



AGENDA

**REGULAR MEETING OF THE BOARD OF DIRECTORS
LA PUENTE VALLEY COUNTY WATER DISTRICT
112 N. FIRST STREET, LA PUENTE, CALIFORNIA
MONDAY, SEPTEMBER 26, 2022 AT 5:30 PM**

TELECONFERENCE ACCESS: Pursuant to Government Code Section 54953, as amended by AB 361, as a precaution to protect staff, our constituents, and elected officials, the La Puente Valley County Water District will hold its Board meeting via teleconference or the most rapid means of communication available at the time.

WEBSITE: WWW.ZOOM.COM

MEETING ID: 891 9478 4807

DIRECT MEETING LINK:

[HTTPS://US02WEB.ZOOM.US/J/89194784807](https://us02web.zoom.us/j/89194784807)

JOIN BY PHONE

PHONE NUMBER: (669) 900-9128

ACCESS CODE: 891 9478 4807#

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL OF BOARD OF DIRECTORS**

President Rojas ____ Vice President Hernandez ____ Director Argudo ____

Director Barajas ____ Director Escalera ____

- 4. PUBLIC COMMENT**

Anyone wishing to discuss items on the agenda or pertaining to the District may do so now. The Board may allow additional input during the meeting. A five-minute limit on remarks is requested.

- 5. ADOPTION OF AGENDA**

Each item on the Agenda shall be deemed to include an appropriate motion, resolution or ordinance to take action on any item. Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review at the District office, located at the address listed above.

- 6. APPROVAL OF CONSENT CALENDAR**

There will be no separate discussion of Consent Calendar items as they are considered to be routine by the Board of Directors and will be adopted by one motion. If a member of the Board, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

- A. Approval of Minutes of the Regular Meeting of the Board of Directors held on September 12, 2022.
- B. Approval of Resolution 287 Proclaiming a State of Emergency Persist, Re-Ratifying the Proclamation of a State of Emergency by Governor Gavin Newsom, and Re-Authorizing Remote Teleconference Meetings of the Board of Directors.

7. FINANCIAL REPORTS

- A. Summary of the District's Cash and Investments as of August 31, 2022.
Recommendation: Receive and File.
- B. Statement of District's Revenue and Expenses as of August 31, 2022.
Recommendation: Receive and File.
- C. Statement of the Industry Public Utilities Water Operations Revenue and Expenses as of August 31, 2022.
Recommendation: Receive and File.

8. ACTION / DISCUSSION ITEMS

- A. Consideration of Resolution No. 288, Revising the District's Employee Policies and Procedures Manual.
Recommendation: Adopt Resolution No. 288
- B. Update on District's Fund Investments with Raymond James Financial Services, Inc.
Recommendation: Board Discretion

9. GENERAL MANAGER'S REPORT

10. OTHER ITEMS

- A. Upcoming Events.
- B. Information Items.

11. ATTORNEY'S COMMENTS

12. BOARD MEMBER COMMENTS

- A. Report on Events Attended.
- B. Other Comments.

13. FUTURE AGENDA ITEMS

14. ADJOURNMENT

POSTED: Friday, September 23, 2022

President William R. Rojas, Presiding.

Any qualified person with a disability may request a disability-related accommodation as needed to participate fully in this public meeting. In order to make such a request, please contact Mr. Roy Frausto, Board Secretary, at (626) 330-2126 in sufficient time prior to the meeting to make the necessary arrangements.

Note: Agenda materials are available for public inspection at the District office or visit the District's website at www.lapuentewater.com.



**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
LA PUENTE VALLEY COUNTY WATER DISTRICT
FOR MONDAY, SEPTEMBER 12, 2022, AT 5:30 PM**

1. CALL TO ORDER

President Rojas called the meeting to order at 5:30 p.m.

2. PLEDGE OF ALLEGIANCE

President Rojas led the meeting in the Pledge of Allegiance.

3. ROLL CALL OF THE BOARD OF DIRECTORS

President Rojas	Vice President Hernandez	Director Argudo	Director Barajas	Director Escalera
Present Via Teleconference	Present Via Teleconference	Absent	Present Via Teleconference	Present Via Teleconference

OTHERS PRESENT

Staff and Counsel: General Manager & Board Secretary, Roy Frausto; Office Manager, Gina Herrera; Customer Service and Accounting Clerk, Vanessa Koyama; Operations & Maintenance Superintendent, Paul Zampiello; Water Treatment & Supply Superintendent, Cesar Ortiz and District Counsel, Jim Ciampa all present via teleconference.

Public: Shaunte Maldonado and Gilbert Navarrete-Godoy were present via teleconference.

4. PUBLIC COMMENTS

No comments from the Public.

Director Argudo entered the meeting at approximately 5:31p.m.

5. ADOPTION OF AGENDA

Motion: Adopt Agenda as Presented.

1st: President Rojas

2nd: Director Hernandez

	Rojas	Hernandez	Argudo	Barajas	Escalera
Vote	Yes	Yes	Yes	Yes	Yes

Motion carried by a vote of: 5 Yes, 0 No, 0 Abstain, 0 Absent.

6. APPROVAL OF CONSENT CALENDAR

Motion: Approval of Consent Calendar as presented.

1st: President Rojas

2nd: Vice President Hernandez

	Rojas	Hernandez	Argudo	Barajas	Escalera
Vote	Yes	Yes	Yes	Yes	Yes

Motion carried by a vote of: 5 Yes, 0 No, 0 Abstain, 0 Absent.

7. ACTION / DISCUSSION ITEMS

A. Discussion Regarding the District's Current and Future staffing Needs.

Mr. Frausto reviewed the District's Organizational Chart and discussed the necessity of adding additional staff to meet the needs of District operations.

Discussion only, no formal action was taken.

B. Discussion Regarding the District's List of Holidays.

Mr. Frausto proposed the option of adding 2 holidays to be observed by District staff.

Motion: Approve the addition of Cesar Chavez Day and Juneteenth to the list of Holidays to be included in the Employee Manual.

1st: President Rojas

2nd: Vice President Hernandez

	Rojas	Hernandez	Argudo	Barajas	Escalera
Vote	Yes	Yes	Yes	Yes	Yes

Motion carried by a vote of: 5 Yes, 0 No, 0 Abstain, 0 Absent.

8. OPERATIONS AND MAINTENANCE SUPERINTENDENT'S REPORT

Mr. Zampielo updated the Board on the current well levels, water consumption and current projects.

Motion: Receive and File the Operations and Maintenance Superintendent's Report.

1st: Director Escalera

2nd: Director Barajas

	Rojas	Hernandez	Argudo	Barajas	Escalera
Vote	Yes	Yes	Yes	Yes	Yes

Motion carried by a vote of: 5 Yes, 0 No, 0 Abstain, 0 Absent.

9. TREATMENT AND SUPPLY SUPERINTENDENT'S REPORT

Mr. Ortiz updated the Board on water quality, compliance, and operations.

Motion: Receive and File the Treatment and Supply Superintendent's Report.

1st: President Rojas

2nd: Director Barajas

	Rojas	Hernandez	Argudo	Barajas	Escalera
Vote	Yes	Yes	Yes	Yes	Yes

Motion carried by a vote of: 5 Yes, 0 No, 0 Abstain, 0 Absent.

10. GENERAL MANAGER'S REPORT

Mr. Frausto informed the Board that he did not have anything to report at this time.

11. OTHER ITEMS

A. Upcoming Events

None.

B. Information Items

12. ATTORNEY'S COMMENTS

Mr. Ciampa discussed some upcoming legislative measures.

13. BOARD MEMBER COMMENTS

A. Report on Events Attended.

None

B. Other Comments

None

14. FUTURE AGENDA ITEMS

15. ADJOURNMENT

President Rojas adjourned the meeting at 6: 07 p.m.

Attest:

William R. Rojas, President

Roy Frausto, Secretary



RESOLUTION NO. 287

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LA PUENTE VALLEY COUNTY WATER DISTRICT
PROCLAIMING A STATE OF EMERGENCY PERSISTS, RE-RATIFYING THE
PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM,
AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF
DIRECTORS OF LA PUENTE VALLEY COUNTY WATER DISTRICT FOR THE PERIOD
SEPTEMBER 23, 2022, TO OCTOBER 23, 2022, PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the La Puente Valley County Water District (the “District”) is committed to preserving and nurturing public access and participation in meetings of its Board of Directors; and

WHEREAS, all meetings of the District’s Board of Directors and its standing committees are open and public, as required by the Ralph M. Brown Act (California Government Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch those bodies conduct their business; and

WHEREAS, the Brown Act, in Government Code Section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition for application of Section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted a Resolution, Resolution No. 274 on October 25, 2021 finding that the requisite conditions exist for the District’s Board of Directors and standing committees to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and;

WHEREAS, emergency conditions persist in the District, specifically, COVID-19, its Delta, Omicron, and BA.2 variant, remain highly contagious and, therefore, a threat to the health, safety and well-being of the District's employees, directors, vendors, contractors, customers and residents; and

WHEREAS, orders from the Los Angeles County Department of Public Health and regulations from the State of California impose limitations on gatherings and provide guidance on best practices with respect to actions to reduce the spread of COVID-19; and

WHEREAS, the District's Board of Directors does hereby find that a state of emergency exists within the District's service area as a result of the continuing presence of COVID-19 and resulting local, state and federal orders and guidance, which has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and the Board of Directors desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the District's Board of Directors and all standing committees shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, the District will continue to provide proper notice to the public regarding all District of Board of Directors' and standing committee meetings, in accordance with Government Code Section 54953(e)(2)(A) and shall provide notice to the public of how they may access any such meeting via call-in number and/or internet link.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF LA PUENTE VALLEY COUNTY WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and that conducting District Board of Directors and standing committee meetings virtually will minimize the possible spread COVID-19 and any variant thereof.

Section 3. Re-Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency regarding COVID-19, dated March 4, 2020.

Section 4. Remote Teleconference Meetings. The District's General Manager, or his delegee, and the Board of Directors and standing committees of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) the expiration of thirty (30) days from the date this Resolution was adopted, as set forth below, or (ii) such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during

which the Board of Directors and standing committees of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of La Puente Valley County Water District this 26th day of September 2022, by the following vote:

AYES:

NOES:

ABSENT: None

ABSTAIN: None

William R. Rojas
President of the Board

ATTEST:

Roy Frausto
Board Secretary



Summary of Cash and Investments
August 2022

La Puente Valley County Water District

Investments	(Apportionment Rate)	Beginning Balance	Receipts/ Change in Value	Disbursements/ Change in Value	Ending Balance
Local Agency Investment Fund	1.276%	\$ 2,989,438.30	\$ -	\$ -	\$ 2,989,438.30
Checking Account					
Well Fargo Checking Account (per General Ledger)		\$ 1,692,028.39	\$ 568,998.55	\$ 1,599,963.25	\$ 661,063.69
District's Total Cash and Investments:					\$ <u>3,650,501.99</u>

Industry Public Utilities

Checking Account	Beginning Balance	Receipts	Disbursements	Ending Balance
Well Fargo Checking Account (per General Ledger)	\$ 1,311,731.64	\$ 298,671.42	\$ 651,232.81	\$ 959,170.25
IPU's Total Cash and Investments:				\$ <u>959,170.25</u>

I certify that; (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy as set forth in Resolution No. 237 and, (2) the District will meet its expenditure obligations for the next six (6) months.

_____, General Manager

Date: _____

Roy Frausto



La Puente Valley County Water District

Statement of Revenues & Expenses Summary

For the Period Ending August 31, 2022
(Unaudited)

	LPVCWD		BPOU			
	YTD 2022	YTD 2022	YTD 2022	BUDGET 2022	67% OF BUDGET	YEAR-END 2021
Revenues						
Operational Rate Revenues	\$ 1,735,847	\$ -	\$ 1,735,847	\$ 2,681,100	65%	\$ 2,528,399
Operational Non-Rate Revenues	731,962	1,089,085	1,821,047	2,701,100	67%	2,631,760
Non-Operational Revenues	253,013	-	253,013	376,000	67%	554,923
Total Revenues	2,720,822	1,089,085	3,809,907	5,758,200	66%	5,715,082
Expense						
Salaries & Benefits	1,288,269	228,121	1,516,390	2,283,200	66%	2,065,908
Supply & Treatment	778,421	746,373	1,524,793	2,078,400	73%	2,031,310
Other Operating Expenses	143,049	98,669	241,718	409,000	59%	355,349
General & Administrative	208,017	15,922	223,938	434,000	52%	346,257
Total Expense	2,417,755	1,089,085	3,506,840	5,204,600	67%	4,798,825
Net Income from Operations	303,067	-	303,067	553,600	55%	916,257
Less: Capital Expenses	(803,182)	-	(803,182)	(3,285,700)	24%	(1,298,808)
Net Income After Capital	(500,115)	-	(500,115)	(2,732,100)	18%	(382,551)
Capital Reimbursement (OU Projects)	1,314	-	1,314	658,300	0%	206,096
Grant Revenues	-	-	-	300,000	0%	-
Loan Proceeds	-	-	-	-	0%	1,510,461
Loan Payment (Interest & Principal)	(254,359)	-	(254,359)	(198,600)	128%	(111,903)
Change in Cash	(753,160)	-	(753,160)	(1,972,400)	38%	1,222,103
Contributed Capital (Developer)	-	-	-	-	0%	70,825
Add: Capital Assets (District-Funded)	801,867	-	801,867	2,327,400	34%	1,092,712
Add: Debt Principal	173,631	-	173,631	117,200	148%	57,313
Less: Loan Proceeds	-	-	-	-	0%	(1,607,724)
Less: Depreciation Expense	(283,333)	(70,000)	(353,333)	(530,000)	67%	(422,416)
Net Income / (Loss)	\$ (60,995)	\$ (70,000)	\$ (130,995)	\$ (57,800)	227%	\$ 412,814

*No assurance provided on these financial statements. These financial statements do not include a statement of cash flows. Substantially all disclosures required by accounting principles generally accepted in the United States not included.



