

GUADALUPE-COYOTE
RESOURCE CONSERVATION DISTRICT

PERSONNEL POLICIES

Revised and Approved by
Board of Directors
October 2000

INTRODUCTION

This document is based on the CARCD Personnel Policies document dated August 1, 2000. It is our policy to adopt the Personnel Policy standards of the California Association of Resource Conservation Districts. It was edited to apply to the GCRCD staff.

1. GENERAL PROVISIONS

A. Policy Statement

It is the policy of GCRCD to provide equal employment opportunities to all people without regard to race, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital status, age, sex, or any other classification protected by law, and to promote this policy through a program of affirmative personnel action.

B. Purpose of Personnel Policies

The effective provision of quality services requires positive relationships and goodwill between the Board of Directors, and the staff. The Personnel Policies are developed to define elements of these relationships in the belief that clear exposition of rights and responsibilities will facilitate positive relationships and goodwill.

C. General Responsibilities

The Board of Directors functions as the final administrative authority which represents the GCRCD's interests, conviction, leadership, and functions as the policy making body for the GCRCD. The Board of Directors has the sole authority and responsibility to amend the Personnel Policies. Incumbent in that responsibility is the requirement that the staff be notified of proposed changes and given the opportunity for input prior to the adoption of any amendments. No amendments will be effective prior to the date of enactment by the Board of Directors. The Board of Directors hires staff who are responsible to carry out tasks assigned by the Board.

D. Personnel Committee

The President may appoint an Ad Hoc Personnel Committee.

The duties of the Ad Hoc Personnel Committee shall be:

Review the statement of Personnel Policies as change of conditions affecting programs and new questions of policy may require.

Recommend to the Board of Directors such changes in the Personnel Policies considered necessary to the development of a program in keeping with GCRCD purposes and objectives.

Act as a grievance review committee.

Review qualifications of applicants for positions.

E. Revisions to Personnel Policies

The President or Board of Directors may request revisions to the Personnel Policies.

Proposed revisions shall be submitted in writing at least ten (10) working days prior to a scheduled Personnel Committee meeting.

If the proposed revisions are endorsed by the Personnel Committee the following procedures shall apply:

The staff and the GCRCD Board Members shall receive a copy of the proposed revisions 30 days prior to formal presentation to the full Board of Directors.

The President or staff representative shall review and discuss proposed changes with staff at their request.

F. Work Environment

The GCRCD is committed to providing a safe, positive work environment for that is free of discrimination and harassment in any form. Discrimination or harassment on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex or age in any form will not be tolerated by the GCRCD.

Any employee subjected to intimidation, ridicule, insult or an otherwise hostile or offensive working environment based on the aforementioned conditions should make a complaint, either in accordance with the established grievance procedures as written in this policy, or directly to his/her supervisor or the President. All such complaints shall be confidentially investigated or resolved as expeditiously as possible.

Any employee who perpetrates harassment based on the conditions described above shall be subject to disciplinary action, including dismissal, as outlined in the section entitled Disciplinary Action and Dismissal.

2. GENERAL AND/OR SEXUAL HARASSMENT

The GCRCDC is committed to providing a safe, positive working environment for everyone. Therefore, discrimination in any form is an unacceptable behavior and will not be tolerated by the GCRCDC. In general, harassment is any conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Harassment is defined to include: participating in coercive or repeated, unsolicited and unwelcome verbal comments or gestures; or using implicit or explicit coercive behavior in the process of conducting business, or to control, influence, or affect the career, salary or job of an employee.

Harassment includes such unwelcome behavior as: verbal abuse; insults; suggestive, demeaning or degrading comments; jokes; notes or picture displays alluding to race, religion, color, gender, sexual orientation, national origin, ancestry, age, marital status, veteran status, or disability. Harassment may also take the form of physical aggressiveness, threats or other intimidating behaviors.

Any employee who perpetrates harassment based on the conditions described above shall be subject to disciplinary action, including dismissal, as outlined in the section entitled Disciplinary Action and Dismissal.

A. SEXUAL HARASSMENT DEFINED

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly made a term or a condition of employment or progress.

- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or performance, or of creating an intimidating, hostile, or offensive work environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the GCRC.

