

**DATE:** September 21, 2017

**TO:** Watershed Conservation Authority Governing Board

**FROM:** Salian Garcia, Fiscal Manager

**THROUGH:** Mark Stanley, Executive Officer

**SUBJECT:** Item 14: Consideration of a resolution to adopt amendments to the WCA Employee Handbook and related policies.

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**RECOMMENDATION:** That the WCA Governing Board adopt amendments to the WCA Employee Handbook and related policies.

**BACKGROUND:** The Watershed Conservation Authority Employee Handbook is reviewed and updated as needed by staff at least on an annual basis. The Handbook is being amended to update policies. The employee handbook has additionally been amended to add, delete, and modify language and policies for clarification purposes and to reduce areas of ambiguity. The amended Employee Handbook, attached as Exhibit A, denotes all proposed updates which includes modification to the following sections:

**Section 4.3 New Employee Benefits and Performance Evaluation**

- The “introductory period” and related terms has been replaced with “New Employee Benefits and Performance Evaluation” and “initial six-month period of employment,” or similar. The terms “introductory” or “introductory period” may lead to the misunderstanding that a new employee may believe s/he may not be at risk of being terminated during or after the period is completed. This may also lead to confusion to the Authority’s “at-will” policy. To ensure clarity, “introductory” and introductory period” have been removed throughout the Handbook, including the following sections:
  - Section 4.4 Classification of Employees
  - Section 10.7 Promotion or Reclassification with Higher Salary
  - Section 10.11 Performance Evaluation
  - Section 11.0 Eligibility for Benefits
  - Section 11.1 Health Insurance
  - Section 11.2 Holidays
  - Section 11.5 Bereavement Time
  - Section 11.6 Voluntary Annual Leave Program
  - Section 11.10 Retirement Program

**Section 6.0 Vehicle Use**

- This section has been combined with Section 8.1. The revised title of Section 8.1 is Vehicle Use and Use of Personal Vehicles. Section 6 and its subsections have been renumbered with Criminal Conduct as Section 6.0.

Section 6.2 General Rules

- The example number 31 has been revised to include vaping as an impermissible conduct in nonsmoking areas.

Section 10.2 Distribution

- The Fiscal Manager is included as another employee who may distribute and keep in custody payroll checks.

Section 11.2 Holidays

- Holiday policy has been updated to align with the State policy of holidays falling on a weekend. If a holiday falls on a Saturday, the holiday is observed the preceding Friday; if it falls on a Sunday, the holiday is observed the following Monday.

Section 11.6 Voluntary Annual Leave Program

- Additional language stating the PTO balance for exempt employees will be reduced for partial day absences should the employee work four hours or less on a normal work day.

Other Sections:

- Modified minor language to formulate consistency throughout the entire Employee Handbook and/or language and the authority (law/regulation) of the policy inserted for clarification purposes:

Section 2.0 Purpose of Handbook

Section 4.5 Exempt and Nonexempt Status

Section 5.0 General Hours of Work

**FISCAL INFORMATION:** This action has no fiscal impact.



## Employee Handbook

September 21, 2017

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## **CHAPTER 1**

### **INTRODUCTION TO THE WATERSHED CONSERVATION AUTHORITY**

#### **Section 1.0            Background of the WCA**

The Watershed Conservation Authority (WCA) is a Joint Powers Authority of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) and the Los Angeles County Flood Control District (LACFCD) created in 2003 under a state law that allows two or more government agencies to combine forces by “jointly” exercising their powers with respect to a specific purpose or set of objectives.

The WCA's mission is to provide for a comprehensive program to expand and improve the open space and recreational opportunities for the conservation, restoration, and environmental enhancement of the San Gabriel and Lower Los Angeles Rivers Watershed area consistent with the goals of flood protection, water supply, groundwater recharge and water conservation.

## CHAPTER 2 GENERAL PERSONNEL POLICIES

### Section 2.0 Purpose of Handbook

This personnel handbook is designed to summarize the WCA's personnel policies and rules concerning the WCA's employment practices and benefits. As a summary of policies, rules and benefits, this handbook is not intended to and does not create an employment contract of any kind and does not create any express or imply contractual obligations.

Due to ongoing changes in applicable governmental regulations and the WCA's operational needs, the WCA reserves the right to modify, rescind, delete or add to the provisions of this handbook, with the exception of the employment at-will provisions, in its sole and absolute discretion. Employees are welcome to discuss the provisions of this handbook with supervisory staff should there be any questions.

WCA ~~employees~~~~personnel~~ are employed on an at-will basis. Employment at-will may be terminated ~~or disciplined~~ with or without cause and with or without advance notice at any time by the employee or WCA. Nothing in this handbook shall limit the right to terminate at-will employment. No manager, supervisor, or employee of WCA has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms.

### Section 2.1 Definitions

The Governing Board as may be referred to in this handbook means the appointed members of the Watershed Conservation Authority.

The Deputy Executive Officer(s) is authorized to act on behalf of the agency in the absence of the Executive Officer or designee for purposes of administering the appointment process, attendance reporting and coordinating all activities related to Human Resources and Payroll.

### Section 2.2 Immigration Law Compliance

The WCA is committed to full compliance with federal immigration laws. These laws require that all individuals pass an employment verification procedure before they are permitted to work. This procedure has been established by federal law and requires every new hire to provide satisfactory evidence of his or her identity and legal authority to work in the United States no later than three business days after hire date.

### Section 2.3 Equal Employment Opportunity Statement / Affirmative Action Policy

The WCA is an equal opportunity employer. The WCA will not discriminate on the basis of race, color, national origin, ancestry, religious creed, age, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, veteran status, physical or mental disability, denial of family and medical care leave, or medical condition.

This policy applies to, but is not limited to recruitment, hiring, promotion, termination, transfer and layoff, compensation, benefits, leaves of absence, training and education, participation in WCA sponsored programs, social and recreational activities, unpaid interns and volunteers and use of WCA facilities.

Any employee who feels discriminated against should immediately report the incident of suspected discrimination to his/her supervisor and/or Fiscal Manager in their capacity as the Authority's Human Resource representative. The supervisor/H/R representative will investigate the allegations and take whatever action is appropriate to ensure full compliance with the WCA's equal employment policy. Recommendations may include disciplinary action, up to and including discharge. Reports of suspected discrimination, including the identities of persons involved, will be kept confidential to the extent required by law. No person will be subject to discipline or retaliation for reporting an incident of suspected discrimination.

The WCA provides registered domestic partners with the same benefits as spouses in compliance with the California Domestic Partner Rights and Responsibilities Act of 2003, Family Code Section 297 *et seq.*



## Section 2.4 Harassment

We do not tolerate harassment of any of our employees, interns and volunteers (paid or unpaid), customers, clients, vendors, or suppliers. Any form of harassment which violates federal, state or local law, including, but not limited to harassment related to an individual's race, color, national origin, ancestry, religious creed, age, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, veteran status, physical or mental disability, denial of family and medical care leave, or medical condition is a violation of this policy and will be treated as a disciplinary matter. For these purposes the term "harassment," includes slurs and any other offensive remarks, jokes, verbal abuse, vulgar or profane language, graphic, or physical conduct.