La Puente Valley County Water District

Statement of Revenues & Expenses

For the Period Ending August 31, 2022
(Unaudited)

	August 2022	YTD 2022	BUDGET 2022	67% OF BUDGET	YEAR-END 2021
Operational Rate Revenues					
Water Sales	\$ 201,938	\$ 1,045,638	\$ 1,708,200	61%	\$ 1,609,408
Service Charges	82,746	565,412	839,400	67%	791,069
Surplus Sales	5,685	47,467	50,000	95%	50,785
Customer Charges	9,651	26,756	10,000	268%	7,261
Fire Service	11,529	49,705	73,000	68%	68,884
Miscellaneous Income (Cust. Charges)	124	868	500	174%	992
Total Operational Rate Revenues	311,674	1,735,847	2,681,100	65%	2,528,399
Operational Non-Rate Revenues					
Management Fees	-	181,692	317,200	57%	365,419
PVOU Service Fees (Labor)	-	43,815	150,000	29%	29,764
BPOU Service Fees (Labor)	28,009	228,121	319,800	71%	313,800
IPU Service Fees (Labor)	77,376	501,805	777,500	65%	736,647
Other O&M Fees	-	4,650	10,000	46%	12,748
Total Operational Non-Rate Revenues	105,386	960,083	1,574,500	61%	1,458,378
Non-Operational Revenues					
Taxes & Assessments	12,500	187,322	320,000	59%	321,192
Rental Revenue	6,810	30,347	40,000	76%	42,204
Interest Revenue	-	7,936	10,000	79%	9,205
Market Value Adjustment	-	-	-	0%	(14,371)
Miscellaneous Income	24,951	6,066	6,000	101%	17,022
Developer Fees	20,323	21,342	-	0%	179,671
Total Non-Operational Revenues	64,584	253,013	376,000	67%	554,923
Total Revenues	481,643	2,948,943	4,631,600	64%	4,541,699
Salaries & Benefits					
Total District Wide Labor	124,715	917,120	1,350,000	68%	1,248,844
Directors Fees & Benefits	6,798	53,911	115,000	47%	73,461
Benefits	25,072	206,528	330,000	63%	305,463
OPEB Payments	7,421	52,544	55,000	96%	77,225
OPEB Trust Contributions	-	50,000	100,000	50%	100,000
Payroll Taxes	9,776	73,314	106,700	69%	98,357
CalPERS Retirement (Normal Costs)	4,783	90,395	158,000	57%	132,146
CalPERS Unfunded Accrued Liability	-	72,578	68,500	106%	30,413
Total Salaries & Benefits	178,565	1,516,390	2,283,200	66%	2,065,908
District Salaries & Benefits (Informational Only)					
Less: Labor Service Revenue	(105,386)	(773,741)	(1,247,300)	62%	(1,080,211)
Net District Salaries & Benefits	73,179	742,649	1,035,900	72%	985,697

*No assurance provided on these financial statements. These financial statements do not include a statement of cash flows. Substantially all disclosures required by accounting principles generally accepted in the United States not included.



La Puente Valley County Water District

Statement of Revenues & Expenses

For the Period Ending August 31, 2022
(Unaudited)

	August 2022	YTD 2022	BUDGET 2022	67% OF BUDGET	YEAR-END 2021
Supply & Treatment					
Purchased & Leased Water	176	276,765	551,500	50%	468,527
Power	17,330	123,263	200,000	62%	174,166
Assessments	6,782	328,608	333,300	99%	335,711
Treatment	1,162	2,824	6,000	47%	3,014
Well & Pump Maintenance	274	46,960	40,000	117%	18,842
Total Supply & Treatment	25,725	778,421	1,130,800	69%	1,000,260
Other Operating Expenses					
General Plant	2,291	15,997	35,000	46%	30,580
Transmission & Distribution	1,550	53,754	80,000	67%	102,962
Vehicles & Equipment	3,528	29,573	25,000	118%	25,002
Field Support & Other Expenses	1,504	29,173	60,000	49%	41,334
Regulatory Compliance	1,197	14,553	50,000	29%	30,890
Total Other Operating Expenses	10,069	143,049	250,000	57%	230,767
General & Administrative					
District Office Expenses	4,314	38,375	45,000	85%	36,759
Customer Accounts	1,635	19,694	32,000	62%	29,846
Insurance	17,332	47,465	82,000	58%	71,916
Professional Services	7,333	54,708	115,000	48%	131,625
Training & Certification	2,678	17,177	45,000	38%	9,223
Public Outreach & Conservation	2,495	13,149	30,000	44%	14,188
Other Administrative Expenses	2,105	17,448	65,000	27%	34,949
Total General & Administrative	37,892	208,017	414,000	50%	328,506
Total Expense	252,251	2,645,876	4,078,000	65%	3,625,442
Net Income from Operations	229,392	303,067	553,600	55%	916,257
Capital Expenses					
Fire Hydrant Repair/Replacements	-	(9,720)	(23,000)	42%	(11,619)
Service Line Replacements	-	(17,106)	(45,000)	38%	(53,238)
Valve Replacements	-	(2,460)	(25,000)	10%	(5,547)
Meter Replacement / Reading Equipment	-	(1,715)	(25,000)	7%	(9,295)
SCADA Improvements	-	(2,800)	(30,000)	9%	(93,593)
Hudson Ave Pumping Improvements	-	(1,314)	(552,700)	0%	(47,042)
LP CIWS Interconnection (Ind. Hills)	-	-	(65,000)	0%	(9,054)
Nitrate Treatment System	-	(750,257)	(2,060,000)	36%	(1,019,990)
Recycled Water System - Phase 1	-	(17,809)	(300,000)	6%	(49,431)

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La Puente Valley County Water District

Statement of Revenues & Expenses

For the Period Ending August 31, 2022
(Unaudited)

	August 2022	YTD 2022	BUDGET 2022	67% OF BUDGET	YEAR-END 2021
Dump Truck	-	-	(150,000)	0%	-
Other Field Equipment	-	-	(10,000)	0%	-
Total Capital Expenses	-	(803,182)	(3,285,700)	24%	(1,298,808)
Net Income / (Loss) After Capital	229,392	(500,115)	(2,732,100)	18%	(382,551)
Funding & Debt Payments					
Capital Reimbursement (OU Projects)	-	1,314	658,300	0%	206,096
Grant Revenues	-	-	300,000	0%	-
Loan Proceeds	-	-	-	0%	1,510,461
Loan Payment - Interest	(41,131)	(80,728)	(81,400)	99%	(54,590)
Loan Payment - Principal	(58,993)	(173,631)	(117,200)	148%	(57,313)
Cash Increase / (Decrease)	129,268	(753,160)	(1,972,400)		1,222,103
Contributed Capital	-	-	-	0%	70,825
Add: Capitalized Assets (District-Funded)	-	801,867	2,327,400	34%	1,092,712
Add: Debt Principal	58,993	173,631	117,200	148%	57,313
Less: Loan Proceeds	-	-	-	0%	(1,510,461)
Less: Depreciation Expense	(35,417)	(283,333)	(425,000)	67%	(422,416)
Less: Pension Expense	-	-	-	0%	-
Less: OPEB Expense	-	-	-	0%	-
Net Income / (Loss)	\$ 152,844	\$ (60,995)	\$ 47,200		\$ 510,076

*No assurance provided on these financial statements. These financial statements do not include a statement of cash flows. Substantially all disclosures required by accounting principles generally accepted in the United States not included.



Treatment Plant (BPOU)

Statement of Revenues & Expenses

For the Period Ending August 31, 2022
(Unaudited)

	August 2022	YTD 2022	BUDGET 2022	67% OF BUDGET	YEAR-END 2021
Operational Non-Rate Revenues					
Reimbursements from CR's	67,450	860,963	\$ 1,446,400	60%	1,173,382
Miscellaneous Income	-	-	-	0%	-
Total Operational Non-Rate Revenues	67,450	860,963	1,446,400	60%	1,173,382
Labor & Benefits					
BPOU TP Labor	28,009	228,121	319,800	71%	313,800
Total Labor & Benefits	28,009	228,121	319,800	71%	313,800
Supply & Treatment					
NDMA, 1,4-Dioxane Treatment	8,671	142,886	212,200	67%	242,642
VOC Treatment	-	1,502	20,600	7%	46,863
Perchlorate Treatment	3,580	280,809	389,000	72%	353,153
Other Chemicals	1,836	7,360	57,300	13%	20,835
BPOU Plant Power	43,057	222,885	220,500	101%	272,168
BPOU Plant Maintenance	300	57,639	48,000	120%	92,238
Well & Pump Maintenance	-	33,292	-	0%	3,150
Total Supply & Treatment	57,444	746,373	947,600	79%	1,031,050
Other Operating Expenses					
Contract Labor	-	-	20,000	0%	-
General Plant	1,654	22,716	15,000	151%	27,798
Transmission & Distribution	-	-	-	0%	8,838
Vehicles & Equipment	1,274	8,379	13,000	64%	10,637
Field Support & Other Expenses	-	-	-	0%	-
Regulatory Compliance	6,644	67,574	111,000	61%	77,308
Total Other Operating Expenses	9,572	98,669	159,000	62%	124,582
General & Administrative					
District Office Expenses	-	-	2,500	0%	-
Insurance	434	8,259	10,000	83%	10,544
Professional Services	-	7,663	7,500	102%	7,207
Total General & Administrative	434	15,922	20,000	80%	17,751
Total Expense	95,459	1,089,085	1,446,400	75%	1,487,182
Total Expense (excluding Labor)	67,450	860,963	1,126,600	76%	1,173,382
Operational Net Income	-	-	-		-
Less: Depreciation Expense	(8,750)	(70,000)	(105,000)	67%	(97,263)
Net Income / (Loss)	\$ (8,750)	\$ (70,000)	\$ (105,000)	67%	\$ (97,263)

(1) The labor expense depicted here is the amount of labor billed to the BPOU in which the District receives reimbursement which is shown on Table 1.5 in operational non-rate revenue (BPOU Service Fees).

*No assurance provided on these financial statements. These financial statements do not include a statement of cash flows. Substantially all disclosures required by accounting principles generally accepted in the United States not included.

INDUSTRY PUBLIC UTILITIES - WATER OPERATIONS

Statement of Revenue and Expenses Summary

For the Period Ending August 31, 2022
(Unaudited)

	August 2022	FISCAL YTD 2022/23	BUDGET 2022/23	17% OF BUDGET	YEAR END FY 2021/22
REVENUE					
Operational Revenue	\$ 113,673	\$ 361,117	\$ 2,378,000	15%	\$ 2,059,133
Non-Operational Revenue	-	-	60,000	0%	65,975
TOTAL REVENUES	113,673	361,117	2,438,000	15%	2,125,108
EXPENSE					
Salaries & Benefits	77,376	134,969	767,000	18%	721,723
Supply & Treatment	27,933	52,833	965,500	5%	758,031
Other Operating Expense	5,019	22,504	254,000	9%	187,697
General & Administrative	5,937	11,424	359,100	3%	315,270
System Improvements & Miscellaneous	-	-	84,000	0%	94,726
TOTAL EXPENSE	116,265	221,729	2,429,600	9%	2,077,449
NET INCOME / (LOSS)	(2,592)	139,388	8,400	1659%	47,660

INDUSTRY PUBLIC UTILITIES - WATER OPERATIONS

Statement of Revenue and Expenses

For the Period Ending August 31, 2022

(Unaudited)