Unwelcome sexual demands, requests for sexual favors, unwelcome or unnecessary touching, vulgar or degrading sexual comments, distribution of written or graphic material having such effects, or other verbal or physical conduct of a sexual nature may be considered to constitute sexual harassment. Threats, demands or suggestions that an employee's employment status or advancement requires agreement to sexual activity is another form of sexual harassment.

B. SEXUAL HARASSMENT PROHIBITED

Sexual harassment of co-workers, co-employees, Board of Directors, members of the public, or any other person, is absolutely forbidden. Sexual harassment can take many forms and, therefore, you are notified that verbal, physical, visual and other forms of sexual harassment are absolutely forbidden.

C. DISCIPLINARY ACTION

The GCRC will enforce disciplinary action against any person that engages in sexual harassment or who threatens or insinuates, either explicitly or implicitly, that a person's refusal to submit to sexual advances will adversely affect the person's employment, evaluation, wages, advancement, assigned duties, shifts, or any condition of employment or career development. This disciplinary action may include suspension, or, demotion and can include termination.

Given the nature of the type of discrimination, the GCRC also recognizes that false accusations of harassment can have serious effects on innocent men and women. Therefore, false accusation will result in the same disciplinary action applicable to one found guilty of harassment.

D. REPORTING OF HARASSMENT

Any person who believes he or she has been treated in a manner inconsistent with this policy, whether such treatment is by a co-worker, co-employee, Board of Directors, member of the public, or any other person, should report such violations to a supervisor, President, Vice-president or Ad Hoc Personnel Committee without fear of reprisal. The GCRCDC will act positively to investigate claims of alleged sexual harassment and to effectively remedy them when an allegation is determined to be valid.

1. The report should be made to the claimant's immediate supervisor President, Vice-president, or Personnel Committee. The report may be oral or in writing.
2. The person receiving the report shall prepare a written report within three (3) working days and include:
 - what happened
 - when it happened
 - where did it happen
 - who is the alleged harasser
 - who is the alleged victim
 - who were the witnesses
 - comments of the victim
 - other comments
3. The report shall be given to the President which shall cause Ad Hoc Personnel Committee or an independent third party as determined by GCRCDC. Within ten (10) days the investigator(s) shall provide a written report of the investigation to the Board of Directors.
4. No retaliation shall be taken against any person who reports sexual harassment or assists in the investigation thereof.
5. The supervisor or designee shall notify the person making the complaint of the results of the investigation subject to the provisions of California law. The person making the complaint also has the right, at any time, to pursue any other courses of action allowed by state and federal laws or these policies.

In order to achieve effective enforcement of this policy, and in order to avoid repeat violations of this policy, reports of violations of this policy must be made immediately by any person who feels he/she has been treated in a manner inconsistent with this policy, or is aware of any violation of this policy.

3. CLASSIFICATIONS OF EMPLOYEES

All GCRCD employees are classified as Non-Exempt employees. However, any employee may be reclassified as an Exempt employee at any time should the Board determine that he or she meets the criteria for Exempt status as defined by government codes.

4. BASIS OF EMPLOYMENT

Regular: Employees hired for an indefinite period of time after completion of the probationary period. The GCRCD does not guarantee employment for any specific time period (employment at will). Termination of regular employees shall be in accordance with applicable personnel policies.

Full-Time: All temporary, probationary or Regular employees regularly scheduled for forty (40) hours of work within the work week. GCRCD does not guarantee a 40-hour work week.

Part-Time: All temporary, probationary or regular employees regularly scheduled for less than forty hours of work within the workweek.

Probationary: Each new employee, other than temporary employees, will be hired on a probationary basis lasting not more than 1040 hours from the first day of the pay period closest to the date of hire. Upon successful completion of the probationary period, an employee shall receive Regular status. Should either the President or the employee conclude that employment be terminated during this time without prejudice or cause, either may do so without notice and without recourse. Employees terminated during the probationary period do not have the right to appeal.

Temporary: Employees hired for a definite (limited) period of time as specified at time of employment. For persons classified as temporary employees, compensation will consist of a salary or hourly rate of pay. Other benefits required by law including Worker's Compensation, State Unemployment Insurance (SUI), and etc. are also provided according to the applicable law.

Actions by the Board of Directors to lay off employees or eliminate positions may have the effect of interrupting or termination an individual's employment. These actions take precedence over any prior plan to provide an employee with the same or comparable position on a specific date after any sort of leave.