In addition to the above listed conduct, "sexual harassment" can also include the following examples of unacceptable behavior:

- Unwanted sexual advances, request for sexual favors, and/or other verbal or physical conduct of a sexual nature
- Offering an employment benefit (such as a raise or promotion or assistance with one's career) in exchange for sexual favors, or threatening an employment detriment (such as termination, demotion, or disciplinary action) for an employee's failure to engage in sexual activity
- Visual conduct, such as leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters
- Verbal sexual advances, propositions or requests
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations.
- Conduct that creates a sexually intimidating, hostile or offensive work environment
- Physical conduct, such as touching, assault, impeding or blocking movements

If you have any questions about what constitutes harassing behavior, ask your supervisor or another management official.

Violation of this policy will subject an employee to disciplinary action, up to and including immediate discharge.

If you feel that you are being harassed by another staff member, you should immediately notify your supervisor. If you do not feel that the matter can be discussed with your supervisor, you should contact the Executive Officer or designee to discuss your complaint. Supervisors are required to report all complaints to H/R representative or Legal Counsel as deemed appropriate by the circumstances. You may be assured that you will not be penalized in any way for reporting a harassment problem.

All complaints of harassment which are reported to management will be investigated as promptly as possible and corrective action will be taken where warranted. The WCA prohibits employees from hindering our own internal investigations and our internal complaint procedure. All complaints of harassment which are reported to management will be treated with as much confidentiality as possible, consistent with the need to conduct an adequate investigation. For more information regarding the complaint resolution process, please refer to Chapter 9 of this handbook.

Harassment of employees in connection with their work by non-employees may also be a violation of this policy. Any employee who experiences harassment by a non-employee, or who observes harassment of an employee by a non-employee should report such harassment to his or her supervisor or to the Executive Officer or designee. Appropriate action will be taken against violation of this policy by any non-employee.

Harassment of our customers, clients or employees of our customers or clients, vendors, or suppliers by our employees is also strictly prohibited. Any such harassment will subject an employee to disciplinary action, up to and including immediate discharge.

Your notification of the problem is essential to us. We cannot help resolve a harassment problem unless we know about it. Therefore, it is your responsibility to bring those kinds of problems to our attention so that we can take whatever steps are necessary to correct the problem.

If management finds that an employee has violated WCA policy, appropriate disciplinary action will be taken, up to and including termination.

### **Section 2.5 Rights under the Americans with Disabilities Act**

It is the policy of the WCA to consider qualified applicants with disabilities in its hiring process. If an applicant with a disability is qualified for a position that is available and can perform the important parts of the job, either without help or with a reasonable amount of help and/or accommodation, it is the WCA's policy to consider that person on an equal basis with any other applicants who apply for the job. The WCA will not make disability a factor in its hiring process; its employment decisions are based on job-related criteria alone.

It is the WCA's goal to hire the best qualified individual for every position. Employees are recruited and hired based on their abilities, not their disabilities. Every effort will be made by the WCA to have job advertising and job applications that are accessible to persons with disabilities. In addition, the WCA will make all reasonable accommodations to facilitate access to any location where it conducts interviews for persons with disabilities. Questions asked in interviews will be designed to find out whether the candidate is the best qualified person for the job and will not delve into non-job-related areas.

The WCA is dedicated to protecting the rights provided to individuals with disabilities by the Americans with Disabilities Act (ADA). Accordingly, it will in no way retaliate against anyone who asserts the rights provided by the ADA or any state human rights law.

### **Section 2.6 Drug-free Workplace Statement**

Employees are notified in accordance with Government Code Section 8355 that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace, and employees found to be in violation of this policy will be subject to disciplinary action, up to and including discharge.

### **Section 2.7 Drug and Alcohol Abuse Policy**

It is the intention of this policy to eliminate substance abuse and its effects in the work place. While the WCA has no intention of intruding into the private lives of its employees, involvement with drugs and alcohol off the job can take its toll on job performance and employee safety. The WCA's concern is that employees are in a condition to perform their duties safely and efficiently, in the interests of their fellow workers and the public as well as themselves. The presence and use of alcohol, except at WCA approved and sponsored activities, is prohibited on the job. The presence and use of drugs are prohibited on the job. The influence of these substances on employees during working hours, except as noted for WCA approved and sponsored activities, is inconsistent with this objective.

This policy applies to all employees and unpaid persons whose actions can serve to place themselves or employees at risk, cause poor employee morale, or damage the WCA's reputation. This policy applies to alcohol and drugs, including all substances, drugs, or medication, whether legal or illegal, which could impair an employee's ability to effectively and safely perform the functions of the job.

Further, the WCA is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as disabled under federal and/or state law. Those employees who believe they have such a disability should contact their supervisor. While the WCA will be supportive of those who seek help voluntarily, the WCA will be equally firm in identifying and disciplining those who continue to be substance abusers and do not seek help or continue substance abuse even while enrolled in counseling or rehabilitation programs.

Alcohol or drug abuse will not be tolerated and disciplinary action, up to and including termination, will be used as necessary to achieve this goal.

This policy provides guidelines for the detection and deterrence of alcohol and drug abuse. It also outlines the responsibilities of WCA managers and employees. To that end, the WCA will act to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job) which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to the WCA's reputation. All persons covered by this policy should be aware that violations of the policy may result in discipline, up to and including termination.

In recognition that drug and alcohol usage can hinder a person's ability to perform duties safely and effectively, the following policy against drug and alcohol abuse is hereby adopted by the WCA.

It is the WCA's policy that employees shall not be under the influence, or in possession, of alcohol or drugs while on WCA property **or** at work locations and that employees shall not sell or provide drugs or alcohol to any other employee or person unless such activity is in accordance with a WCA approved and sponsored activity involving alcohol. WCA property is defined as any property owned or managed by the WCA. Jointly controlled property is defined as that property which is under the control of both the WCA and the employee such as a WCA desk, vehicle, or equipment. Jointly controlled property expressly does not include agency-owned and/or managed property leased to an individual whether or not the tenant(s) are employees.

Employees are required to notify their supervisor when they must use validly prescribed medications and drugs which could foreseeably interfere with the safe and effective performance of duties, or the operation of WCA equipment. Failure to notify the supervisor of such foreseeable circumstances can result in discipline up to and including termination. This policy does not prohibit merely the personal *possession* of such prescribed medications or drugs. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a qualified physician may be required.

The employee may be required to provide, within 24 hours of request, bona fide verification of a current valid prescription for any potentially impairing drug or medication identified when requested by the supervisor and/or if a drug screen/test is positive. The prescription must be in the employee's name.

Supervisors are responsible for reasonable enforcement of this policy. Employees reasonably believed to be under the influence of alcohol or drugs will be prevented from engaging in further work and will be detained for a reasonable time until he or she can be safely transported from the work site. The supervisor may arrange for the employee to be safely transported home.