	August 2022	FISCAL YTD 2022/23	BUDGET 2022/23	17% OF BUDGET	YEAR END FY 2021/22
Operational Revenues					
Water Sales	\$ 67,319	\$ 229,383	\$ 1,457,000	16%	\$ 1,257,106
Service Charges	39,143	101,680	740,000	14%	654,144
Customer Charges	2,664	6,358	15,000	42%	15,090
Fire Service	4,548	23,695	166,000	14%	130,302
Misc Income	-	-	-	N/A	2,491
<i>Total Operational Revenues</i>	113,673	361,117	2,378,000	15%	2,059,133
Non-Operational Revenues					
Contamination Reimbursement	-	-	60,000	0%	65,975
Developer Fees	-	-	-	N/A	-
<i>Total Non-Operational Revenues</i>	-	-	60,000	0%	65,975
TOTAL REVENUES	113,673	361,117	2,438,000	15%	2,125,108
Salaries & Benefits					
Administrative Salaries	24,356	45,047	239,000	19%	243,902
Field Salaries	28,631	47,070	267,000	18%	238,454
Employee Benefits	13,341	23,762	145,000	16%	134,912
Pension Plan	7,453	12,861	75,000	17%	67,303
Payroll Taxes	3,595	6,230	35,000	18%	32,594
Workers Compensation	-	-	6,000	0%	4,558
<i>Total Salaries & Benefits</i>	77,376	134,969	767,000	18%	721,723
Supply & Treatment					
Purchased Water - Leased	-	-	452,600	0%	-
Cyclic Water Storage	-	-	-	N/A	288,640
Purchased Water - Other	1,647	3,227	20,000	16%	13,897
Power	19,668	40,527	185,000	22%	166,934
Assessments	6,618	6,618	280,900	2%	264,164
Treatment	-	-	7,000	0%	4,943
Well & Pump Maintenance	-	2,460	20,000	12%	19,453
<i>Total Supply & Treatment</i>	27,933	52,833	965,500	5%	758,031
Other Operating Expenses					
General Plant	932	2,342	55,000	4%	6,315
Transmission & Distribution	1,949	16,166	85,000	19%	83,409
Vehicles & Equipment	-	-	36,000	0%	33,967
Field Support & Other Expenses	1,251	2,648	40,000	7%	33,277
Regulatory Compliance	888	1,348	38,000	4%	30,729
<i>Total Other Operating Expenses</i>	5,019	22,504	254,000	9%	187,697

INDUSTRY PUBLIC UTILITIES - WATER OPERATIONS

Statement of Revenue and Expenses

For the Period Ending August 31, 2022

(Unaudited)

	August 2022	FISCAL YTD 2022/23	BUDGET 2022/23	17% OF BUDGET	YEAR END FY 2021/22
General & Administrative					
Management Fee	-	-	203,100	0%	199,049
Office Expenses	2,904	3,654	27,000	14%	26,443
Insurance	-	1,319	17,500	8%	14,264
Professional Services	98	524	60,000	1%	26,308
Customer Accounts	1,870	3,539	30,000	12%	26,295
Public Outreach & Conservation	560	1,820	15,000	12%	16,603
Other Administrative Expenses	506	568	6,500	9%	6,308
<i>Total General & Administrative</i>	5,937	11,424	359,100	3%	315,270
Other Exp. & System Improvements (Water Ops Fund)					
Fire Hydrant Repair/Replace	-	-	20,000	0%	27,425
Service Line Replacements	-	-	30,000	0%	23,025
Valve Replacements & Installations	-	-	24,000	0%	15,970
SCADA Improvements	-	-	10,000	0%	19,499
Water Rate Study	-	-	-	0%	6,088
Groundwater Treatment Facility Feas. Study	-	-	-	N/A	2,720
<i>Total Other & System Improvements</i>	-	-	84,000	0%	94,726
TOTAL EXPENSES	116,265	221,729	2,429,600	9%	2,077,449
NET INCOME / (LOSS)	(2,592)	139,388	8,400		47,660

STAFF REPORT



Meeting Date: September 26, 2022

To: Honorable Board of Directors

Subject: Updates to the District's Employee Policies and Procedures Manual

Purpose - *Update the Employee Policies and Procedures Manual to clarify language and update changes made throughout the past 4 years.*

Recommendation - *Review and approve the provided Updated Employee Policies and Procedures Manual (Employee Manual).*

Fiscal Impact - *The proposed revisions may result in an increase in cost for the introduction of and Internship Program, the addition of two new holidays and an increase to educational reimbursement for employees.*

Previous Related Action - *The Board last approved revisions to the Employee Policies and Procedures Manual in January 2018.*

Background

The Employee Policies and Procedures Manual (Manual) encompasses guidelines/policies on the following subjects:

1. Employment
2. Compensation
3. Benefits
4. Request for Reasonable Accommodation
5. Nondiscrimination and Complaint Procedure
6. Workplace Violence
7. Anti-Harassment and Complaint Procedure

The objective of the Manual is to provide fair and equitable management of the District's personnel. The Manual is intended to insure uniform and fair treatment of applicants for employment and for District employees and to define obligations, rights, privileges, benefits and prohibitions for all employees of the District.

The District has reserved the right to amend, modify or delete any and all provisions contained in this Manual, including those concerning employee benefits, at any time and with or without notice, except

for compliance with Government Code Section 54950 et seq. (the "Ralph M. Brown Act"). The Manual was last revised in January 2018.

Summary

Periodically staff reviews the Manual to identify any needed changes to comply with new laws or recommended changes by our insurance provider ACWA JPIA or District Counsel. The revisions that staff is proposing include some minor language changes and substantive changes as described in the enclosed Summary Document.

For your review, enclosed is Resolution No. 288 that includes the summary of the proposed changes and the draft Manual.

Fiscal Impact

The revisions proposed will have a modest fiscal impact on the current and future annual budgets. A list of these impacts is provided below.

Revisions included in both versions:

1. Sick Time Payout for Employees with five (5) or more years of service
2. The addition of two (2) District Holidays.
3. Increase of Educational Reimbursement.

Recommendation

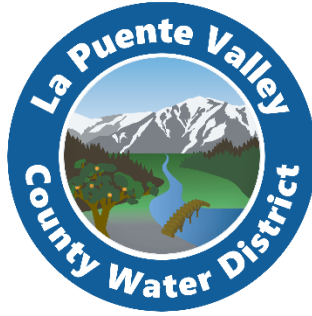
Approve Resolution No. 288 to amend the current Employee Policies and Procedures Manual.

Respectfully Submitted,

Gina M Herrera

Enclosures

- Resolution No. 288



**RESOLUTION NO. 288
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LA PUENTE VALLEY COUNTY WATER DISTRICT
AMENDING ITS EMPLOYEE POLICIES AND PROCEDURES MANUAL**

WHEREAS, the Board of Directors of the La Puente Valley County Water District (the "District") adopted an Employee Policies and Procedures Manual (the "Manual") to govern all matters related to employment at the District;

WHEREAS, District staff regularly reviews and proposes updates to the Manual as necessary to reflect changes in the law, incorporate industry best practices, or revise or adopt new policies or procedures to better improve the benefits, safety, or workplace conditions generally, with regards to employment at the District;

WHEREAS, the District has conducted a regular review of its Manual and desires to make certain revisions to the Manual to reflect the foregoing;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the La Puente Valley County Water District hereby amends its Employee Policies and Procedures Manual as reflected in the attached overview document and as specified in the draft Manual in the form presented to the Board of Directors.

BE IT FURTHER RESOLVED, that the District's General Manager shall present the Manual, as revised, to all District employees as soon as feasible and changes made in the Manual will take effect immediately.

ADOPTED, SIGNED AND APPROVED this 26th day of September, 2022

Ayes:
Noes:
Absent:
Abstain:

President
Board of Directors
La Puente Valley County Water District

ATTEST:

Roy Frausto, Board Secretary

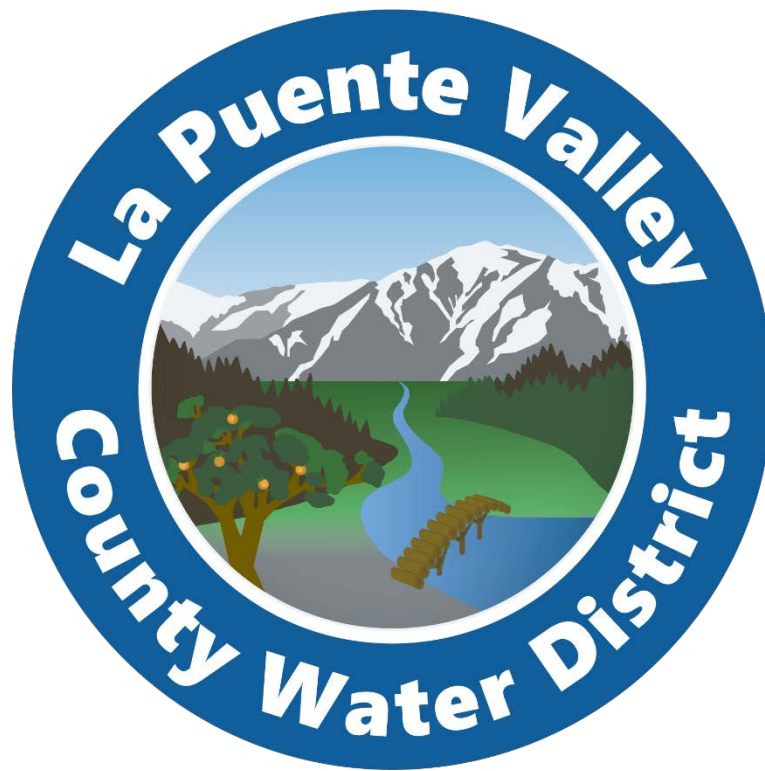
**LA PUENTE VALLEY COUNTY WATER DISTRICT
EMPLOYEE POLICES AND PROCEDURES MANUAL
Proposed Revisions Effective September 2022**

SECTION NO.	PROPOSED REVISIONS
Sec I – Preamble and Title	Change to reflect new effective date
Sec II – Purpose	No Change
Sec III - Authority and Administration	No Change
Sec IV - Definitions	Minor clarification to definition of Office Administrator, addition of Intern definition, and language clarification of temporary employee
Sec V - Employment	
A. At Will Employment	Clarified classification of “At Will Employee”
B. Hiring of Employees	Addition of language for employment of Interns
C. Introductory Period	Clarification of employee classifications subject to introductory period
D. Periodic Employee Evaluation	Minor language clarification of evaluation periods
E. Normal Workday	Language clean-up of hours worked and addition of language involving attendance and punctuality
F. On-Call Duty	Language update to reflect change of On-Call Duty procedures currently in effect
G. Policy Against Substance Abuse in the Workplace	Language updates to reflect changes in state and federal law
H. Smoking	Language updates to reflect current state and federal law regarding smoking, e-cigarettes and vaping
I. Outside Employment	No Change
J. Job Injury	Minor language updates
K. Disciplinary Action	Language updates and amendments, particularly involving disciplinary appeal procedures
L. Standards of Conduct	Minor language updates
M. Injury and Illness Prevention Program	Minor addition of IIPP in section title
N. Lactation	Added language to comply with Labor Code Section 1031 & 1033 – to allow time and provide reasonable accommodations to an employee to express milk

O. Dress Code and Safety Equipment	Language updates reflecting District guidelines and practice involving uniforms and dress code
P. Electronic Communications	Removal of PDAs and inclusion of statement confirming employees should have no expectation of privacy involving the use of any District owned electronic communication devices.
Q. Cell Phone Usage	Minor language update
R. Anti-Fraud	No Change
S. Termination and Resignation	Minor language updates
Sec VI - Compensation	
A. Employee Compensation	Minor language clean-up and clarification
B. Overtime Pay	Addition of 24-hour period language
C. On-Call Pay	Addition of language clarifying District On-Call pay procedures
D. Certification Bonus	Clarification of Certification Bonus Program eligibility
E. Certification and Educational Reimbursement	Increase of education reimbursement maximum
F. Reimbursement of District Related Business	No Change
Sec VII – Benefits	
A. Vacation	Minor language clean-up
B. Sick Leave	Language addition clarifying eligibility for payout of accrued sick leave upon termination or resignation
C. Holidays	Minor language clean-up – Addition of 2 new holidays
D. Leave of Absence	Clarification of benefit eligibility during Non-CFRA leave of absence
E. Compassionate Leave	Minor language clean-up
F. Leave Related to Military Service	No Change
G. HIPPA	No Change
H. COBRA	No Change
I. Jury Duty	No Change
J. Time Off to Vote	Minor language clean-up

K. Health, Dental, and Vision Insurance	Minor language clarification
L. Life Insurance	Eliminate Name of carrier
M. Disability Insurance	Eliminate Name of carrier
N. Retirement Benefits and Deferred Compensation Plan	Language addition clarifying PERS pension groups and corresponding employee retirement contributions
O. Retiree Health, Dental and Vision Benefits	Added language to reflect retiree eligibility for health benefit annual Open Enrollment and other minor language clean-up
P. Use of Vehicles	Clarification of designated District employees issued District vehicles
Q. California Family Rights Act (CRFA) and Pregnancy Disability Leave (PDL)	Addition of CFRA eligible family members employee is eligible to request leave to care for as mandated by the State.
R. Return to Work	Minor language clean-up
Sec IX - Non-Discrimination Policy and Complaint Procedure	
A. Non-Discrimination Policy	No Change
B. Complaint Procedure	Change in Procedure
Sec X - Workplace Violence	No Change
Sec XI - Anti-Harassment & Complaint Procedure	
A. Anti-Harassment Policy	No Change
B. Complaint Procedure	Change in Procedure
Sec XII - Employee Acknowledgement Form	Minor language clean-up and date change

EMPLOYEE POLICIES
AND
PROCEDURES MANUAL



Revised September 2022



EMPLOYEE POLICIES AND PROCEDURES MANUAL

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LA PUENTE VALLEY COUNTY WATER DISTRICT EMPLOYEE POLICIES AND PROCEDURES MANUAL

I. PREAMBLE AND TITLE

This Manual shall be known as the La Puente Valley County Water District Employee Policies and Procedures Manual (the "Manual"). This Manual supersedes the Personnel Manual that was adopted by the Board of Directors on January 8, 2018, and all subsequently adopted amendments thereto.