Employees rehired at any time after a voluntary termination shall be treated as a new employee. Seniority will be calculated from the latest date of hire.

5. TYPE AND FREQUENCY OF PAY

Monthly: Paid on alternate Fridays commensurate with the monthly salary established for each job classification. In the event the pay day falls on a holiday, payment will be made in the last preceding working day.

Hourly: Paid a regular hourly rate of hours actually worked as scheduled every two weeks.

Overtime: See Section 8

6. COMPENSATION SCHEDULE

Employees shall receive compensation according to the Job Description of the position in which they are employed.

Salary changes will be made only upon approval of the Board of Directors.

The Board of Directors has the authority to hire employees into established positions within the approved salary range established by the Board of Directors based on appropriate experience and qualifications.

7. SALARY ADJUSTMENTS

Salary adjustments are based on the budget and approval of the Board of Directors.

An annual review of the salary schedule and benefits package shall be part of the Annual Budget Review.

8. HOURS OF WORK AND OVERTIME

Unless otherwise arranged with the President or supervisor, each work day shall include a non-paid lunch hour, and two separate paid fifteen minute breaks.

Non-exempt employees shall receive compensatory pay for overtime hours worked equal to one and one-half times their hourly rate in excess of forty (40) hours in any workweek or in excess of eight (8) hours in a workday. Employees

shall receive compensatory pay for overtime hours worked equal to double their hourly rate in excess of twelve (12) hours in a workday.

9. PERFORMANCE EVALUATIONS

Written employee performance evaluations will be done by the Board of Directors within one year and annually thereafter on the review anniversary for all GCRC D employees.

If the evaluation is satisfactory, appropriate action may be taken to effect a salary adjustment.

If the evaluation is not satisfactory, appropriate action may be taken in accordance with steps outlined under Section 15.

10. BENEFITS

An employee's accrual of vacation and sick leave benefits during any given pay period shall be pro-rated based upon his or her actual work rate (which includes utilization of previously accrued leave) for that period for employees working more than 20 hours per week. Work rate is a percentage of the equivalent to full-time employment and may not exceed 100%.

Holidays

The Board of Directors shall publish a holiday schedule, noting the calendar date for each holiday, at the beginning of the calendar year.

The following paid holidays are observed as days off by the full time staff:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day & following Friday

Christmas Eve Day
Christmas Day
Floating Holiday

Each employee not classified as a temporary employee may utilize a floating holiday during the calendar year. Use of the floating holiday must be approved in advance by the President, or the supervisor. As with other benefits, part-time employees receive this benefit pro-rated on their actual work rate. Should the employee terminate employment before the floating holiday is used in a calendar year, the holiday is forfeited.

The Board of Directors shall public a holiday schedule, noting the calendar date for each holiday, at the beginning of the calendar year.

Vacation

Vacation leave is earned based on years of employment. Accrual rates are as follows:

<u>Length of Service</u>	<u>Yearly Rate</u>
0-4 years	10 days
5+ years	15 days

Accrued vacation hours may be taken from the date of hire, with the dates approved in advance by the immediate supervisor.

If the request for vacation is rejected, the employee making the request for vacation will be given the reason for rejection by his/her immediate supervisor.

In the event a holiday falls within the vacation period, that day shall not be charged against the employee's vacation time.

Earned vacation time may be accrued up to 240 hours of vacation. Time beyond 240 hours may be accrued only at the approval of the President.

The Board of Directors may choose to compensate an employee for all or part of his or her accrued vacation leave in lieu of the employee taking vacation time off from work on a voluntary basis.

At the time of each employee's performance evaluation there will be a supervisory review of that employee's vacation time usage to determine if that usage is in conformance with established policy.

Upon termination, an employee will be compensated for vacation time accrued through his or her last day on the payroll.

Sick Leave

Sick leave is intended to be taken only when an employee is ill.

The employee must notify the President or their Supervisor if they intend to take a sick day.

Whenever an employee believes it necessary to be absent from duty because of the serious illness or health care needs of a member of the immediate family (spouse, father, mother, brother, sister, child, mother-in-law, father-in-law, grandparent, grandchild, sisters and brothers-in-law, daughters-in-law and sons-in-law, or step-relatives in these categories) permission may be requested from the President to be absent for not more than three working days. An additional two (2) days off may be granted by the President in severe situations. Time off for family sick leave beyond five (5) days requires Board of Directors' approval.