"Reasonable suspicion" is a belief based on objective facts sufficient to lead a reasonably prudent supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his/her job safely is reduced. Reasonable suspicion will generally not be deemed to exist if other objective explanations exist.

For example, any of the following, alone or in combination, may constitute reasonable suspicion: (when such behavior is unusual for an individual)

- 1) Slurred speech;
- 2) Alcoholic odor on breath;
- 3) Unsteady walking and movement;
- 4) An accident involving WCA property, where it appears the employee's conduct is at fault, when other objective evidence exists;
- 5) Physical altercation;
- 6) Unusual behavior;
- 7) Verbal altercation;
- 8) Possession of alcohol or drugs.

Supervisors may request that an employee submit to a drug and/or alcohol test when a manager or supervisor has a reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol while on duty or subject to call.

Any Ssupervisor encountering an employee who refuses an order to submit to a drug and/or alcohol analysis upon request will remind the employee of the requirements and disciplinary consequences of this policy. Any Supervisor requesting an employee to submit to a drug and/or alcohol test should document in writing the facts constituting reasonable suspicion that the employee in question is intoxicated or under the influence of drugs.

Refusal to immediately submit to an alcohol and/or drug analysis for sworn personnel and/or by employees operating WCA machinery and/or vehicles, when requested by the WCA management or law enforcement personnel, or refusal to submit to a search of agency or jointly controlled properties if requested by law enforcement personnel, will constitute insubordination and be grounds for discipline up to and including termination. Refusal by other employees to immediately submit to an alcohol and/or drug analysis when requested by the WCA management or law enforcement personnel, or refusal to submit to a search of personal properties if requested by law enforcement personnel, may constitute insubordination and be grounds for discipline up to and including termination

The drug and/or alcohol test may test for any substance which could impair an employee's ability to effectively and safely perform the functions of his/her job, including, but not limited to, prescription medications, alcohol, heroin, cocaine, morphine and its derivatives, PCP, methadone, barbiturates, amphetamines, marijuana, and other cannabinoids.

If drug/alcohol testing is requested, the employee who is to be tested will have the right to determine whether the test is by blood sample or by urinalysis. Testing, other than by Breathalyzer performed by law enforcement for reasonable cause, will only be conducted by a laboratory certified by the National Institute on Drug Abuse (NIDA), using gas spectrometer testing and will, in all cases, include a split-sample properly identified, for use by the employee if the employee challenges a positive result. The split sample and/or original sample will be available for parallel testing by a different licensed laboratory at the WCA's expense. Test results and samples will be retained for at least one (1) year. Any irregularity in the chain of custody of a sample will serve to void the test.

A "positive result" as defined by a NIDA-certified laboratory from a drug and/or alcohol analysis may result in disciplinary action, up to and including termination. "Positive results" will be defined, for alcohol, as having a blood-alcohol level above that limit as established under California law for the operation of a motor vehicle.

If the drug screen is positive as defined by a NIDA-certified laboratory, the employee must provide within 24 hours of request bona fide verification of a valid current prescription for the drug identified in the drug screen. The prescription must be in the employee's name. If the employee does not provide acceptable verification of a valid prescription, or if the prescription is not in the employee's name, or if the employee has not previously notified his or her supervisor, the employee will be subject to disciplinary action up to and including termination.

The WCA reserves the right to search, without employee consent, all areas and property in which the WCA maintains control or joint control with the employee. No report(s) regarding suspicion of, discipline for, or participation in illegal drug and/or alcohol laboratory reports and test results required by the WCA will be kept on file unless there is a positive test result found to have been in violation of this policy. Information of this nature will be contained in a separate confidential medical folder that will be securely kept with Human Resources files. The reports or test results may be disclosed to WCA management on a strictly need-to-know basis and to the tested employee upon request. Disclosures, without employee consent, may also occur when: (1) the information is compelled by law or by judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the employer and employee; (3) the information is needed by medical personnel for the diagnosis or treatment of the employee who is unable to authorize disclosure.

Unauthorized disclosure of any information garnered through the administration of this policy is a violation of this policy and may cause discipline up to and including termination of the person or persons making the disclosure.

## **Section 2.8            Review of Personnel File**

Employees wishing to obtain specific information may, upon reasonable advance notice, inspect their own personnel files at any reasonable time during the normal office hours. However, such records may not be reproduced, removed or altered without the consent of the Executive Officer or designee.

All personnel records are considered confidential and the property of the WCA. Personnel records and files therefore will be available or disclosed only to those persons who are authorized by the WCA to have access to them on a need-to-know basis, or to such other persons authorized by the WCA under legal rights to review or obtain applicable parts of such records.

## **Section 2.9            Use of WCA Property**

No WCA officer or employee may use, or permit others to use, WCA resources for a campaign activity, or personal or other purposes which are not authorized by WCA. For purposes of this section:

- 1) "Personal purpose" means those activities the purpose of which is for personal enjoyment, private gain or advantage, or an outside endeavor not related to WCA business. "Personal purpose" does not include an occasional telephone call, or an incidental and minimal use of WCA resources, such as equipment or office space, for personal purposes.

- 2) "Campaign activity" means an activity constituting a contribution as defined in Section 82015 of the Government Code or an expenditure as defined in Section 82025 of the Government Code. "Campaign activity" does not include the incidental and minimal use of WCA resources, such as equipment or office space, for campaign purposes, including referral of unsolicited political mail, telephone calls, and visitors to private political entities.
- 3) "WCA resources" means any WCA property or asset, including, but not limited to, WCA land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and WCA compensated time.
- 4) "Use" means a use of WCA resources which is substantial enough to result in a gain or advantage to the user or a loss to the WCA for which a monetary value may be estimated.

Nothing in this policy shall prohibit the use of WCA resources for providing information to the public about the possible effects of any bond issue or other ballot measure on WCA activities, operations, or policies, provided that: 1) the informational activities are otherwise authorized by the constitution or laws of this state, and 2) the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

#### **Section 2.10 Whistleblower Policy**

All employees are encouraged to report to their supervisor, human resources representative or appropriate authority in order to investigate, discover, or correct the violation or noncompliance, and to provide information to testify before a public body conducting an investigation, hearing or inquiry when they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a local, state or federal rule or regulation. This includes reporting violations of noncompliance with reference to employee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment. Confidentiality will be maintained, to the extent possible.

In accordance with California Labor Code Section 98.6 and AB 1509 (2016), the WCA is protected from discriminating, retaliating, or taking adverse action against its employees for whistleblowing or against its employees with a family member who has, or perceived to have, engaged in protected conduct under applicable provisions of California Labor Code.

Reporting should be done without fear of retribution or retaliation. If you feel you are suffering from unlawful retaliation in the workplace for whistleblowing, submit a complaint to your supervisor or Human Resources representative immediately.

## CHAPTER 3 APPOINTMENTS

### Section 3.0      **Appointing Authority**

The Executive Officer or designee serves as the appointing authority for the WCA. Vacancies may be filled by open recruitment, transfer, or promotion. The Executive Officer or designee approves all appointment documents. Appointment to the position of Executive Officer or designee is governed by Section 9.0 of the Joint Powers Agreement.

