will request advice from the General Manager.
- D. An employee that is working for the District, during working hours, shall perform no work for personal profit on property belonging to others, including the use of District vehicles in the employee's own personal transportation to and from such outside employment.
- E. An employee that is working for the District, during non-working hours, shall perform no work for personal profit on property belonging to others utilizing any District vehicle, equipment, or supplies.

24.2 Evaluation of Request

In considering a request for outside employment, the General Manager and the Board of Directors should be guided by the following:

- A. Will the outside employment have the potential to jeopardize the employee's efficiency in working for the District?
- B. Is the outside employer an individual or organization that does business with the District and has the potential to create a Conflict of Interest?
- C. Whether the nature of the outside employment will adversely affect the image of the District in the community.

Notification is for the benefit of the employee seeking outside employment and for the District in responding to any inquiries that may arise from the employee engaged in the outside employment.

If outside employment is secured by an employee, then those employees who have accepted such employment will not be eligible for worker's compensation paid absences when the absence is the result of injury in going to, returning from, or while on the second job. An employee shall hold the District harmless from any personal or worker's compensation liability for accident or injury resulting from going to, returning from, or while working on the second job.

Employment with the District is considered an employee's primary responsibility. Any interference in the job performance that is the result of outside employment shall be cause for the employee to terminate the outside employment. Refusal by the employee to do so will then be cause to ask the employee to resign or be terminated from District employment.

25 LICENSING OR CERTIFICATIONS

If, as a part of an employee's pre-qualification to perform the job duties with the District, an employee must be licensed or certified, and such requirement is a part of the job duties and qualifications an employee must meet to become an employee, it shall be the responsibility of the applicant/employee at his/her expense to obtain the required license or certification. This would exclude an Operator in Training. The District may pay for Re-Certification, however the employee shall pay for their own motor vehicle operator's license renewal.

If the District requires an employee to obtain a license or certification, outside of the employee's immediate job duties, and for the convenience and benefit of the District, the District will pay for any such required license or certification.

27CONFIDENTIAL INFORMATION

While much of the information and records controlled by the District are a matter of public record, certain matters may be deemed confidential.

All employees of the District shall respect and follow all applicable laws or administrative codes regulating the release of any information that is to be considered confidential. Any questions as to the confidentiality of any information or record shall be addressed to the General Manager who may seek advice from the District's Attorney for his/her response.