A doctor's statement may be required to substantiate use of sick leave when the absence is due to illness of the employee or family member. Such documentation may be required at the President's discretion. The President may require substantiation of illness by a physician or other health professional designated by the GCRCDC at its expense.

An employee who cannot report to work on any given day because of illness is to call the President as soon as possible.

Temporary employees are not eligible for sick leave benefits.

Bereavement Leave

Bereavement leave may be granted with pay for up to three (3) days for an employee who requests such leave due to the death of a member of his/her family (spouse, father, mother, sister, child, mother-in-law, father-in-law, grandparent, sisters and brothers-in-law, daughters-in-law, sons-in-law, and grandchildren, or step-relatives in these categories).

Request for bereavement leave should be directed to the President. Such time shall not be charged to vacation leave but shall be documented and recorded as bereavement leave.

Temporary employees are not eligible for bereavement leave benefits.

Leave of Absence Without Pay

Any time off the payroll shall be considered a Leave of Absence Without Pay when probation period is completed.

Leave of absence without pay may be available upon written approval by the Board of Directors, when probation period is completed.

Should the end of the fiscal year occur during an approved leave of absence without pay the entire leave shall be considered as part of the fiscal year in which the employee last worked. No portion of the leave shall be counted as part of the total approved leave without pay the employee may accumulate during the fiscal year in which he or she returns to work.

All reasonable efforts will be taken to reassign the returning employee to previous job duties. Compensation will be at the salary range of the position assigned on return.

Maternity Leave & Pregnancy Disability Leave

An employee may be granted a maternity leave of absence to a maximum of four (4) months with the approval of the President. An employee may use accrued vacation and/or sick leave during a Pregnancy Disability Leave, otherwise the leave shall be unpaid. An employee eligible for Family Care Leave may request that the first four (4) months of maternity leave be considered as Family Care Leave.

The President may request written concurrence of the attending physician regarding the commencement of maternity leave.

All reasonable efforts will be taken to reassign the returning employee to previous job duties. Compensation will be at the salary range of the position assigned upon return.

In accordance with California law, any employee disabled by pregnancy, childbirth or related medical conditions is entitled to up to four (4) months of paid or unpaid Pregnancy Disability Leave. Pregnancy Disability Leave may be used in conjunction with Family Care Leave as prescribed by regulation.

Military Leave

Any employee who is a member of the military reserve shall be granted military leave for two (2) weeks per year. The employee shall receive his/her regular rate of pay for those two (2) weeks and continue to accrue vacation. Any funds received by the employee as payment for military time shall be given to the association.

Family Care Leave

Both the State of California and Federal governments have enacted laws that mandate specified employers to provide Family Care Leave to qualified employees under certain circumstances. The criteria for eligibility and benefits under the two laws vary. In conformance with requirements posed by the Federal law, when an employee qualifies for both a Federal and State family leave, will consider the most liberal application of either law when determining eligibility for Family Care Leave, length of leave, benefits provided during leave, and other factors associated with the leave.

In general, a person employed for at least twelve (12) months and who has worked, under Federal law, at least 1,250 hours during the twelve month period preceding the commencement of leave, is eligible for Family Care Leave.

Family Care Leave will be granted for any of the following reasons: the birth or adoption of a child, or the placement for foster care of a child; the serious health condition of a spouse, child or parent; or the employee's own serious health condition where that condition renders the employee unable to perform the duties of his or her position. (Note: this situation covered under Federal law only).

The duration of the leave may be either twelve (12) weeks or four (4) months depending on the reason for the leave and which law is applicable.

When Family Care Leave occurs under Federal law, an employee may choose to utilize accrued vacation leave in lieu of leave without pay.

An employee is required to provide at least 30 days notice before the date a foreseeable leave is to begin, or as soon as practicable if the leave is not foreseeable.

GCRCD may require an employee to provide certification of a serious health condition by a health care provider.

An employee will be placed in the same or comparable position in which he or she was working at the time a Family Care Leave began upon return from the leave and compensation will be at the range of the last position assigned.