The Chair shall appoint all WCA employees involved in the accounting, fiscal, or financial management of the WCA. The Chair may delegate the appointment and day-to-day supervision of these employees to a Fiscal Manager, also appointed by the Chair.

It is the WCA's policy to encourage and promote the professional growth of each employee. Therefore, preference will be given to qualified current employees whenever possible in filling available positions. An employee's past performance, qualifications, potential, abilities, and length of service with the WCA and job experience are important factors in selection of employees for transfer or promotion.

### Section 3.1      **Recruitment & Application Process**

The Executive Officer or designee will determine when an open recruitment process is necessary. The Executive Officer or designee may designate who shall administer the recruitment and application process and publicize available employment opportunities through appropriate media, and distribute employment opportunity announcements.

Material falsifications of information or omission of required data will disqualify an applicant for employment. If such falsification or omission is discovered after employment, dismissal of employment may occur.

Examinations may be conducted in evaluating candidates for employment or promotions. The purpose of examinations is to evaluate the abilities, aptitudes, and suitability of the candidates as they relate to the position to be filled. The Executive Officer or designee will determine the need for developing non-biased oral, written and practical examinations, based upon the principal duties of each position. Written and practical examinations, if administered, are to be graded in an objective manner, applying predetermined measurement criteria.

Any candidate who believes that his/her test score is incorrect or that there were improprieties in the examination procedure may file a complaint with the Executive Officer or designee who will investigate the matter and advise the applicant of the findings.

### Section 3.2      **Criminal Conduct - Ineligibility for Employment**

Conviction, including pleas of guilty and *nolo contendere* (no contest), of any felony will be disqualification of an applicant for employment. Misdemeanor convictions may be considered by the WCA in determining qualifications for employment. The Executive Officer or designee may disregard such conviction if he/she finds and determines that mitigating circumstances exist. In making such determination, the Executive Officer or designee will consider all of the circumstances including, but not limited to the following factors:

- 1) The classification, including sensitivity, to which the person is applying and whether the classification is unrelated to the conviction; and
- 2) The nature and seriousness of the offense; and
- 3) The circumstances surrounding the conviction; and
- 4) The length of time elapsed since the conviction; and
- 5) The age of the person at the time of the conviction; and
- 6) The presence or absence of rehabilitation or efforts at rehabilitation.

### Section 3.3      **Selection**

The Executive Officer or designee will interview and make a selection from among the candidates or will provide justification for rejection of all candidates and may re-advertise the vacancy.

**Section 3.4 Notification**

The candidate will be notified of his/her selection for the position contingent on successful completion of the WCA's pre-employment procedures. Notification will indicate job title, job description, salary range and step, and projected starting date.

**Section 3.5 Appointment**

If a selected candidate fails to comply with any of the pre-employment procedures, fails to meet the standards required under any pre-employment procedure, or fails to report on an agreed starting date without prior approval of the supervisor, appointment will be denied.

**Section 3.6 Provisional Appointment**

Pending recruitment to fill a vacant position, a provisional appointment of an employee meeting the minimum qualifications for the position may be made by the Executive Officer or designee if sufficient justification for an immediate appointment can be shown. A provisional appointment will not exceed 60 calendar days and may be terminated at any time. After 60 days the employee will be returned to his/her former position or permanently hired at the new position.

**Section 3.7 Employment of Relatives**

Employees' relatives will not be eligible for employment with the WCA where potential problems of supervision, safety, security, or potential conflicts of interest exist. Relatives of present employees will not be hired by the WCA if the individual(s) concerned would work in a direct supervisory relationship or in the personnel and payroll capacities or offices. Relatives include an employee's parent, child, spouse, brother, sister, in-laws and step relationships, and domestic partners.

If two employees become subject to the restrictions of this policy after they are hired, one or both of the employees must seek a transfer or reassignment to eliminate the actual or potential conflict of interest as specified in this policy.

The WCA reserves the right to determine that other relationships not specifically covered by this policy represent actual or potential conflicts of interest as well. Where the WCA determines that the relationship between two employees presents an actual or potential conflict of interest, the WCA may take appropriate action which includes, but is not necessarily limited to, transfers, reassignments, changing shifts or if necessary, possible termination.

## CHAPTER 4 NEW EMPLOYEE ORIENTATION

### Section 4.0 Administration

The HR representative is responsible for the processing of all appointment paperwork, conducting an orientation to the WCA employee handbook and to other benefits and policies as necessary.

### Section 4.1 Orientation

Prior to starting work at the job site, new employees must complete an orientation with the HR representative. At orientation, new employees will receive information about the organization's employment benefits and related documents. Employment commences at the orientation.

The WCA's HR representative will provide each new employee with information such as the background of the WCA, its personnel policies, organization and functions, the employee's role in helping to achieve the WCA's goals, the employee's job content and performance evaluation standards, job safety, promotional opportunities, and any other information deemed pertinent.

New employees will be introduced to their co-workers. Following initial orientation, the HR representative will regularly check with employees concerning questions that they may have, their working conditions, any problems or difficulties they may have encountered, and feedback concerning their performance or job progress.

### Section 4.2 Notification of Changes to Personnel Records

The WCA keeps records concerning each employee. It is important that personnel records are accurate and up to date. It is important that this information be kept current in order to reach employees in an emergency, properly maintain benefits and compute payroll deductions. Please notify your supervisor immediately of any change in:

1. Name
2. Address and telephone number
3. Marital status or domestic partnerships
4. Number of dependents
5. Beneficiaries or dependents listed on the employee's insurance policy
6. Person to notify in case of an emergency

Employees will be required to confirm these changes in writing and on appropriate forms.

### Section 4.3 ~~Introductory Period-~~ New Employee Benefits and Performance Evaluation

~~The first six months of active employment for employees is an introductory period. As part of the orientation the HR representative will orient the employee to his/her job and the WCA. He/she will give the employee all necessary forms to fill out, explain the benefits and regulations and provide further orientation and training. Each employee's performance and potential are carefully evaluated during the introductory period to determine whether the employee meets the required standard for his/her work assignment.~~

During the initial six-month ~~introductory~~ period of employment, employees will accrue vacation (or voluntary annual leave), but are not eligible to use vacation and/or voluntary annual leave. WCA ~~introductory~~ employees will accrue and are eligible to use paid sick leave during this ~~the introductory~~ period. ~~Introductory e~~Employees are eligible to utilize a personal or floating holiday. ~~Introductory e~~Employees are eligible to use approved unpaid leave with prior supervisory approval. ~~Introductory e~~Employees are not eligible to participate in other WCA benefits during the first three months of employment, except holidays and unless otherwise specifically addressed in this document or as required by law. WCA shall evaluate the employee's performance after completion of six months of employment. Upon satisfactory completion of six months of employment and written recommendation from the Executive Officer, ~~an the~~ employee ~~may~~ will be eligible for a modest ~~pay salary~~ adjustment, not to exceed 2 percent, in recognition of meeting performance standards and fulfillment of job expectations. The anniversary date of merit and/or cost of living adjustment shall not change with this adjustment. The employee shall remain eligible for cost of living and/or merit increases at the discretion of management, budget permitting.