II. PURPOSE

It is the objective of the La Puente Valley County Water District (the "District") to provide fair and equitable personnel management. This Manual is intended to ensure uniform and fair treatment of applicants for employment at the District and to define obligations, rights, privileges, benefits and prohibitions for all employees of the District.

The Board of Directors of the District reserves the right to amend, modify or delete any and all provisions contained in this Manual and shall comply with Government Code Section 54950 et seq. (the "Ralph M. Brown Act") as required.

III. AUTHORITY AND ADMINISTRATION

- A.** The Board of Directors of the La Puente Valley County Water District has approved the provisions of this Manual. The Board shall approve all additions, amendments and revisions to the personnel policies and procedures contained in this Manual.
- B.** The General Manager is responsible for implementing, administering, and ensuring compliance with the provisions of this Manual. In the event any provision of this Manual requires clarification, the General Manager may issue administrative instructions or guidelines clarifying the intent of said provision as adopted by the Board of Directors. The General Manager may develop and enforce procedures, consistent with this Manual, to facilitate its implementation.

IV. DEFINITIONS

For the purposes of this Manual the following definitions apply:

- A.** Board of Directors or Board - Board of Directors of the La Puente Valley County Water District.
- B.** Department Head - Employees who are directly responsible to the General Manager for the supervision and/or management of Field Operations, Engineering/Compliance, and

Customer Service/Accounting Departments.

- C.** District - The La Puente Valley County Water District which is formed pursuant to the County Water District Law (Water Code Sections 30000, et seq.).
- D.** Exempt/Executive Employee - The General Manager and other employees that may be designated as such. These employees are paid on a salary basis for work performed with no overtime pay. As salaried senior officials of the District, Executive personnel are expected to work those hours necessary to complete their duties and responsibilities.
- E.** Full-Time Regular Employee - All employees appointed by the General Manager for employment on a regular basis and work 40 hours per week. A Full-Time Regular Employee may be an Exempt or Non-Exempt employee.
- F.** General Manager - The General Manager of the District, duly appointed by a majority vote of the Board of Directors.
- G.** Non-Exempt Employee - Any employee who is paid wages for each hour of work performed and is eligible to receive overtime pay according to law.
- H.** Office Administrator – The employee who has been designated by the General Manager to carry out the duties of the position of Office Administrator as set forth in this Manual. The employee designated by the General Manager to serve in this capacity may vary pursuant to the matter to be addressed.
- I.** Part-Time Regular Employee - Any employee who is assigned a work schedule of less than 1000 hours per fiscal year. Such employees are not entitled to District benefits unless otherwise prescribed by law. See Section VII(N)(c) for exceptions
- J.** Temporary Employee - Any employee hired by the General Manager for a limited period of time, paid by the hour, is not provided any District benefits other than those stipulated by state and federal law, and is eligible to receive overtime pay according to law.
- K.** Intern – A part-time, temporary employee hired by the General Manager for the purpose of gaining hands-on work experience and completing work related tasks at the direction of the intern’s supervisor. This position is for a limited period of time, paid by the hour, and not provided District benefits other than those stipulated by state and federal law.

V. *EMPLOYMENT*

A. At-Will Employment

Employment with the District is “At-Will” for all employees and interns, with the exception of the General Manager who is employed under a contract with the District. At-Will Employment is not guaranteed for any length of time and may be terminated at any time, with or without cause, or with or without notice, by the District or by the employee, unless otherwise expressly agreed by a written employment agreement, subject to applicable law. Because employment with the District is At Will, the guidelines in this Manual do not create any contractual or other rights (expressed or implied) for any employee in these classifications. Only the Board of Directors has the authority to enter into any agreement for employment for any specified period

of time for any employee of the District.

B. Hiring of Employees

1. The District is an equal opportunity employer and will comply with all policies of the United States and the State of California which protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination because of race (including any hairstyle historically associated with race, including, but not limited to, hair texture and protective hairstyles, such as braids, locks and twists), religious creed, color, age, sex, sexual orientation, gender expression or identity, genetic information, physical handicap, national origin, ancestry or any other protected class or characteristic under state or federal law. Decisions made by the District with regards to employees will be based upon policies and practices that further the principles of equal employment opportunity.
2. In accordance with Section 30540(a) of the California Water Code, the Board shall appoint by majority vote a General Manager, whose employment may be secured by an Employment Agreement. In accordance with Sections 30580 and 30581 of the California Water Code, the General Manager shall hire new employees for those positions approved by the Board pursuant to the approved salary resolution.
3. Prior to commencing employment with the District, applicants for safety sensitive field positions will undergo and must pass a pre-employment physical examination, alcohol and drug use screening, and a background investigation. Applicants for office positions are not safety sensitive positions but must pass a background investigation before commencing work with the District. All offers to hire new employees shall be made subject to the condition that the prospective employee successfully passes a physical exam, alcohol and drug screening, (if applicable) and background investigations to the reasonable satisfaction of the District.
4. The District may, in its sole discretion, abolish any position or terminate employment due to lack of work, lack of funds, reorganization, or other legitimate reason or business purpose. The employee holding such a position or employment may be laid off without disciplinary action and without the right of hearing or appeal. Employees to be laid off shall be given at least 14 calendar days' prior written notice.
5. Temporary Employees may be hired by the General Manager. The General Manager shall determine the term of employment, the number of hours to be worked in a day or week, and the compensation the employee will receive.
6. Intern employees may be hired by the General Manager. The General Manager shall determine the term of employment, the number of hours to be worked in a day or week, and the compensation the employee will receive.

C. Introductory Period

1. Newly hired or re-hired Non-Management Full-Time Employees will serve an introductory period of six (6) months. Upon conclusion of the introductory period, the employees' performance will be evaluated. The General Manager may extend an employee's introductory period upon written notice to the employee.
2. Passing the introductory period with a satisfactory evaluation is a requirement for continued employment with the District. An introductory employee is employed At Will and may be terminated from his/her employment with the District at any time during the introductory period without cause or notice or the right to a hearing or appeal.
3. Newly hired employees must satisfactorily pass their introductory period to qualify for floating holidays, certification bonuses or to be eligible for educational or steel toe boot reimbursement.
4. Employees terminated during their introductory period shall not be entitled to nor be paid for accrued sick leave or floating holidays unless otherwise mandated by law. However, introductory employees will accrue vacation and sick leave at the normal rate during the introductory period. Accrued vacation time shall be available for use should their employment continue beyond the introductory period or be paid out upon termination unless a prior arrangement was made during the hiring/recruitment process with the General Manager or his/her designee.
5. If an employee is promoted to a higher-level non-management position, that employee will be required to serve a six (6) month introductory period in the new position. The General Manager shall determine upon completion of the introductory period whether the employee has met the performance expectation in the new position. The General Manager may determine if an employee has not done so and demote that employee to his/her previous position if such position is available, or an equivalent position for which the employee is qualified if such position is available, and such decision and action shall not be considered as discipline under Subsection K, below, and shall not entitle the employee to the right of notice, hearing, or appeal. If an employee is promoted to an Executive/Management position, his/her position shall remain At-Will.
6. A promoted employee will continue to accrue vacation and sick leave and is eligible for floating holidays as provided elsewhere herein as well as eligible to take vacation during said introductory period.
7. Successful completion of the introductory period does not assure an employee of continued employment with the District.

D. Periodic Employee Evaluation

The General Manager and the respective Department Heads shall evaluate the performance of

each employee upon completion of the introductory period. Performance evaluations will be conducted at least annually based on the date of hire, or more frequently at the discretion of the Department Heads or the General Manager

E. Normal Workday

The District office will be open for business Monday through Thursday from 7:30 a.m. to 4:00 p.m. and Friday from 7:00 a.m. to 3:30 p.m., except for holidays as provided elsewhere herein. District field operation business hours are between 7:00 a.m. to 3:30 p.m., Monday through Friday, except for holidays as provided elsewhere herein. The General Manager or Department Heads shall determine the work schedules for employees and may designate alternate workday hours on a temporary basis, or as otherwise determined to be necessary or desirable, when the District operations make such designations desirable.

1. Each office employee will have one-half (1/2) hour off for lunch each day from Monday through Friday, subject to the reasonable scheduling requirements of the District. Each field operation employee will normally have one-half (1/2) hour off for lunch each day, subject to the reasonable scheduling requirements of the District. Employees are not paid for meal breaks.
2. Break periods not exceeding ten (10) minutes, one during each work period of three hours or more (e.g., once in the morning and once in the afternoon), shall be provided to employees. Employees are paid for these breaks.
3. Daily hours of work will be assigned by each employee's Department Head, or the General Manager as required to meet the requirements of that Department.
4. Overtime will be paid as provided in this Manual, as required by applicable law.
5. Attendance is an essential function for all District positions and punctuality is expected at all times. A lack of either is grounds for disciplinary action. If an employee is more than seven (7) minutes late for work, that employee may be required to use accrued vacation time to make up for lost work due to tardiness.

F. On-Call Duty

1. All full-time regular field operation personnel (hereinafter referred to as "field employees") are required to participate in On-Call duty, which is an essential function of the job. It is assigned on a rotating basis by the General Manager or the designated Department Head.
 - a. The designated On-Call employee will be provided with a radio equipped District vehicle and a District cellular phone. The employee assigned this type of On-Call duty will be the first person contacted during non-regular business hours for questions and emergencies related to the distribution system and customer service issues, along with production and treatment system related issues. Accordingly, the On-Call employee on duty must be readily available for contact by telephone and able to respond within 30 minutes to the service call location.

- b. This On-Call employee must also respond promptly to any SCADA alarm by remotely accessing the SCADA system to acknowledge the alarm and assess the issue. If the issue cannot be resolved via remote access, then the On-Call employee must respond to the problem site within one hour thereafter. The On-Call personnel shall perform a water system check remotely via SCADA each evening after a regular workday sometime between 7:00 p.m. and 10:00 p.m. or as directed by his/her supervisor.
 - c. This On-Call employee shall possess at least a Grade 2 Treatment Plant Operator license and a Grade 2 Distribution Operator license issued by the State of California.
 - d. All On-Call duty personnel shall wear a District uniform at all times when conducting District business.
- 2. On-Call duty cycles begin each Wednesday evening at the close of business and end the following Wednesday at the opening of business.
- 3. All On-Call personnel shall be compensated for such work as provided in Section VI(C) of this Manual.

G. Policy Against Substance Abuse in the Workplace

The District recognizes that behavior resulting from the use of alcohol and/or drugs may detrimentally affect the safety and work performance of its workforce, as well as the health and welfare of its employees. In recognition of the District's responsibility to maintain a safe work environment, the District strictly prohibits any form of substance abuse. The term "substance abuse" includes, but is not limited to, the use or possession of illegal drugs, alcohol, or abuse of prescription drugs, which could impair an employee's work performance and/or ability to perform his or her job safely.

- 1. All Employees of the District shall not:
 - a. Be at work or on call, drive a vehicle on District business, or operate any District equipment while under the influence of any amount of alcohol, or illegal or unauthorized drugs, or other mind-altering substances, including, but not limited to marijuana, which would result in a positive alcohol or drug test.
 - b. Ingest alcohol or marijuana, possess open containers of alcohol, possess marijuana unless prescribed for medicinal purposes, or use or possess illegal drugs of any kind while on duty; and shall not manufacture, distribute, dispense, sell or provide illegal drugs of any kind to any person while on duty. If the use by an employee of a prescription drug may create an unsafe working condition which may affect the safety of the employee, co-workers, members of the public, the employee's job performance, or the safe or efficient operation of District business, this fact must be reported by the employee to his/her Department Head prior to reporting to work. Employees whose job performance is so restricted may be subject

to reassignment, medical examination, or other reasonable actions as determined by the General Manager or Department Head. Failure to report the use of such drugs or failure to provide proper evidence of medical authorization may result in disciplinary action.

2. Pre-Placement/Post Offer Controlled Substance Testing

- a. Any offer of employment for safety sensitive field positions will be conditioned upon the applicant passing a drug screening analysis. The General Manager or Office Administrator shall coordinate the drug screening process. Any applicant who refuses to be tested will not be extended an offer of employment. Attempts to alter or substitute the specimen provided will be deemed a refusal to take the drug test when required.

3. Reasonable Suspicion Testing

- a. Field Employees are subject to drug and alcohol testing when there is a reasonable suspicion that the employee has violated the rules set forth herein against drug and alcohol use. Such Reasonable Suspicion Testing shall include any drug and alcohol testing subsequent to any employment related injury requiring medical attention or incident involving damage to any District property.
- b. Field Employees are subject to drug and alcohol testing when they are involved in an accident involving either: 1) the operation of a District vehicle; or 2) physical injury to a District employee or member of the public.
- c. When a field employee has previously been found in violation of this Section V (G), that employee may be required to submit to periodic unannounced drug and alcohol testing as a condition of remaining in or returning to District employment.
- d. Any employee who refuses to submit to a drug or alcohol test immediately when requested by a supervisor or law enforcement personnel will be treated in the same manner as an employee who failed an alcohol or controlled substance test.