This policy highlights some key elements of legislation pertinent to Family Care Leaves. It is not feasible to provide an in-depth analysis of Family Care Leave laws here. Each request for Family Care Leave will be considered on an individual basis and handled in strict conformance with all applicable laws related to the specific circumstances at hand. It is highly recommended that an employee consult with the GCRCD's Board of Directors when considering a request for Family Care Leave so as to gain specific information about conditions relevant to the leave.

Jury Duty

Leave with pay shall be granted for up to 3 days to employees selected to serve jury duty. The employee may retain money received from the court

for mileage reimbursement. Other funds received for jury duty shall be given to GCRCD. The employee shall receive his/her regular rate of pay and continue to accrue vacation.

Employees subpoenaed for court appearances other than work related, must use vacation or leave without pay approved in advance by the President.

Time off will be allowed for Grand Jury duty at the discretion of the President.

Social Security

All employees are covered for Social Security benefits. The association and employee each contribute at the rate specified by law.

Worker's Compensation

An employee who has been injured on the job and is receiving Worker's Compensation shall retain his/her usual employee benefits as long as employment continues. He or she will continue to accrue vacation leave and holiday pay.

Health Insurance

At this time, the GCRCD does not provide health insurance for Employee's.

11. PERSONNEL RECORDS

An individual's personnel record will be maintained by the President for each staff member.

The personnel records shall include employment history of each employee including:

- Resume and employment application
- Other pertinent information

All information contained in the personnel records shall be confidential. Release of any information contained in the personnel record shall be provided only with consent of the staff member involved.

During regular working hours, staff members will be allowed to review their complete personnel record at a time mutually agreeable to the employee and the President.

In the event that the employee believes material in his or her file is erroneous in nature, he or she shall provide documentation of the facts to the Board of Directors who may direct that any such material be corrected or removed from the personnel record.

If such material is not removed from the personnel record, the employee may attach to the material in question a written explanation describing why said material is alleged to be erroneous.

12. EMPLOYMENT AND RESIGNATIONS OF STAFF

The Board of Directors shall be responsible for hiring, promotion, transfer, discharge or layoff of employees and all such other matters of personnel administration. The Board of Directors may be guided by the recommendations of the employee's supervisor, or the advice of the Personnel Committee.

Each new employee with the exception of temporary employees, shall serve a 1040 hours probationary period. The purpose of such probationary period is to enable the Board of Directors and employee to mutually assess the employment situation. Should either the Board of Directors or the employee conclude that employment be terminated during this time without prejudice or cause, either may do so without notice and without recourse.

Employees terminated during the probationary period do not have the right of appeal.

Employment may be terminated by the Board of Directors or employee at any time with or without cause and without notice.

13. OUTSIDE EMPLOYMENT

Outside employment is acceptable when there is no conflict of interest and it does not interfere with work efficiency of the particular employee. The Board of Directors must approve in advance and in writing all outside employment.

14. CONFLICT OF INTEREST

Employees may not serve as a member of the Board of Directors of the GCRCD.

Employees and members of the GCRCD Board are responsible for adhering to the GCRCD Conflict of Interest Policy.

The intent of this policy is to identify arrangements which are conflictual or which give the appearance of conflict of interest. Moreover, the intent is to further discourage the occurrence of conflict by a combination of disclosures and sanctions. Conflict of interest occurs when an individual enhances his or her financial position at the expense of, or by, the influence of the GCRCD. No staff or GCRCD Board member shall solicit or receive beneficial financial treatment from vendors or financial institutions.

Whenever a GCRCD Board or staff member believes he or she may be in a conflictual positions, or whenever there is an appearance of conflict of interest, the minimum responsibility is to fully disclose the situation to the Board of Directors.

The GCRCD Board of Directors shall determine, through a majority vote of its members, if a potential conflict of interest exists. Any GCRCD Board member is disqualified from voting on matters pertaining to any conflict of interest in which they are in question. Should it be determined that an actual or potential conflict of interest exists, the Board of Directors shall require the individual to eliminate the conflict or obtain a waiver pursuant to Section 54523 of Title 17, California Code of Regulations. California Code of Regulations, Title 17, Section 54505, et. seq., shall be the basis upon which conflicts of interest are defined and procedurally handled.

All GCRCD Board and/or staff members are prohibited from using their position in such a way as to receive discounts or financial favors from the GCRCD suppliers. Any violation of the conflict of interest policy subjects the staff person to sanctions which may include dismissal.