"Length of service" dates back to the initial date of employment. The WCA will continue to evaluate the employee's performance ~~following the introductory period and~~ throughout the employee's tenure with the WCA.

~~Per Section 2.0, WCA employees/personnel are employed on an at-will basis. Employees may be terminated or disciplined with or without cause and with or without advance notice, including at any time during the introductory period, by the employee or WCA.~~

#### **Section 4.4 Classification of Employees**

Employees of the WCA, fall into one of several categories: ~~Introductory~~, Full-time, Part-time, Temporary, Rehired, and On-Call employees.

~~Introductory Employee: A non-temporary employee during the first six months of employment.~~

Full-Time Employee: An employee who is regularly scheduled to work at least 40 hours a week or 80 hours in a two-week period if operating on a modified schedule and is hired for an unspecified period of time until employment is terminated.

Part-Time Employee: An employee who is regularly scheduled to work on a continuing part-time basis, i.e., less than 40 hours in a work week or 80 hours in a two-week period if operating on a modified schedule, for an unspecified period of time until promoted to a full-time position or employment is terminated.

Temporary Employee: An employee who is retained to perform a specified task for a brief period of time, usually not to exceed three months. Temporary employees are not eligible to receive WCA sponsored benefits including holiday pay.

Rehired Employees: A rehired employee is any employee who is hired following at least a 30-day break in service other than an approved leave of absence. At the discretion of the Executive Officer or designee, rare exceptions may be made to eliminate the ~~Introductory-initial six-month~~ Pperiod for Rehired employees and they would be immediately eligible for all benefits (medical benefits begin on the 1<sup>st</sup> of the month immediately following the rehire).

On-Call Employees: An employee who is retained to perform a specified task for a brief period of time or during temporary event. On-Call employees are not eligible to receive WCA sponsored benefits including holiday pay. Employment under On-Call status must be approved by a Deputy Executive Officer or higher officer.

Volunteers are not employees of WCA.

#### **Section 4.5 Exempt and Nonexempt Status**

Exempt employees are those employees exempt from overtime requirements, unless authorized by another policy or the Executive Officer or designee. Exempt classifications shall be compliant with existing State of California Department of Industrial Relations, Industrial Welfare Commission (IWC) wage orders (IWC). IWC Order No. 4-2001 regulates wages, hours and working conditions in the Professional, Technical, Clerical, Mechanical and similar occupations. Job classifications and/or employee's duties that meet the test shall qualify for exempt status. IWC 4-2001; Section 1 defines the requirements necessary to meet the test for ~~4~~, Executive Exemption, ~~2~~, Administrative Exemption, ~~3~~ and ~~7~~ Professional Exemption.

Employees who do not fall under the exempt categories listed above are considered nonexempt and are eligible for overtime pay in accordance with Section 5.3 of this employee handbook and/or State Wage Laws. Non-exempt employees working a modified schedule as described in Section 5.0 are eligible for overtime pay as described in Section 5.3.

## CHAPTER 5 HOURS OF WORK

### Section 5.0 General Hours of Work

The WCA's offices are open to the public from 8 a.m. to 5 p.m. Monday through Friday. However, the office's open operating hours may be modified if management determines that a modified schedule is in the best interest of the agency, i.e., a 4/40 work week or 9/80 work week. A 4/40 schedule requires that personnel-employees work 4 days, 10 hours each day a week. A 9/80 schedule requires personnel employees to work 9 hour days Monday through Thursday and 8 hours every other Friday. Total hours for two-week period cannot exceed 80 hours unless authorized by a supervisor. The standard, 5 day/40 hour week, work day is eight hours exclusive of lunch period, during general business hours.

The exact hours and days that an employee will be scheduled to work will vary, depending on the requirements of his/her department. The employee's supervisor will notify the employee of his/her regular hours of work.

Flex schedules may be arranged at the discretion of WCA. An employee may request a "Flex" schedule by submitting a written proposal to his/her supervisor. The Executive Officer or designee must approve any Flex schedule.

Due to the nature of WCA's services, employees may be required to work on a rotating basis and it may be necessary to change an employee's hours of work or break periods from time to time. Cooperation is both expected and appreciated. The employee's supervisor will endeavor to give the employee as much advance notice as possible.

### Section 5.1 Attendance

The WCA's success depends upon the cooperation and commitment of each employee. Therefore, attendance and punctuality are extremely important. Fellow employees must bear the burden of another employee's absence. The employee's responsibility to the WCA and fellow employees requires good attendance. Excessive absenteeism or tardiness will result in disciplinary action, up to and including termination.

Employees must report to work on time. This means that an employee should be in his/her work place and ready to work at starting time. If an employee must be tardy, he/she is expected to call and advise the supervisor that he/she will be late.

WCA recognizes that there may be times when absence or tardiness cannot be avoided. In such cases, the employee is expected to notify his/her supervisor as early as possible and in the case of absence, at least one hour before his/her regular starting time. If an employee knows of a need to be absent in advance, his/her supervisor must be advised and approval obtained in advance. Notification to a supervisor of an absence or tardy does not mean that the absence or tardiness is authorized. An absence or tardiness will be deemed authorized only if the employee has obtained his/her supervisor's prior approval.

If an employee is absent due to illness for more than three consecutive days, the WCA reserves the right to require a doctor's certificate before he/she may return to work.

Unless the employee has made other arrangements with his/her supervisor, he/she should call the supervisor each day of absence. If the employee fails to notify his/her supervisor of an absence for three (3) consecutive days, he/she will be considered to have voluntarily terminated his/her employment with WCA as of the first day of the unreported absence.

### Section 5.2 Unauthorized Absence

Any employee on an unauthorized absence for more than three scheduled work (days/shifts) without acceptable notification to the WCA will be deemed to have abandoned the position, and will be considered to have voluntarily resigned. The employee will be automatically terminated unless the employee can provide the WCA with acceptable and verifiable evidence of extenuating circumstances.

If an employee is absent without notice or authorization for less than three days, he/she must provide a detailed written reason for the absence. However, the employee may still be subject to disciplinary action,

up to and including termination. Unauthorized or unexcused absences will not be compensated in any form by the WCA.

### **Section 5.3 Overtime, Callback and Emergency Hours**

At times it may be necessary for employees to work overtime. An employee will be notified by his/her supervisor whenever overtime is necessary. The WCA expects and appreciates each employee's cooperation. Every effort will be made to provide employees with advance notice of any overtime that will be required.

Nonexempt employees will be paid one and one-half their regular straight time rate for all hours worked over eight in one day, 40 in a work week, and all hours worked on the seventh consecutive day of a work week. Nonexempt employees working a modified schedule as described in Section 5.0 are eligible for overtime pay for hours worked in excess of nine or ten hours in one day depending on the modified schedule but not to exceed ten hours in one day, 80 in one pay period or all hours worked on the seventh consecutive day in a work week. Only hours physically worked are used for the purpose of computing overtime. Sick, vacation, holiday, bereavement and voluntary annual leave hours are not computed.