H. Smoking

Smoking, including the use of e-cigarettes and vapes, is strictly prohibited at all times while carrying out District work assignments. In accordance with California law, smoking, including the use of e-cigarettes and vapes, is prohibited in and within twenty (20) feet of all District buildings and vehicles.

I. Outside Employment

The District is entitled to the unqualified loyalty of its employees. District employees shall positively represent the District; and the actions of its employees will not conflict with the best

interests of the District. No employee of the District shall therefore be permitted to carry on concurrently with their employment with the District, any private business or undertaking which may detrimentally affect the time or quality of work for the District or create a conflict of interest with the District, unless expressly authorized in writing in advance by the General Manager.

J. Job Injury

1. Injuries suffered by employees while in the course of performing work for the District are covered by the District's workers' compensation insurance provider. All such job injuries, including any situation that results in serious injury or illness or death, must be immediately reported to the employee's Department Head and General Manager, who will promptly complete documentation of the injury and forward it to the Office Administrator who will submit an "Employee's Claim for Compensation Benefits" form (DWC Form 1).
2. Workers' Compensation will be supplemented as follows:
 - a. An employee will receive supplemental District pay for a period of up to three (3) days, as determined by the General Manager, so that said employee will receive equivalent regular pay for the maximum three (3) day period. After the maximum three (3) day period, the employee will be eligible to receive benefits under the District's workers' compensation insurance policy as authorized by the District's workers' compensation provider, should the injury prevent the employee from returning to work for more than three (3) days.
 - b. The General Manager, at his/her sole discretion, may grant supplemental District pay for longer periods of time than provided above.
 - c. Employees may elect to use either accrued sick leave or vacation to supplement workers' compensation benefits in order to receive an equivalent regular paycheck, once the District payments, as provided for in Subsections "a" and/or "b" herein, have been exhausted. Said sick leave or vacation will be used in half (1/2) hour increments.
 - d. The District will attempt to accommodate an employee's return to work after suffering a work-related injury on a case-by-case basis depending on the circumstances of the injury, the District's reasonable needs and, if applicable, availability of light duty work. The General Manager shall make such determination in his or her sole discretion.

K. Disciplinary Action

1. The District may discipline, up to and including termination, any employee for cause at any time, provided that all District employees are At-Will and subject to termination at any time. Disciplinary action for non-at-will employees includes, but is not limited, to, the following:

- a. Oral Warning. A formal discussion with an employee, usually by the employee's Supervisor or Department Head, about performance or conduct problems, the need for the employee to improve and what improvement is expected. The Supervisor or Department Head shall make a written record of the warning which shall be placed and maintained in the employee's personnel file as an "oral warning."
 - b. Written Reprimand. A formal written notice, usually by the employee's immediate Department Head or General Manager, to the employee regarding performance or conduct problems, the need for the employee to improve and what improvement is expected. The written reprimand shall be filed in the employee's personnel file, along with a signed acknowledgment of receipt of the written reprimand from the employee. The employee may respond in writing to the written reprimand within seven (7) days, which response, if any, shall be placed in the personnel file with the written reprimand.
 - c. Suspension. An involuntary leave of absence without pay subject to the provisions in sections J-2 and J-3 below.
 - d. Demotion. Reduction from one position to another having a lower salary range for disciplinary purposes (Demotions resulting from organizational changes and layoffs are not disciplinary actions.)
 - e. Discharge. Termination of employment.
2. Suspensions of Three (3) Days or Less.
- a. The General Manager has discretion to suspend any employee for a period of three (3) days or less, and the suspended employee shall have no right of appeal. In such cases, a written notice will be given to and discussed with the employee. A copy of such notice will be placed in the employee's personnel file, along with a signed acknowledgement of receipt thereof by the employee. The notice shall include the specific charges upon which the action is based, identification of the rule, regulation, or policy violated, and the duration of the suspension. The employee may respond in writing to such notice within seven (7) days, which response, if any, shall be placed in the personnel file with the notice of suspension.
3. Suspensions of More than Three (3) Days, Demotion, or Discharge.
- a. Prior to suspending an employee for more than three (3) days, demoting, or discharging an employee, a written notice of such proposed disciplinary action shall be delivered to the employee personally, or by certified mail to the employee's last known address, at least five (5) business days prior to the effective date of the proposed disciplinary action. Such written notice shall contain:
 - i. A description of the proposed disciplinary action and its effective

date(s);

- ii. a statement of the reasons for such proposed disciplinary action, including the acts or omissions on which the proposed disciplinary action is based;
 - iii. copies of documents upon which the proposed disciplinary action is based, if any;
 - iv. a statement of the employee's right to respond, either orally or in writing, prior to the effective date of such proposed action;
 - v. a statement of the employee's right to representation; and
 - vi. a statement of the employee's right to appeal should such proposed disciplinary action become final.
- b. Prior to the effective date of such suspension, demotion, or discharge, an employee will be given an opportunity to respond either orally or in writing, at the employee's option, to his or her Department Head or Office Administrator.
 - c. If an employee responds to a notice of proposed disciplinary action, the proposed disciplinary action shall be stayed for two (2) business days, at which time the employee shall receive written notice either sustaining, modifying, or canceling the proposed disciplinary action.
 - d. Should a proposed suspension, demotion, or discharge become final, an employee shall have the right to appeal such action pursuant to Section V(K)(4), below.
 - e. An employee shall be given reasonable time off without loss of pay to attend a pre-disciplinary meeting and/or interview pursuant to Section V(K)(4), below.

4. Disciplinary Appeals

- a. A suspension of more than three (3) days, demotion, or discharge may be appealed to the District's designated Office Administrator. The appeal shall be presented to the Office Administrator within five (5) calendar days following the employee's receipt of the written notice of such discipline under this Section or Section V(K)(3)(a) should the employee respond to the proposed disciplinary action pursuant to Section V(K)(3)(b). All disciplinary appeals shall be in writing and shall be signed by the employee. If, within the five (5) calendar day appeal period, the employee does not file said appeal, the action of the District shall be considered final and conclusive.
- b. If the employee timely files an appeal, the Office Administrator shall initiate an investigation on the suspension, demotion or discharge that the Office Administrator deems appropriate in his or her sole discretion, grant

the employee the opportunity to be heard by the Office Administrator and to submit any documentary evidence the employee desires to have reviewed during the appeal.

- c. The Office Administrator shall render a decision sustaining, reducing or rescinding an appealed disciplinary action. If an action to suspend or demote is reduced or rescinded, the appellant shall be entitled to restoration of pay and/or benefits in a manner consistent with the Office Administrator's decision. If an action to discharge is reduced to a suspension, the appellant shall be restored to his or her position or a similar position in the same department, subject to forfeiture of pay and benefits for all or a portion of the period of time the appellant was suspended. If an action to discharge is rescinded, the appellant shall be reinstated to his or her former position or a similar position in the same department and shall receive pay and benefits for the entire period of time he or she was removed from duty.
- d. The decision of the Office Administrator is subject to appeal by the terminated employee to the General Manager. The General Manager will not conduct a hearing or a new investigation. The General Manager will review the record on appeal and, within forty-five calendar days following the Office Administrator's decision, will render a decision based thereon, sustaining, overturning, or modifying the Office Administrator's decision. The decision of the General Manager is final.

L. Standards of Conduct

Disciplinary actions are imposed primarily for corrective purposes and to address deficiencies in work performance. The following is a nonexclusive list of the common acts that lead to disciplinary action:

- 1. Actions contrary to the rules and regulations of the District, including those contained in this Manual.
- 2. Violation of any Federal, State, or local law directly impacting the employee's fitness for employment.
- 3. Using, possessing, dealing, distributing, or being under the influence of alcohol or marijuana, illegal narcotics, non-prescription or unlawful drugs, or other mind-altering substances, or the use of prescription drugs that may affect the safety of the employee or others, while on duty or at work locations, while on-call, or reporting to work or operating District vehicles or equipment.
- 4. Failure or refusal to comply with a lawful order or to accept a reasonable and proper assignment from an authorized Supervisor, Department Head or General Manager.
- 5. Inefficiency, dishonesty, incompetence, carelessness, or negligence in the performance of duties.

6. Sexual harassment or other unlawful harassment of another employee, customer or any other individual.
7. Chronic or excessive absenteeism, whether excused or unexcused, or inconsistent attendance.
8. Rude or discourteous treatment of other employees, customers or any other individual.
9. Inattention to duty, tardiness, carelessness or negligence in the care and handling of District property.
10. Loss or misuse of District funds.
11. Improper or unauthorized use of District vehicles or equipment or misappropriation of supplies.
12. Misuse of sick leave, including using sick leave under false pretenses.
13. Furnishing false information to obtain employment, or falsification of time sheets or other District records and reports.
14. Absence from duty without proper authorization, failure to report after leave of absence has ended or been disapproved, revoked, or canceled.
15. Acceptance of any bribe, gratuity, kickback, or other item of value when such is given in the hope or expectation of receiving preferential treatment.
16. Outside work not previously authorized in writing by the General Manager or such work that creates a conflict of interest with District work or detracts from the efficiency of the employee in the effective performance of District functions.
17. Failure to obtain or maintain necessary qualification, certificate, or license, which is required as a condition of employment.
18. A record of unsafe driving for those employees required to operate District vehicles, as determined by the General Manager in his or her discretion.
19. Refusal to submit to drug and alcohol tests when directed to do so by the General Manager, Department Heads or Supervisor pursuant to Section V(G) of this Manual.
20. Testing positive for the presence of a controlled substance or alcohol pursuant to Section V(G) of this Manual.
21. Failure to immediately report an accident or injury to the Supervisor, Department Head or General Manager.
22. Failure to immediately report breakdowns, improper or unsafe operation of equipment or facilities.

23. Working overtime without proper authorization.
24. Failure to use or wear proper safety gear, equipment and/or PPE.
25. Violation of any safety practices, including, but not limited to, wearing earbuds during field work operations and/or driving a District vehicle.

M. Injury and Illness Prevention Program (IIPP)

An injury and illness prevention program is a proactive process to help employers find and fix workplace hazards before workers are hurt. The purpose of this program is to prevent illnesses, injuries and fatalities in the workplace. A copy of the District's current Illness and Injury Prevention Program may be obtained from the Office Administrator.

N. Lactation

In compliance with Labor Code Section 1031, the District will provide any employee with a lactation room that is shielded from view, as well as access to a sink and refrigerator in close proximity to the employee's workspace. The District will provide additional break time to an employee to express milk as required under Labor Code Sections 1031 and 1033. Any employee shall have the right to request lactation accommodation by submitting the request for such accommodation in writing to the Office Administrator. The request should be submitted at least thirty (30) days prior to the date when the accommodation will be required and must include an estimate of the length of time for which the accommodation is required. The request shall also include any facilities the employee will need in connection with the lactation accommodation in order to facilitate the employee's expressing and storage of milk. The District will respond to any request for lactation accommodation within ten (10) days of receipt of the request, stating how the District will accommodate the request. An employee has the right to file a complaint with the California Labor Commissioner if the District violates the employee's right to such lactation accommodation.

O. Dress Code and Safety Equipment

1. The District will provide all full-time field employees with District uniforms to be worn while on duty. The District will also provide all field employees with necessary District owned safety equipment (e.g., safety vests, hard hats, etc.), which will be properly cared for by the employee.
2. Field employees shall be granted an allowance of up to \$350 per year for the purchase of steel toe boots. Employees must submit itemized receipts to the Office Administrator in order to receive reimbursement for said allowance.
3. All employees shall present a clean and neat appearance at all times; provided this provision shall not prohibit any hairstyle historically associated with race, including, but not limited to, hair texture and protective hairstyles, such as braids, locks and twists.

4. Office personnel will dress in a manner consistent with good business practices.
5. No employee shall have visible tattoos on the head, face, or neck. Any visible tattoos cannot be obscene, sexually explicit, discriminatory as to sex, race, religion, national origin, or be extremist in nature or gang related. Any tattoos in violation of this Section must be covered with clothing or a bandage while at work or must be removed.

P. Electronic Communications

The District uses various forms of electronic communications including, but not limited to, communications via computers, email, telephones, mobile phones, smart phones, text messaging, internet, and radios. All such electronic communications are official District's records and are the property of the District. The District reserves the right to access and disclose all messages transmitted through its system or equipment for any purpose. Employees should not, and do not have an expectation of privacy when it comes to their use of any District owned electronic communication devices. Communications transmitted over said forms of electronic communications should be limited to District business and District related activities or the accomplishment of business-related tasks.

Q. Cell Phone Usage

The use of cellular phones when operating an automobile or any motorized vehicle while conducting District business is prohibited, with the exception of the use of an integrated hands-free vehicle phone system for phone calls only (i.e., text messaging and Bluetooth headsets/earpieces do not fall within this exception).

R. Anti-Fraud

1. The District and its employees must, at all times, comply with all applicable laws and regulations. Employees uncertain about the application or interpretation of any legal requirements should refer the matter to their Department Head or General Manager.
2. The District expects its employees to conduct themselves in a businesslike manner and perform duties conscientiously, honestly, and in accordance with the best interests of the organization. Employees are expected to take great care when working with District's suppliers or contractual contacts and members. Employees should respect the confidentiality of information acquired in the course of their work. Regardless of circumstances, if an employee senses that a course of action may involve a conflict of interest, fraud and/or dishonesty, they should immediately communicate all facts to the General Manager, Department Head or Supervisor.