In addition to the foregoing disclosure provision, legal exceptions notwithstanding, a staff person or a GCRCB Board member cannot sponsor or influence a decision upon any program vendor or any individual wherein it would logically result in a financial gain for that staff person or GCRCB Board member.

15. DISCIPLINARY ACTION AND DISMISSAL

- A. Corrective discipline is a sequential process directed to improving an employee's performance. An objective and impersonal approach of gathering facts about the employee's problems shall be utilized. The following approaches to problems resolution shall be adhered to:

Counseling/reeducation is the mutual exploration of the problems by the supervisor and employee and the restatement of the GCRCB's standards, goals, and activities by the supervisor.

Constructive criticism includes clear statements by the supervisor about what an employee is doing wrong, how the employee is expected to change, what might happen if the employee continues doing wrong, the supervisor's plans for follow-up and time frame for improvement.

Formal reprimand is a procedure where the immediate supervisor or Board of Directors notifies the employee in a written format of the specific infractions, and may include date(s) of occurrence, remedy proposed, including any deadlines, possible sanctions for noncompliance and a review of past disciplinary steps taken.

Penalties include the removal or alteration of various benefits of employment to an employee who continues to demonstrate problems or exhibits severe problems. Penalties which may be used, based on severity of the problems and needs of the GCRCB, include a forced leave of absence without pay for up to 30 working days and/or dismissal.

- B. An employee may be placed on administrative leave status, with or without pay, if the employee is accused of actions which could pose a danger or threat to GCRCB's clients, staff or operations. The GCRCB shall use the administrative leave period for the purpose of investigating the alleged actions. The President shall inform the Board of Directors in writing of employees placed on administrative leave status including the rationale for the President's decision.

C. Immediate dismissal of an employee or disciplinary action at any step in the sequential process in this policy's Conflict of Interest section may be made for any of the following:

Absence without approved leave for a period of two (2) days or longer.

Conviction of a felony while working or an act that demonstrates jeopardy to the GCRCD or the public.

Permanent mental or physical disability, as determined by a medical evaluation conducted by a GCRCD designated physician, which prevents a person from fulfilling essential job requirements with reasonable accommodation. The evaluation shall be at no cost to the employee.

Substance abuse during work.

Violation of the GCRCD Drug-Free Policy (See Attachment A)

Providing false information to attain employment.

Refusal to comply with supervisor's reasonable instructions.

Willful infractions of state policies and procedures.

Unsatisfactory work performance.

Other circumstances and/or actions which are of sufficient severity to warrant immediate dismissal or disciplinary action as determined by the Board of Directors.

D. Appeal of penalties and/or immediate dismissal in this section may be made pursuant to the Grievances section in this policy manual.

Dismissal or penalty that includes reduction or loss in pay or combination, shall be in effect during the grievance process.

E. Dismissal is accomplished by a written notice being served to the employee signed by the President stating when the dismissal is to be effective and the cause or causes of the dismissal clearly stated. A copy will be sent to the Personnel Committee, including any supporting documentation.

- F. Any non-probationary employee, within five (5) working days of receipt of the notice of penalty or immediate dismissal, may submit a grievance in accordance with the procedure in these Personnel Policies.

16. GRIEVANCES

A grievance is defined as an expressed dissatisfaction by an employee pertaining to any condition of his/her employment.

A. Procedure

In the event an employee feels he/she has a grievance, the employee should begin the procedure with his/her immediate supervisor within ten (10) working days of recognizing the problem on which the grievance is based.

The grievance, in written form, shall be presented by the employee to the immediate supervisor. The immediate supervisor shall meet with the employee to discuss the issues within five (5) working days. The supervisor shall give the employee a written response within ten (10) working days from the date of the meeting. If the employee is not satisfied with the supervisor's response, the employee may appeal to the next level.

The grievance and dissatisfaction with the supervisor's response or any proposed resolution in the previous paragraph shall be presented in writing to the Board of Directors within ten (10) working days of the supervisor's written response. The Board of Directors may take whatever steps considered necessary to resolve the dissatisfaction. The Board of Directors shall submit a written response to the employee within ten (10) working days of receiving the employee's grievance.