Exempt employees are not entitled to overtime pay or comp time. The Executive Officer or designee may authorize overtime pay for exempt employees on duty where WCA is reimbursed by a third party. In these cases, the employee must have prior approval for the overtime.

Please remember that employees are not allowed to work overtime unless it has been authorized in advance by a supervisor. The only exception to this is for a public safety emergency situation such as flood or fire. Employees working unauthorized, non-public safety emergency overtime may be subject to disciplinary action.

### **Section 5.4 Work Schedule Changes**

The exchange of work days is generally discouraged because of its disruptive effect on work progress. Employees wishing to make an occasional work schedule exchange must obtain the approval of their supervisor.

Employees wishing to have a regular work schedule change considered by supervisory personnel should submit a written request stating the date and times of the exchange, reason for the exchange, and date and signature of the employee. Such a written request must, if approved by the supervisor, be submitted to the Executive Officer or designee no later than one day (24 hours) before the requested schedule changes.

The Executive Officer or designee will respond with approval or disapproval in a timely manner. If disapproved, the Executive Officer or designee will note the reason on the employee's written request and will retain a file copy.

### **Section 5.5 Meals and Rest Periods**

All employees are entitled to a 15-minute rest period during each four (4) hour period worked. Unpaid meal periods of at least one-half ( $\frac{1}{2}$ ) hour are provided for employees who work in excess of five (5) hours per day. The supervisor will notify employees of his/her schedule for breaks and meal periods. Meal periods may not be taken during the first or last hour of the workday.

### **Section 5.6 Subject To Call Compensation**

If an employee is called to work on a scheduled day off, and if the employee has worked 40 regular hours in the work week or 44 hours in a modified work week, the employee will receive overtime compensation for each hour worked plus two (2) hours designated as travel time to and from the workplace location.

### **Section 5.7 Make-Up Time**

Nonexempt employees may request make-up time if they work more than eight hours in a standard day or nine or ten hours in a modified work day not to exceed more than ten hours in a day and need to take time off later that work week. A "Make-Up Time Request" form must be completed and the time off must be taken during the same pay period that the extra hours were worked. Make-up time hours cannot be banked. If time off is not taken during the same pay period, the extra hours worked will be paid as overtime hours.

## **Section 5.8            Holiday Timesheet Coding**

Holiday hours will never exceed 8 hours for one day. Part time employees are not eligible for a full 8 hours of holiday pay. When working a modified 4/40 or 9/80 work schedule employee can make up the holiday hour(s) in excess of 8 hours or choose to utilize personal time, vacation, annual leave or unpaid time off. On-call or temporary employees do not receive holiday pay. If you are a temporary or on-call employee, code all hours worked the same as you would during a normal pay period including hours worked on the holiday.

Sick, vacation, holiday, bereavement and voluntary annual leave hours are not counted as hours worked when calculating overtime. Below are four scenarios detailing situations involving holidays:

### **First Scenario:**

You are normally scheduled to work on the day of the holiday and you work that day. You work a total of 32 hours during the rest of the week. You code your time on the holiday as follows: 8 hours holiday pay plus 8 hours overtime pay.

The 8 hours of overtime is used as an example. Code the actual hours worked, i.e. 7 hours, 12 hours, etc. to overtime. If you work more than 32 hours during the rest of the week, code the extra hours exceeding 32 to overtime. If you work less than 32 hours during the rest of the week, you will not be able to code all the hours you work on the holiday to overtime. For example, you work 30 hours during the rest of the week plus 12 hours on the holiday. You would then code your time as follows: 8 hours holiday pay, 2 hours regular time pay and 10 hours overtime pay.

### **Second Scenario:**

You are normally scheduled to work the day of the holiday and you do not work that day. You work a total of 32 hours or less during the rest of the week. You code your time on the holiday as follows: 8 hours holiday pay.

If you work more than 32 hours during the rest of the week, you code the hours in excess of 32 to overtime but still code 8 hours holiday pay on the holiday.

### **Third Scenario:**

You are not normally scheduled to work the day of the holiday but you work that day.

You work 32 hours during the rest of the week for a total of 40 hours of actual work time. You code your time on the holiday as follows: 8 hours holiday pay plus 8 hours overtime pay.

You will be paid a total of 32 hours at your regular rate, 8 hours overtime and 8 hours holiday pay for the week. If you work 24 hours or less during the rest of the week, you code your time on the holiday as follows: 8 hours holiday pay plus 8 hours regular rate.

### **Fourth Scenario:**

You are not normally scheduled to work the day of the holiday and you do not work that day. You work a total of 40 hours during the rest of the week. You code time on the holiday as follows: 8 hours holiday pay.

You will be paid a total of 32 hours at your regular rate, 8 hours overtime straight pay and 8 hours holiday pay for the week. If you work more than 40 hours during the week, you will code only the hours in excess of 40 hours as overtime and your pay will still include 8 hours overtime straight pay.

## CHAPTER 6 CONTINUING EMPLOYMENT

### **Section 6.0 ——— Vehicle Use**

~~If an employee is required to drive as a condition of employment, he/she must maintain a valid driver's license. Annually, the WCA will require the verification of a valid driver's license or will check with the DMV for valid licenses. If an employee loses his/her license or has his/her license suspended, the employee must immediately notify their supervisor if driving is a condition of employment.~~

~~The employee must carry the liability insurance required by state law. The WCA's insurance does not cover personal vehicles even if they are used for agency business.~~

### **Section 6.04 Criminal Conduct**

Convictions during employment may be cause for termination.

### **Section 6.12 Working Remotely**

With a supervisor's approval, work may be conducted away from an employee's normal work site. All rules and policies apply to employees working off-site, regardless of the location.

### **Section 6.23 General Rules**

Generally, no conduct which is unethical or illegal will be tolerated by the WCA. Although it is not possible to provide an exhaustive list of all types of impermissible conduct, the following are examples of some, but not all, conduct which will lead to disciplinary action up to and including discharge:

1. Any action which reflects discredit upon the WCA or is a direct hindrance to the performance of WCA functions.
2. Insubordination, including improper conduct toward a supervisor or refusal to perform tasks assigned by the supervisor in the appropriate manner.
3. Release of confidential information about the WCA or its employees including, but not limited to, financial matters, names, social security numbers, home addresses, home telephone numbers, education, medical history, or employment history.
4. Unsatisfactory performance.
5. Use of services of the WCA to solicit or process any political contribution, monetary or otherwise, from other officers or employees of the WCA.
6. Direct or indirect use or the promise, threat, or attempt to use any office, authority or influence, whether then possessed or merely anticipated, to confer upon or secure for any person or to aid or obstruct any person in securing or to prevent any person from securing any position, nomination, confirmation, promotion, change in compensation, or position within the WCA upon consideration that the vote or political influence or action of such person or another will be given or used in behalf of or withheld from any candidate, officer or party or upon any other corrupt condition or consideration.
7. Conviction of a felony or serious misdemeanor.
8. Arguing or being rude with other employees and/or visitors.
9. Falsification of time records or signing another employee's attendance report.
10. Falsifying WCA records.
11. Failure to comply with safety and sanitation standards.
12. Fighting on WCA premises.
13. Misusing, destroying or damaging the property of the WCA or a fellow employee.
14. Wasting supplies or materials.
15. Abusing telephone privileges.
16. Abusing computer privileges, including personal and unproductive use of the internet and social networking tools as stated in the Internet Usage Policy
17. Failure to report a work-related injury to management.
18. Substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which would impair an employee's ability to safely and effectively perform the functions of the particular job)

which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to the WCA's reputation.