S. Termination and Resignation

1. Upon termination or resignation of employment with the District, the employee shall be offered an exit interview. The exit interview will include a discussion of any and all applicable benefits, including accrued sick leave, accrued vacation,

the District's retirement plan, health insurance, life insurance and disability insurance. The employee is also required to immediately return all District property, i.e., keys, credit cards, identification tag, uniforms, cell phone, laptop, tablets and/or any District embroidered shirts and caps.

2. Employees, including employees released during their initial introductory period or dismissed for disciplinary reasons, will receive their final paycheck within 72 hours of the employee's last day of work or, with the employee's consent, on the next scheduled payroll processing. The final paycheck will include payment for all earned salary due and not previously paid, and any accrued but unused leave balances which are subject to pay. Unused sick leave shall be paid out only to those employees who retire from the District or qualify as specified in Section VII(B) below.

VI. *COMPENSATION*

A. Employee Compensation

1. The Board of Directors shall have the exclusive authority to determine the General Manager's salary. The Board shall approve changes to the organization of District staff as recommended by the General Manager. The Board shall also determine the salary ranges and hourly pay ranges for positions of the District. The General Manager shall have authority to determine the salaries or hourly pay rates of the employees of the District within the approved salary range for each position.
2. Hourly rate of pay for Exempt/Executive Employees will be calculated by taking the employee's monthly pay rate and multiplying said rate by 12, then dividing by 2,080. All other employees' hourly pay rates shall be established upon date of hire and adjusted thereafter in accordance with Section V(C), VI(A) and Section VI(E).
3. Pay periods for all full-time employees will be bi-monthly with pay periods ending on the fifteenth and the last day of the month.
4. Pay periods for part-time employees and District Director's will be bi-monthly ending on the day prior to the day payroll is performed, as they are paid for actual time worked at the time payroll is processed.
5. Paychecks for all Employees, and for District Directors will be paid via direct deposit.
6. Pay earned during each pay period shall be paid to the employee within 2 working days of the end of each period.
7. The Board shall annually consider the cost of living in salary and wages of employees based upon recommendation by the General Manager.
8. Adjustments in salary and wages of employees based upon performance will be considered in conjunction with an employee performance review. The General

Manager shall have authority to adjust an employee's salary and wages within the approved salary range of each position at his/her discretion.

B. Overtime Pay

1. All "Non-Exempt Employees" are eligible for overtime pay. All overtime hours worked must be approved by a Department Head or General Manager.
2. Overtime pay is defined as that time spent on the job over eight (8) hours in one (1) normal workday or any time spent on the job on holidays, Saturdays, or Sundays.
3. The rate paid for overtime pay is the regular hourly rate times one and one-half ($1\frac{1}{2}$ or 1.5) for each hour of overtime worked beyond eight (8) hours in one day and two times the regular hourly rate for each hour of overtime worked beyond twelve (12) hours in one day. A 24-hour workday begins at 12:00 a.m. and concludes at 11:59 p.m.

C. On-Call Pay

1. Regular Workdays: Each employee of the District who is on On-Call will receive one and a half (1.5) hours of overtime pay for each weekday that the employee is performing On-Call duties. One half ($\frac{1}{2}$) hour of this time is to be recorded on his/her electronic timesheet as Distribution On-Call for the District, one-half ($\frac{1}{2}$) hour of this time is to be recorded as Distribution On-Call for Industry Public Utilities ("IPU") and one-half ($\frac{1}{2}$) hour as BPOU Treatment On-Call for the BPOU treatment plant.
2. SCADA Alarms: Time spent by the On-Call employee to address a SCADA alarm or to perform a system check remotely via SCADA or other electronic device, will be paid overtime pay of a minimum of a quarter-hour ($\frac{1}{4}$), or actual time worked, whichever is greater. The On-Call personnel shall perform a water system check remotely via SCADA twice a day each weekend day once between 2:00 and 4:00 p.m. and once between 7:00 p.m. and 10:00 p.m., or as directed by his/her supervisor.
3. Weekends: An employee will receive two (2) hours of overtime pay for each weekend day that the employee is performing On-Call duties. Three quarter ($\frac{3}{4}$) hour of this time shall be recorded on his/her electronic timesheet as On-Call for the District, three quarter ($\frac{3}{4}$) hour as On-Call for IPU and one-half ($\frac{1}{2}$) hour as BPOU Treatment On-Call for the BPOU treatment plant. Each three quarter ($\frac{3}{4}$) hour recorded for LPVCWD and IPU is compensation for providing Distribution, Customer Service and Production On-Call for each entity. The On-Call Personnel shall also perform on-site BPOU water treatment facility rounds, which are estimated to take no more than two (2) hours unless operational issues arise. Rounds shall begin at 8:00 a.m. and be completed by 12:00 p.m. on weekend days, or as directed by his/her supervisor.
4. Holidays: An On-Call employee will receive three (3) hours of overtime pay for

each District holiday, excluding floating holidays during which the employee is On-Call. For the employee performing On-Call duties One (1) hour of this time is to be recorded on his/her electronic timesheet as Distribution On-Call for the District, one (1) hour of this time is to be recorded as Distribution On-Call for IPU and one (1) hour as BPOU Treatment On-Call for the BPOU treatment plant. Time spent by an employee to address a SCADA alarm or to perform a system check remotely via SCADA will be paid overtime of a minimum of a quarter ($\frac{1}{4}$) hour, or actual time worked, whichever is greater. The On-Call personnel shall perform a water system check remotely via SCADA twice a day each weekend day once between 2:00 and 4:00 p.m. and once between 7:00 p.m. and 10:00 p.m., or as directed by his/her supervisor. The On-Call Personnel shall also perform on-site BPOU water treatment facility rounds, which are estimated to take no more than two (2) hours unless operational issues arise. Rounds shall begin at 8:00 a.m. and be completed by 12:00 p.m. on holidays, or as directed by his/her supervisor.

5. Call Outs: If the employee is required to physically respond to an after-hours emergency, service call, or facility alarm, the employee will receive overtime pay for a minimum of two (2) hours, or, for actual time worked, whichever is greater. This shall apply to each call out, provided the next call out occurs at least 2 hours after the initial call out. If the On-Call employee receives an additional call within the first two-hour call out period, the employee shall then be eligible for regular overtime compensation.

D. Timekeeping

Each employee is required to keep an accurate record of their time through the use of an online time tracking system designated by the District. It is each employee's responsibility to maintain the online time tracking system on a daily basis.

E. Certification Bonus

When an employee, other than Executive/Management Employees, obtains work related certifications or licenses above the required certification or licenses for their position, the employee will receive an annual bonus for each certification above the required level for their respective position. Qualifying certification or licenses for this bonus program are shown below, along with their respective annual bonus amounts:

- Water Distribution Operator (WDO) certificates issued by the California Water Resources Control Board:
 - WDO I – \$400.00
 - WDO II - \$600.00
 - WDO III - \$800.00
 - WDO IV - \$1,000.00
 - WDO V - \$1,200.00
- Water Treatment Operator (WTO) certificate issued by the California Water

Resources Control Board:

- WTO I - \$ 400.00
- WTO II - \$600.00
- WTO III - \$800.00
- WTO IV - \$1,000.00
- WTO V - \$1,200.00
- American Water Works Association Water Use Efficiency Practitioner Certification \$600.00
- American Water Works Association Cross Control Specialist Certification - \$800.00

The payment of the bonus for the aforementioned certifications will occur annually on the anniversary date of the issuance of the certificate. If the employee loses or no longer otherwise qualifies for a certification for any reason, the annual bonus for the certification will immediately cease. It is the employee's responsibility to request the bonus at the appropriate time and provide the supporting certificate.

F. Certification and Educational Reimbursement

1. Upon successfully passing the tests and certifications listed in Section VI(D), above, the District will reimburse the employee for the cost of the test and certification, as well as certification renewal (minus any late fees, as it is the responsibility of the District employee to seek timely payment of fees).
2. With prior written approval from the General Manager, employees may be entitled to reimbursement of actual expenses for tuition, books and supplies incurred in conjunction with courses that are directly related to improving the employee's job skills or knowledge with respect to his or her current position, as determined by the General Manager in his or her sole discretion, provided the employee receives a passing grade of at least a "C" or "C-" for the course. Expenses for certification and education are limited to a maximum of \$3,000.00 per employee per calendar year.

G. Reimbursement for District Related Business

Use of personal automobiles by employees for District business shall be reimbursed for miles driven at the current standard mileage rate allowed by the Internal Revenue Service.

VII. BENEFITS

A. Vacation

1. Each Full-Time Regular Employee of the District shall receive paid vacation time in addition to salary. Said vacation will be accrued and credited to the employee's vacation account, on a monthly basis, as follows:

- a. During the first year of employment through the fifth anniversary of the employee's hired date, the employee shall accrue 6.67 hours per month of vacation (equivalent to ten (10) days of vacation per year), up to a maximum of 320 hours of unused vacation time.
 - b. During the sixth year of employment through the tenth anniversary of the employee's hired date, the employee shall accrue 10 hours per month of vacation (equivalent to fifteen (15) days of vacation per year), up to a maximum of 320 hours of unused vacation time.
 - c. After the tenth anniversary of the employee's hired date, the employee shall accrue 13.33 hours per month of vacation (equivalent to twenty (20) days of vacation per year) up to a maximum of 320 hours of unused vacation time.
2. An employee may utilize accrued vacation time as arranged by the employee and his or her Department Head or General Manager at least 48 hours in advance of commencement of the vacation. Preferred vacation times are not guaranteed, but the employee's Department Head or General Manager shall attempt to grant the employee's request. Once approved, scheduled vacations may not be changed unless authorized by a Department Head or General Manager.
3. Accrual vacation time is limited to a maximum of 320 hours for each employee and vacation time will cease accruing when that limit is reached, until such time as vacation time is used and the accrued total is reduced below 320 hours. Employees may elect, during any regularly scheduled payroll, to be paid for any vacation that they have accrued up to 80 hours, as long as the hours that are requested to be paid do not result in the employee's unused vacation time balance to drop below 40 hours. Vacation time will be paid at the employee's rate of pay in effect at the time payment is made.
4. In the event a District recognized holiday, as set forth in Section VII(C), below, falls within a scheduled vacation, such holiday shall not be charged against an employee's accrued vacation time.

B. Sick Leave

1. Full Time Regular Employees
 - a. Sick leave with pay shall be granted to each Full-Time Regular Employee of the District at the rate of three and one-third (3.33) hours for each pay period of services completed. Sick leave is not a privilege to be used at the employee's discretion. Sick leave may be used for preventive care or for care of an existing health condition of the employee or an employee's family member, or for specified purposes when an employee is a victim of domestic violence, sexual assault, or stalking, including: (i) to allow the employee to obtain or attempt to obtain a temporary restraining order or other court assistance to help ensure the health, safety or welfare of the employee or his or her child; or (ii) to obtain medical attention or

psychological counseling services from a shelter, program or crisis center; or (iii) to participate in safety planning or other actions to increase safety, with appropriate certification of the need for such services. A family member includes the employee's parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, and sibling. In order to request sick leave, the employee must notify the District in advance whenever the need is foreseeable, or within one (1) hour prior to the time set for beginning the employee's daily duties. If the request is sudden or otherwise unforeseeable, the employee must provide notice to the employee's Department Head or the General Manager as soon as possible. When sick leave absence is for more than three (3) working days, the employee may be required to file with the District a physician's release or other evidence satisfactory to the District, stating the cause or reason for absence. If an employee is absent five (5) (or more) consecutive working days, a doctor's release may be required in order for the employee to return to work. The doctor's release must state that the employee is sufficiently recovered to perform the duties of the position without restriction or limitation, or the employee may not be permitted to return to work.

- b. Any Full Time Regular Employee who, on the first of December of any calendar year, has an unused sick leave balance of at least 400 hours (50 days) will be paid for sick leave that is in excess of 400 hours. The payment will be calculated at one-half (1/2) of the employee's current rate of pay for hours in excess of 400 hours, which payment will be made during the first pay period in December of the same year. Payments shall be made to ensure that as of the first pay period of December of any calendar year there shall be no employee that has a balance of unused sick leave in excess of 400 hours.
- c. If an employee is terminated by the District or resigns with less than five (5) years of service, then the employee shall not be entitled to receive payment for any unused sick leave balance that the employee may have at the time of termination regardless of the amount of unused sick leave. If an employee resigns from the District with five (5) or more years of service to the District the employee will be paid for unused sick leave at fifty percent (50%) of the employee's current rate of pay. If an employee is terminated by the District, the said employee will not be eligible for payment of any unused sick leave. At no time will any such employee, subject to the provisions of this paragraph, be paid for any unused sick leave in excess of four hundred (400) hours.
- d. Any employee who retires with either service or disability retirement will be paid for any unused sick leave at one-half (1/2) of the employee's then current rate of pay.
- e. In case of an employee's death, the Board of Directors, in its sole discretion, may authorize the payment for any unused sick leave to that employee's spouse or family.