The grievance and reasons for dissatisfaction with prior resolutions shall be submitted in written form to the Personnel Committee of the Board of Directors. The Personnel Committee shall hear the grievance no later than 30 working days after the receipt of notification. At the hearing the employee shall present the grievance and requested resolution. Within ten (10) working days of the hearing, the Personnel Committee shall issue a written report detailing their decision and findings of fact in support of that decision and make a recommendation to the Board of Directors.

The Board of Directors, within ten (10) working days of the hearing, shall issue to the employee a written decision with findings of fact supporting that decision. There is no further administrative remedy available to the employee.

Per mutual agreement between the employee and the individual or body hearing the grievance, the time allotted for rendering a decision as stated in this section may be extended to allow for additional fact finding, evaluation and analysis.

B. Representation

The employee and the Board of Directors or his/her designee may be represented by parties of their choice. Any costs of representation to the employee shall be borne by the employee, and any costs of representation for the Board of Directors shall be borne by the GCRCD.

C. Access to Information

The employee and any designated representatives of either party may have access to all relevant information maintained by the GCRCD with the exception that confidential information regarding other employees may not be utilized during the procedure without the specific written consent of the affected parties.

D. Impartial Observers

During all phases of the grievance procedure the employee may request the presence of another employee during all proceedings to act as an impartial observer. The choice of an observer shall be mutually agreeable to both parties of the grievance.

The role of the impartial observer is not to support, counsel, or encourage either side involved in the grievance, but rather to objectively observe the proceeding and, if requested by either party, to report observations in a written summary for record in the grievance file.

Witnesses

During the grievance procedure either or both parties shall be allowed to call upon no more than two witnesses during any particular phase unless mutually agreed otherwise.

Employees called as witnesses by either side shall do so on GCRCD time with any travel expenses from their normal job site paid by the GCRCD.

It is expected that an employee fulfill all requirements associated with his or her job throughout all phases of the grievance proceedings.

A grievance signed by two or more employees concerning the same issue should be directed to the Personnel Committee.

Groups of two or more employees initiating a grievance may designate no more than two employees to represent the group in meetings with the Board of Directors or Personnel Committee.

17. TERMINATION OF EMPLOYEE SERVICES

Resignations: See Section 12: Employment and Resignations of Staff

Discharges for Cause: See Section 15: Disciplinary Action and Dismissal

Discharge Due to Lay-off: In the event it is necessary to terminate employees due to dissolution of the GCRCD, economic inability to continue employing staff, or any other reason not for “cause”, the Board of Directors will furnish as much notice as possible to the employees concerned, but reserves the right to request immediate termination.

The Board of Directors shall determine the number and/or percentage of the work force to be reduced or eliminated by lay-off. The Board of Directors also retains the right and option to re-classify or eliminate specific positions based on budgetary and programmatic considerations.

The Board of Directors shall retain the authority to identify any positions that may remain immune from any lay-off procedure, in order to continue any functions deemed essential to the GCRCD in a particular circumstance. Such immunity can be revoked at any time by the Board of Directors, depending upon economic considerations and programmatic priorities.

18. EMPLOYEE TRAINING

All new employees shall receive job orientation training as determined by the Board of Directors.

Staff attendance at regional and state conferences and professional and educational meetings is of value to the GCRCD and the employee.

The GCRCD may pay travel, registration fees, and other actual costs involved in the training as per agreement of the Board of Directors.

19. AUTOMOBILE INSURANCE

Those employees required to have an automobile to perform their job duties must show evidence of possessing the minimum amounts of insurance as specified by California law.

20. MEDIA CONTACTS

It is the policy of the GCRCDC that all media contacts relating to GCRCDC business must be reported to the President as soon as possible. No staff shall give interviews to the media unless approved by the President or Board in advance.

Failure to comply with the directive may result in disciplinary action.

ATTACHMENT A

Drug-Free Policy statement

Guadalupe-Coyote Resource Conservation District

Unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and any violation of such is cause for termination.

Drug-Free Awareness Program

Guadalupe-Coyote Resource Conservation District

Use of drugs in the workplace is dangerous both to the user and to others.

It is the policy of the GCRCDC to maintain a drug-free workplace.

There are numerous outside counseling and rehabilitation programs. The GCRCDC will assist in providing names and telephone numbers of those programs.

An employee caught using any controlled substance in the workplace will be terminated.