19. Gambling on WCA premises.
20. Failure to conform to the dress standard in Section 6.8 of this manual.
21. Unauthorized removal of WCA property.
22. Falsification or material omission on employment application.
23. Any type of harassment of other employees or visitors.
24. Falsifying reasons for a "leave of absence" or not reporting to work after completion of an authorized leave.
25. Not accepting reasonable work related orders as stipulated by management.
26. Possession of firearms and illegal weapons while on WCA premises and/or in WCA vehicles, except sworn personnel and those in the personal possession of employees in their capacity of caretakers.
27. Violating the no-solicitation/distribution rule in Section 6.7 of this manual.
28. The use of WCA assets for personal gain.
29. Excessive tardiness or absenteeism.
30. Unexcused absence or absence without notification.
31. Smoking, including but not limited to vaping, in nonsmoking areas.
32. Leaving the premises before the work shift is completed without authorization.
33. Dishonesty, theft, attempted theft or any other crime.
34. Sleeping or loitering during assigned work period(s).
35. Repeated failure to work overtime when requested.
36. Failure to comply with departmental procedures.
37. Failure to follow policies as outlined in this handbook or any newly instituted policies.

Nothing in this policy is intended to alter the at-will status of employment with the WCA.

#### **Section 6.34 Posted Rules**

Employees must follow all posted park rules.

#### **Section 6.45 Conflicts of Interest**

Employees are expected to devote their full time to the WCA's interests during regular hours of employment. Employment and business commitments outside of regular hours are permitted provided that such activities do not impair the employee's ability to meet his or her job requirements and do not constitute a conflict of interest.

WCA facilities, supplies and equipment may not be used by employees for personal and/or outside employment reasons without the express permission of the Executive Officer or designee.

At all times, WCA employees are expected to conduct themselves in accordance with good business judgment for the sole benefit of the WCA and in such a manner as not to create any semblance of impropriety or conflict of interest.

Conflicts of interest are unacceptable business behavior. Employees are expected to avoid such activities in all their dealings. The following are among the types of behavior which constitute a "conflict of interest."

- 1) Engaging in any financial, business or other relationships with outside suppliers, contractors, or customers of the WCA.
- 2) Accepting gifts, bonuses, hospitality or anything of value from any such supplier, contractor, or customer.

The Political Reform Act imposes limits on gifts, prohibits honoraria payments, and imposes limits and other restrictions on the receipt of travel payments received by designated employees of local government agencies. For the WCA, those employees include the Executive Officer and Deputy Executive Officer.

All contractors to WCA must abide by the following policy:

The bidder represents and warrants that they, he, she, or the officers, directors, and/or employees of bidder are not related by blood or marriage to any member of the governing boards of the Rivers and

Mountains Conservancy, Los Angeles County Flood Control District, the Watershed Conservation Authority, or to any officer, director or staff member of any of the aforesaid public agencies. "Related by blood or marriage" is defined as being a parent, child (including step children), sibling, grandparent, grandchild, aunt, uncle, niece, nephew, spouse, domestic partner, father-in-law, mother-in-law, sister-in-law or brother-in-law. The WCA reserves the right to immediately cancel any contract entered into if it discovers a breach of this warranty and representation. Bidder shall be liable for all damages sustained by the WCA as a result of the breach.

### **Section 6.65 Safety**

Any accident that occurs on WCA premises be that of a guest, visitor or employee, must be reported immediately to the Executive Officer or designee. For the employee's own safety and the safety of others, please do not attempt to give medical aid to an injured guest, visitor, or fellow employee unless appropriately trained and/or certified in the performance of such services. In most cases, employees are advised to call the appropriate medical authorities.

In addition, please remember that only an officer of the WCA can answer questions about the WCA's liability. Do not volunteer any information or attempt to answer any questions.

### **Section 6.67 Gifts, Gratuities and Solicitation**

The WCA believes that employees should not be disturbed or disrupted in the performance of their job duties. For this reason, solicitation of any kind by an employee of another employee is prohibited while either person is on working time. Solicitation by non-employees on WCA premises is prohibited at all times.

Distribution by employees of advertising material or handbills is prohibited at all times. Distribution of all other printed or written literature of any kind in working or public areas of the WCA must be approved by the Executive Officer or designee.

### **Section 6.78 Dress Standards**

Generally accepted standards of professional appearance should be maintained so as to present an appropriate image to members of the public. The intent of this policy is to encourage a professional image to members of the public encountering agency personnel.

Employees are expected to dress in good taste and in the manner appropriate to the business at hand. This generally means that office personnel wear appropriate business casual attire.

### **Section 6.89 Use of Phone and E-mail**

All WCA-owned electronic and telephonic communications systems and all communication and information transmitted by, received from, or stored in these systems are the property of the WCA, and as such are to be used for job-related communications consistent with Section 2.9 of this handbook. All messages sent or retrieved via electronic mail are not retained in the ordinary course of business. Any policy directives sent via e-mail will be kept in the centralized agency files, electronic or otherwise and thereby become an agency document.

E-mail or phone mail may not be used to transmit vulgar, profane, insulting or offensive messages such as racial or sexual slurs. Prohibited uses of E-mail and phone mail include, but are not limited to, soliciting outside business ventures, advertising for personal enterprises or soliciting for non WCA related purposes.

Each employee is responsible for the content of all text, audio or images that they place or send over electronic mail. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on electronic mail must have your name attached. Users may not attempt to obscure the origin of any message. Information published may not violate or infringe upon the rights of others. Violation of these guidelines may result in disciplinary action.

### **Section 6.940 Cell Phone Policy**

Cell phones may be issued to WCA employees for the express purpose of conducting WCA business. WCA cell phones are not intended to be used for personal business or in lieu of an employee's personal cell phone. Personal use of WCA cell phones for personal calls or text messaging may be cause for disciplinary action.



**Section 6.1011 Confidentiality**

Employees are prohibited from discussing any personnel data with anyone unless as required by law or as part of the HR representative or other designated employee's normal course of work.

All business conducted by the WCA is considered confidential except that which is required by law to be public pursuant to provisions provided in the California Public Records Act of 2004. Confidential matters are not being discussed with non WCA employees.

**Section 6.1142 Disciplinary Procedures**

Employees who fail to comply with the WCA general rules or safety rules addressed in Section 6.3 will be subject to disciplinary action up to and including termination. Supervisors will follow disciplinary procedures in a fair, objective, consistent and reasonable manner as the situation deems necessary. Any questions or need of assistance with disciplinary procedures, please contact the Executive Officer or designee.