2. Part-Time Regular Employees

- a. Effective as of July 1, 2015, sick leave with pay shall be granted to each Part-Time Regular Employee of the District at the rate of 2 minutes of sick time per hour worked but will be granted a minimum of three (3) days of paid sick leave per calendar year. New Part Time Regular Employees must complete ninety (90) days of employment with the District before being eligible to use any accrued sick leave. Sick leave is not a privilege to be used at the employee's discretion. Sick leave may be used for preventive care or for care of an existing health condition of the employee or an employee's family member, or for specified purposes when an employee is a victim of domestic violence, sexual assault, or stalking, including: (i) to allow the employee to obtain or attempt to obtain a temporary restraining order or other court assistance to help ensure the health, safety or welfare of the employee or his or her child; or (ii) to obtain medical attention or psychological counseling services from a shelter, program or crisis center; or (iii) to participate in safety planning or other actions to increase safety, with appropriate certification of the need for such services.. A family member includes the employee's parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, and sibling.
- b. Any Part-Time Regular Employee who, on the first of December of any calendar year, has an unused sick leave balance in excess of 48 hours, will be paid for any such excess sick leave at the rate of one-half (1/2) of the employee's current hourly rate. Payment will be made during the first pay period in December of the same year. Payments shall be made to ensure that as of the first pay period of December of any calendar year there shall be no part-time regular employee that has a balance of unused sick leave in excess of 48 hours.
- c. Sections VII.B(1)(c), VII.B(1)(d), and VII.B(1)(e), above, regarding sick leave that apply to Full Time Regular Employees shall also apply to Part Time Regular Employees.

C. Holidays

1. All Full-Time Regular Employees will receive the following days off from work as paid holidays per Calendar Year:
 - New Year's Day - January 1st
 - Martin Luther King Day - Third Monday in January
 - Presidents' Day - Third Monday in February
 - Cesar Chavez Day – March 31st
 - Memorial Day - Last Monday in May
 - Juneteenth – June 19th
 - Independence Day - July 4th

- Labor Day - First Monday in September
 - Veteran's Day - November 11th
 - Thanksgiving Day – Fourth Thursday in November
 - Thanksgiving Holiday – Day After Thanksgiving Day
 - Christmas Day - December 25th
2. If a holiday falls on a Saturday, the immediately preceding Friday will be deemed the District holiday. If a holiday falls on a Sunday, the immediately following Monday will be deemed the District holiday, unless otherwise decided by management.
 3. In addition to the District recognized holidays, each Full-Time Regular Employee of the District shall be entitled to two (2) additional days off per calendar year, to be known as a “floating holidays,” which may be utilized on any regularly scheduled District workday with the prior approval of the General Manager or appropriate Department Head. A “floating holiday” must be used in eight (8) hour increments. These “floating holidays” must be used in the calendar year. If not used within the calendar year, the unused day(s) will be paid to the employee at the close of the final pay period of the year, at the employee’s then current hourly rate.
 4. Any Full-Time Regular Employee required to work on a holiday may be entitled to compensation pursuant to this Section VII(C). In order for an employee to receive a paid holiday, the employee must work on the regular workday before and the regular workday after the holiday or utilize vacation time on those days. If an employee takes either or both of those days off as sick leave, the employee may not receive a paid holiday unless and until the employee has provided his or her Department Head or General Manager a letter from a doctor or other medical professional substantiating the employee’s absence as a permissible use of sick leave.

D. Leave of Absence - Non-CFRA or Non-PDL Eligible

Upon submission of a written request, and written approval by the General Manager, an employee may be granted a non-CFRA or non-PDL eligible leave of absence without pay. No employee benefits will be paid by the District, or accrued, during the absence, other than those mandated by law. If the employee wishes to continue to receive insurance coverage(s) while on leave of absence, the employee may elect to pay the District the cost of insurance coverage(s) in order to continue protection.

E. Compassionate Leave

Whenever any Full-Time Regular Employee is absent from work due to a death in the employee's immediate family or the employee's spouse's immediate family, the General Manager is authorized to grant up to a maximum of three (3) working days compassionate leave with pay. Compassionate leave with pay will not affect any employee benefits. Immediate

family for the purpose of compassionate leave is defined as a mother, father, wife, husband, natural or adopted child, brother, sister, grandparent, grandchild, domestic partner, similar in-laws or step relatives.

F. Leave Related to Military Service

Any leave taken as a result of military service must be supported by a certification of its necessity from the United States government. A leave taken due to the need to care for a service member shall be supported by a certification by the service member's health care provider.

G. HIPPA

The Health Insurance Portability and Accountability Act was enacted in 1996 and is overseen by the U.S. Department of Health and Human Services. HIPPA regulations are enforced by the Office of Civil Rights and prevent the release, disclosure or use of an individual's health information without written permission. However, there are instances when certain health information can be disclosed to what is referred to as "covered entities" without permission. A copy of the current HIPPA notice may be obtained from the Office Administrator.

H. COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) was enacted to protect employees and their eligible family members by allowing them to continue group health insurance under the employer's plan at affordable group rates. Employees are notified at hiring of their rights under this law, and it is the employee's responsibility to notify the District's Office Administrator of any qualifying event believed to enable COBRA coverage within 60 days of such event. Cal-COBRA is California law that has similar provisions to federal COBRA. With Cal-COBRA the group policy must be in force with 2-19 employees covered on at least 50 percent of the employer's working days during the preceding calendar year, or the preceding calendar quarter, if the employer was not in business during any part of the preceding calendar year. A copy of the current COBRA requirements may be obtained from the Office Administrator.

I. Jury Duty

1. District employees summoned by a local or State tribunal will be permitted time off from work for jury duty. The affidavit or Jury Summons requiring jury service must be presented by the employee to the Office Administrator prior to the date that the employee must attend jury duty.
2. For Full-Time Regular Employees, the District will pay for a maximum of up to ten (10) working days of jury service every calendar year at the employee's regular rate of pay. In order to qualify for paid jury leave, the employee must provide proof of attendance at jury duty and pay to the District any amount of money the Court paid to the employee, minus any amount paid for travel mileage.
3. All Full-Time Regular Employees that are required to serve on a jury for more than 10 days will continue to receive other District employment benefits while serving on the jury, but will not receive regular pay beyond the 10 days as set

forth under Section VII.I.2, above.

J. Time off to Vote

The General Manager will allow employees time off from work with pay for no more than two (2) hours or as otherwise provided by state and/or federal law for the purposes of voting at any Federal, Statewide or Local Government election. Such time off will be granted during times that are least disruptive to District operations, as designated at the discretion of the General Manager or the appropriate Department Head.

K. Health, Dental, and Vision Insurance

1. All Full-Time Regular Employees of the District, and all elected or appointed members of the District's Board of Directors, shall be eligible for health, dental, and vision insurance coverage upon meeting the required waiting period for each such coverage. For said Full-Time Regular Employees and Directors, the District shall pay for 100% of the cost of health, dental, and vision insurance coverage for the employee or Director, the employee's or Director's spouse, and the employee's or Director's dependent(s) in accordance with the group plan provided by the District.
2. A copy of the current health, dental, and vision insurance plans may be obtained from the Office Administrator. District paid health, dental, and vision insurance is a benefit that is subject to the discretion of the Board of Directors, and the plan(s) or coverage may be changed or eliminated without notice.

L. Life Insurance

1. Upon meeting the required waiting period, the District provides a life insurance benefit for the employee and such a lesser amount for family members of the employee as provided by the District's policy.
2. Upon a Director's sworn Oath of Office and upon meeting the required waiting period, life insurance shall be available to the Director and such lesser amount for the Director's spouse as provided by the District's life insurance plan.
3. A copy of the current life insurance plan may be obtained from the Office Administrator. The Board of Directors reserves the right to amend said life insurance benefits in its sole discretion at any time.

M. Disability Insurance

The District provides Full-Time Regular Employees Short-term Disability (STD) and Long-term Disability (LTD) insurance at no cost to the employee upon meeting the required waiting period. More information regarding said disability plans are available for inspection at the District office during regular business hours.

N. Retirement Benefits and Deferred Compensation Plan

1. The District participates in the California Public Employees Retirement System (CalPERS) for Full-Time Regular and eligible Part-Time Regular Employees.
 - a. For Full-Time Regular Employees hired prior to January 1, 2013, the District currently pays 100% of the contributions (both employer and employee contributions required under the plan). The District's contract with CalPERS provides employees with a 2% at age 60-retirement benefit.
 - b. For Full-Time Regular Employees hired after January 1, 2013, the District's contract with CalPERS provides employees with a 2% at age 62 benefit formula with an early retirement age of 52 and a maximum benefit factor of 2.5% at age 67. Said Full-Time Regular Employees hired after January 1, 2013, shall pay 50% of the total normal cost of their pension benefit. A Full-Time Regular Employee hired after January 1, 2013, that established a CalPERS membership at his or her previous employer within six months prior to beginning employment at the District, will qualify for the 2% at 60 formula as provided to Full-Time Regular Employees hired before January 1, 2013, as set forth in Section VII(N)(1)(a).
 - c. A Part-Time Regular Employee who works over 1,000 hours within a fiscal year, July 1st – June 30th, is entitled to retirement benefits with CalPERS. Said benefit shall be effective upon the first day of the first pay period of the following month after which the Part-Time Regular Employee completes 1,000 hours of employment with the District or when it has been predetermined that said employee will be scheduled to work over the 1000-hour limit for part-time employees. For Part-Time Regular Employees hired after January 1, 2013, that are eligible for CalPERS as set forth herein, the benefit is the same as for full-time regular employees as set forth in Section VII(N)(b), above.
 - d. The District's retirement benefits plan may be obtained from the Office Administrator for inspection at the District office during regular business hours.
2. The District also offers an employee funded Deferred Compensation Plan for all employees. Said plan may be obtained from the Office Administrator for inspection at the District office during regular business hours.
3. The Board of Directors reserves the right to amend the retirement benefits and deferred compensation plans at any time.

O. Retiree Health, Dental and Vision Benefits

1. The following individuals shall qualify for post-retirement medical, dental and vision insurance benefits:
 - a. Retired Directors elected to office prior to January 1, 1995, who served

on the Board of Directors for at least twelve (12) years prior to retirement, pursuant to Government Code Section 53201;

- b. Full-Time Regular Employees that were employed by the District prior to November 1, 2011, who, at the time of retirement, had been continuously employed by the District for a minimum period of ten (10) years and have attained a minimum age of fifty (50) years; and
 - c. Full-Time Regular Employees employed by the District after November 1, 2011, who, at the time of retirement, had been continuously employed by the District for a minimum continuous period of twenty (20) years and have attained a minimum age of fifty-five (55) years.
2. The District provides medical, dental and vision insurance benefits for the spouses of eligible retired Directors and Employees (hereinafter referred to as the "Retiree") as follows:
- a. For the spouse of Retirees under Sections VII(O)(1)(a) and VII(O)(1)(b), above, such benefits will be provided for the remainder of the spouse's life, provided the spouse is married to the Retiree at the time of his or her retirement from the District and enrolled in the health coverage(s). Benefits shall be provided to the spouse as long as said spouse remains married to the Retiree until the Retiree's death. Should the spouse remarry or disenroll from the health coverage(s) thereafter, such benefits shall permanently cease.
 - b. For the spouse of a Retiree under Section VII(O)(1)(c), above, the District shall make available, at the Retiree's expense, medical insurance benefits for the spouse of the Retiree, provided the spouse is married to the Retiree at the time of his or her retirement from the District and enrolled in the health coverage(s). Benefits shall be provided to the spouse as long as said spouse remains married to the Retiree until the Retiree's death. Should the spouse remarry or disenroll from the health coverage(s) thereafter, such benefits shall permanently cease. Any payments for coverage not provided to the District on the premium due date set forth by the insurance provider is subject to cancellation.
3. The District shall make available to Retirees under Section VII(O)(1), above, medical insurance benefits for the children of Retirees at the Retiree's expense, provided that said child(ren) are enrolled in the health coverage(s) at the time of the Retiree's retirement. The eligibility of coverage for such children shall be determined by the insurance provider. If payment for said coverage is not provided to the District on the due date set forth by the insurance provider, said coverage is subject to cancellation.
4. The term "retirement", as used in this section, shall include resignation, death, or termination due to disability, of an employee who otherwise meets the qualifications for post-retirement benefits.

5. Retirees are eligible for Open Enrollment each year.
6. The Board of Directors reserves the right and retains sole discretion to substitute other comparable major medical, vision and dental coverage for the coverage then provided under this Section VII(O).

P. Use of Vehicles

1. Employees who are required to operate a District or personal vehicle to conduct District business, must possess a valid California Driver's License issued by the California Department of Motor Vehicles. These employees must, at all times, observe and abide by all state and local traffic laws. Any employee operating a District or personal vehicle, who has his or her driver's license suspended or revoked or is refused insurance coverage by the District's insurance carrier, is subject to having his or her employment terminated by the District.
2. The District has established and maintains a Driving Record Review Program. As part of this program, it has enrolled in the Department of Motor Vehicles (DMV) Employer Pull Notice Program, a free service for the District that provides driver record reports on all employees (full-time and part time).
3. District vehicles are to be garaged at the District's Hudson Avenue warehouse when not in use. These vehicles are NOT to be used for personal business or transportation of family members or friends. The General Manager may grant a temporary exception to such prohibition when the circumstances warrant. The following District employees shall be issued District vehicles for transportation to and from work as well as for other District Business:
 - On-Call employee(s), while on-call
 - Supervisor(s)
 - Superintendent(s)

Q. California Family Rights Act (CFRA Leave) and Pregnancy Disability Leave (PDL)

1. Under the California Family Rights Act (CFRA), if an employee has more than 12 months of service with the District and has worked at least 1,250 hours in the preceding 12-month period, the employee may have a right to an unpaid family care or medical leave (CFRA Leave). This leave may be for up to 12 work weeks in a 12-month period for the birth, adoption, or foster care placement of the employee's child or for the employee's own serious health condition or that of the employee's child, parent, spouse, registered domestic partner, siblings and grandparents or grandchild.
2. Even if an employee is not eligible for CFRA leave, if the employee is disabled by pregnancy, childbirth or related medical conditions, the employee may be entitled to take a pregnancy disability leave (PDL) for up to four (4) months, depending on the period(s) of actual disability. If an employee is eligible under CFRA, the employee may be entitled to take both a PDL and a CFRA leave for

the birth of the employee's child.

3. An employee that desires to utilize CFRA or PDL must submit the completed District CFRA form at least 30 days in advance of foreseeable events (such as the expected birth of a child or a planned medical treatment for the employee or of a family member). For events which are unforeseeable, the employee must, at a minimum, notify District management verbally as soon as the employee learns of the need for the leave. Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until the employee complies with this notice policy.
4. The District shall also require written verification from an employee's health care provider before allowing an employee leave for pregnancy disability or the employee's own serious health condition, or written verification from the health care provider of the employee's child, parent or spouse who has a serious health condition, before allowing the employee leave to take care of that family member. When medically necessary, leave may be taken on an intermittent or reduced work schedule.
5. If an employee seeks leave for the birth, adoption or foster care placement of a child, the minimum duration of the leave is two (2) weeks, and the employee must conclude the leave within one (1) year of the birth or placement for adoption or foster care.
6. Taking CFRA leave or PDL may impact certain employee benefits and an employee's seniority date. An employee who wants more information regarding and the impact on such benefits should contact the Office Administrator.

R. Return to Work

In an effort to minimize serious disability due to on-the-job and off-the-job injuries and illnesses and to reduce workers' compensation costs (if applicable), the District has developed a Return-to-Work program. This policy is consistent with the District's responsibilities under the Americans with Disabilities Act to provide reasonable accommodations to persons with disabilities. The Return-to-Work Policy is available for review in the office of the District's Office Administrator.

VIII. REQUEST FOR REASONABLE ACCOMMODATIONS

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the District will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship to the District would result. Any applicant or employee who requires accommodation in order to perform the essential functions of the job should contact the District's Office Administrator to discuss the need for accommodation. The District will engage in an interactive process with the employee to identify possible accommodations, if any.

IX. NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURE

A. Nondiscrimination Policy

1. The District is an equal opportunity employer and makes employment decisions on the basis of merit. Unless based upon a bona fide occupational qualification as defined by law, no personnel action (including appointment to or removal from a position in District employment) shall be based upon race, creed, color, age, religion, sex, ancestry, national origin, military status, physical or mental disability, pregnancy, childbirth or related medical condition, marital status, non-disqualifying medical condition, sexual orientation, gender expression or identity, genetic information or any other consideration unlawful under federal, state or local laws.
2. Any technique or procedure used in recruitment or selection of employees shall be designed to measure only the job-related qualifications of applicants. No recruitment or selection technique or any other personnel action shall be used that, in the opinion of the General Manager, is not justifiably linked to successful job performance.
3. Pursuant to applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the District will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified applicant for employment with the District, unless such reasonable accommodations would impose undue hardship upon the District. The accommodation process is set forth in Section VIII, above.

B. Complaint Procedure

1. In adopting its nondiscrimination policy, the District assures its employees that every reasonable step will be taken to prevent discrimination from occurring. If an employee believes that he or she has been unlawfully discriminated against, the employee is urged to immediately provide a written or oral complaint to the employee's Department Head, Office Administrator, or to the General Manager as soon as possible after the incident. Such complaint should include all the details of the incident(s), names of individuals involved, and the names of any witnesses. The District will use its best efforts to keep all information and communication regarding the discrimination confidential, but some information may need to be disclosed in connection with an investigation that will be conducted and as required by applicable law.
2. Anyone receiving a complaint of unlawful discrimination will immediately document the complaint in writing and refer the complaint to the General Manager, who will ensure that an immediate, thorough, and objective investigation of the discrimination allegation(s) is undertaken. The General Manager will inform the employee of his or her right to seek independent legal counsel and any assistance available to the employee under the District's policies. If the complaint of unlawful discrimination concerns acts by the General

Manager, then the complaint is to be submitted to the President of the District's Board of Directors.

3. After the investigation is completed and findings have been made, the District will communicate the findings to the complainant, the alleged offender, and any other concerned party as determined by the General Manager. If the General Manager determines that unlawful discrimination has occurred, remedial action will be taken as warranted by the circumstances. Any employee found to be guilty of discrimination will be subject to discipline ranging from oral or written reprimand, up to, and including, termination.
4. To achieve the goals of the District's policy, it is necessary that each employee understand the importance of the policy and his or her individual responsibility to contribute toward its maximum fulfillment. Employees are encouraged to report any and all perceived or alleged incidents of discrimination and are assured that there will not be any retaliation for having reported, in good faith, any incident of suspected discrimination.
5. This Nondiscrimination Policy and Complaint Procedure is included as part of this Manual and shall be provided to each District employee and to all new employees at the time of commencement of employment. Each existing and new employee shall acknowledge receipt of the Manual by executing the form specified in Section XII of this Manual, which form shall be retained in each employee's personnel file.

X. *WORKPLACE VIOLENCE*

- A.** The safety and security of employees and customers are very important to the District. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or ability to execute its daily business will not be tolerated.
- B.** Any person who makes threats, exhibits threatening behavior, or engages in violent acts on District's property may be immediately removed from the premises. Threats, threatening behavior, or other acts of violence off District's property, but directed at District employees or Directors or members of the public while conducting business for the District, is a violation of this policy.
- C.** Off-site threats include but are not limited to threats made via telephone, fax, electronic or conventional mail, threats through online social media or any other communication medium. Violations of this policy will lead to disciplinary action that may include termination.
- D.** Employees are responsible for notifying the General Manager or Department Head of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when that behavior is job related or might be carried out on District property or in connection with employment at the District.

- E. Each employee who receives a protective or restraining order which lists District's premises as a protected area is required to provide the Office Manager with a copy of such order.

XI. ANTI-HARASSMENT AND COMPLAINT PROCEDURE

A. Anti-Harassment Policy

1. All employees, customers of the District, and members of the public, are to be treated with respect and dignity. The District is committed to providing an atmosphere free of all harassment, particularly harassment based on such factors as race, creed, color, religion, sex, national origin or ancestry, physical or mental disability, non-disqualifying medical condition, pregnancy, childbirth or related conditions, marital status, age, sexual orientation, gender identity or expression, or genetic information or other protected class or characteristic under applicable state or federal law.
2. Workplace harassment is against the law. It is the policy of the District that workplace harassment of any co-worker, co-employee or member of the public, by any employee, contractor, vendor, or customer of the District is absolutely prohibited and will not be tolerated. Failure to abide by this policy will result in disciplinary action, up to, and including, termination.
3. Workplace harassment includes verbal, physical, and visual contact that creates an intimidating, offensive, or hostile working environment that interferes with work performance. Examples of workplace harassment include, but are not limited to, racial or sexist slurs, ethnic or sexist jokes, posting of offensive statements, offensive or insulting posters or cartoons, and unwanted touching or blocking of normal movement.
4. It is unlawful to harass a person because of that person's sex. Sexual harassment encompasses many forms of offensive behavior and includes gender-based harassment of a person of the same sex. Sexual harassment includes, but is not limited to, the making of any unwelcome advances and/or visual, verbal or physical conduct of a sexual nature, offering employment benefits in exchange for sexual favors, or threatening reprisals after a negative response to a sexual advance. Some examples of sexual harassment are: requests for sexual favors, demeaning sexual remarks, leering, making sexual gestures, displaying of sexually suggestive objects or pictures, references to anyone in terms such as "honey," making or using derogatory comments, epithets, slurs or jokes, comments about an individual's body, touching, impeding or blocking movements, or any other conduct based upon an individual's sex that creates an atmosphere or environment that interferes with that individual's job performance or is intimidating, hostile, or offensive to that individual.
5. If an employee thinks that he or she or one of his or her co-workers has been the victim of harassment, that person should tell the harasser that the behavior is unwelcome. If the harasser does not stop, then immediately report such conduct

to his or other Department Head or to the General Manager. Every complaint of harassment that is reported to a Department Head or the General Manager will be taken seriously and investigated thoroughly. The District encourages employees to report harassment, as every employee's cooperation is crucial to maintaining a healthy workplace that is free from harassment. Retaliation against any employee by management or other employees for making a complaint of harassment in good faith, or participating in the investigation of any complaint, will not be tolerated. This is the firm "zero tolerance" policy of the District.

B. Complaint Procedure

1. In adopting its zero-tolerance harassment policy, the District ensures its employees that every reasonable step will be taken to prevent harassment at the workplace. If an employee believes that he or she has been unlawfully harassed, the employee is urged to immediately do the following:
 - a. Make it clear to the offender that the behavior is offensive and unacceptable. If possible, confront the offender and attempt to persuade him or her to stop the behavior that is unwelcome. The offender may not realize that the advances or behavior are unacceptable. A simple confrontation will often end the situation.
 - b. Don't let confusion and self-doubt stop any person from speaking out regarding the behavior and actions of the offender.
 - c. Keep a record of dates, times, places, witnesses and the nature of the harassment. Such records may be very helpful if the employee finds it necessary to pursue a formal complaint.
 - d. Contact his or her Supervisor, Department Head or the General Manager if the employee feels that he or she has been or is being sexually harassed or is aware of or suspects the occurrence of sexual harassment, or desires counseling on coping with sexual harassment.
 - e. Foster confidentiality by ensuring the privacy for all parties concerned with the exception of proper notification to the General Manager, Department Heads or Supervisor.
 - f. Provide a written or oral complaint to the employee's Supervisor, Department Head or to the General Manager as soon as possible after the incident. If the complaint of unlawful discrimination concerns acts by the General Manager, then the complaint is to be submitted to the President of the District's Board of Directors. Such complaint should include all details of the incident(s), names of individuals involved, and the names of any witnesses. The District will use its best efforts to keep all information and communication regarding the harassment confidential, but some information may need to be disclosed in connection with any investigation to be conducted or as required by applicable law.

2. The following procedures will be followed after an employee reports unlawful harassment:
 - a. Anyone receiving a complaint of unlawful harassment will immediately document the complaint in writing and refer the complaint to the General Manager, who will ensure that an immediate, thorough and objective investigation of the harassment allegation(s) is undertaken; provided that if the complaint relates to conduct by the General Manager, then the complaint will be submitted to the President of the District's Board of Directors, who will consult with District legal counsel regarding the possible investigation of the allegation(s). The General Manager will inform the employee of his or her right to seek independent legal counsel and any assistance available to the employee under the District's policies.
 - b. After the investigation and findings have been concluded, the District will communicate the findings to the complainant, alleged harasser, and any other concerned party as determined by the General Manager. If it is determined that unlawful harassment has occurred, remedial action will be taken as warranted by the circumstances. Any employee found to be guilty of harassment will be subject to discipline ranging from verbal or written reprimand, up to, and including, termination.
3. To achieve the goals of the District's anti-harassment policy, it is necessary that each employee understand the importance of the policy and his or her individual responsibility to contribute towards its maximum fulfillment. Employees are encouraged to report any and all alleged or perceived incidents of harassment and are assured that there will not be any retaliation for having reported, in good faith, any incident of suspected harassment.
4. This Anti-Harassment Policy and Complaint Procedure are included in this Manual and shall be provided to each District employee and all new employees at the time of commencement of employment. Each existing and new employee shall acknowledge receipt of the Manual by executing the form specified in Section XII of this manual and the executed form shall be retained in each employee's personnel file.



XII. EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE POLICIES AND PROCEDURES MANUAL

Each existing District employee and all new employees are required to receive and read a copy of this Manual and any amendments thereto. Each existing employee shall, within 30 days of the adoption of this Manual, receive and sign an acknowledgement that he or she has received and read this Manual and understands its provisions, which acknowledgement shall be placed in the employee's personnel file. Each newly hired employee shall, at the time of commencement of employment, receive a copy of this Manual and sign such acknowledgement prior to commencement of work at the District, which acknowledgement shall be placed in the employee's personnel file.

EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE POLICIES AND PROCEDURES MANUAL ADOPTED ON THE ____ day of September 2022.

I acknowledge that I have received, read, and understand the La Puente Valley County Water District's Employee Policies and Procedures Manual. I understand that this acknowledgement will be placed in my personnel file and that I will receive a copy of it upon request.

[Print Full Name]

[Signature]

Dated this ____ day of
September 2022