In addition to the general rules and safety rules, supervisors may be subject to disciplinary action for the following reasons:

1. Repeated safety rule violations by employees under his/her supervision with no corrective action documented and implemented.
2. Failure to provide designated training to employees prior to job assignments.
3. Failure to report accidents and provide medical attention to employees injured at work.
4. Failure to prevent unsafe conditions or work practices.

Supervisors who fail to maintain general safety standards within their areas of supervision may be demoted or terminated after three documented warnings have been levied during any twelve-month period.



## **CHAPTER 7 EMPLOYMENT SEPARATION**

### **Section 7.0            Resignation**

If an employee finds it necessary to resign, the WCA asks that the employee file a written resignation with his/her immediate supervisor. This notice should normally be submitted at least two weeks prior to the effective date, stating specific reason(s) for the resignation. Failure to give such notice will be noted on the employee's service record, and may result in denial of future employment with the WCA.

### **Section 7.1            Discharge**

The WCA strives to provide all employees with fair and reasonable conditions of employment at all times. However, in order to carry out its business obligations and priorities in the most efficient manner possible, the WCA adheres to the principles of at-will employment whereby the WCA and employees alike can terminate the employment relationship at any time with or without cause. In exercising such a policy, the WCA will inform an affected employee confidentially of the circumstances surrounding such a discharge.

### **Section 7.2            Layoff Guidelines**

The WCA is very interested in continued growth and productivity. Accordingly, cutbacks and reductions in force will be avoided if deemed feasible at the WCA's sole discretion. However, if the WCA determines that a reduction in the work force is warranted because of lack of funds, lack of work, a reorganization, or other considerations, employees will be selected for layoff based on a combination of factors, including, but not necessarily limited to, overall needs of the WCA, budgetary constraints, past performance and productivity, qualifications, attitude, attendance, and punctuality.

Nothing contained in this policy is intended to alter the at-will nature of the employee's status with the WCA.

### **Section 7.3            Return of WCA Property Upon Separation**

Employees who resign, retire or who are discharged or laid off will be required to turn in any WCA-owned property or working materials to their supervisors no later than their final work day. This includes, but is not limited to, keys, equipment, and supplies, any and all program files or materials. Supervisors are required to complete a Request for Personnel Action (RPA) no later than the final day of work.

### **Section 7.4            Final Compensation**

Upon separation, employees will receive their final compensation according to California Labor Code Section 200-243. Any unused accrued vacation or annual leave hours will also be included in the final compensation payment.

## CHAPTER 8 TRAVEL, PER DIEM AND VEHICLE USAGE

### Section 8.0      Travel and Per Diem

Periodically, it may be necessary, desirable, or appropriate to the benefit of the WCA and/or individual employees to attend or participate in activities outside the normal work location. Such activities may include attendance at lectures, meetings, training programs, conferences, or specialized courses of instruction.

Attending or participating in these activities may be either at the request of an employee, or required by the WCA, but in no case will it be regarded as an authorized activity until advance approval has been granted by the employee's supervisor. The supervisor's approval shall include an estimate of the approximate expenses including, but not be necessarily limited to, lodging, registration fees, materials, meals, transportation, and parking.

If an employee is required to attend a seminar, lecture, conference, business-related meeting or training program, the time will be considered hours worked for employees, and compensable in accordance with the payment provisions contained in this manual for all employees.

Per Diem reimbursement will be limited to reasonable expenses. Refer to IRS Publication 1542 for per diem rates. Any and all expenditures will require sufficient documentation before an employee is reimbursed.

Travel cost in connection with approved and bona fide business activities will be paid by the WCA where use of private or commercial transportation is necessary, and such payment will be on the basis of the least-cost mode and time efficient method of transportation where there is a choice. Reimbursement for mileage expenses will be paid according to current IRS mileage rates. Authorized business-use mileage shall be reimbursed utilizing Authority's Mileage Reimbursement Form and should be completed and submitted for payment authorization within 30 days of the last day of the preceding month in which mileage expenses were incurred. For example, the reimbursement form for mileage incurred in the month of May must be submitted by June 30<sup>th</sup>.

Mileage reimbursement for business related travel is normally calculated from Staff members assigned physical work address (home office) to/from business-related destination; however, if the actual mileage from staff member's home or interim departure point to/from the business-related destination(s) is shorter, the shorter distance will be reimbursed and must be documented on the Mileage Reimbursement form. Mileage to/from staff members place of residence and/or residing address to their assigned home office is considered regular commuting miles and not reimbursable; with exception of reporting to home office on a non-work day for approved business related purpose.

Travel time in connection with approved travel will be considered hours worked for employees as follows:

1. One-day travel as part of the day's work activities will be counted as hours worked. No per diem cost will be paid on trips lasting less than 24 hours.
2. Overnight travel out of town will be counted as hours worked only for those hours in which the employee is engaged in direct travel to the destination, and the hours during which actual business is transacted for the purposes for which the employee was sent.
3. Business related use of personal vehicles shall utilize the most cost effective routes and only for travel that exceeds the employee's normal commute from his or her home to the office.

### Section 8.1      Vehicle Use and Use of Personal Vehicles

If an employee is required to drive as a condition of employment, he/she must maintain a valid driver's license. Annually, the WCA will require the verification of a valid driver's license or will check with the DMV for valid licenses. If an employee loses his/her license or has his/her license suspended, the employee must immediately notify their supervisor if driving is a condition of employment

There may be occasions where an employee must use his/her personal vehicle for agency business. Whenever the employee's personal vehicle is used, the employee retains all liability for that use, and the employee must comply with all applicable laws, such as insurance and licensing requirements.

Whereas travel has been approved for use of the employee's personal vehicle, the employee must carry the liability insurance required by state law. The WCA's insurance does not cover personal vehicles even if they are used for agency business.

## **CHAPTER 9 COMPLAINT RESOLUTION**

### **Section 9.0          Complaint Resolution**

The WCA encourages employees to bring questions and concerns to the WCA's attention. The WCA will give careful consideration to these questions and concerns in a continuing effort to improve operations and communications.

If there is anything bothering an employee about his/her job, the WCA encourages employees to get it out in the open and talk about it. Discuss it frankly with supervisory staff and every effort will be made to help remedy the situation. Employee complaints will be handled in an open and fair manner.

First, if an employee feels he/she has a problem, he/she should present the situation to the immediate supervisor. The immediate supervisor knows the employee and the job best. Past situations have shown that most problems can be settled by simple examination and discussion of the facts at this level.

However, if the complaint involves supervisory staff, or the employee is not satisfied with the supervisor's response, or if for any reason the employee does not wish to bring the problem to his/her supervisor's attention, the concern may be presented to the Executive Officer or designee, whose determination in any issue is final.

To the extent possible, all complaints will be discussed, reviewed and investigated in a confidential matter. In addition, the WCA assures all employees that there will not be retaliation of any manner for use of the Complaint Resolution Procedure.

## CHAPTER 10 COMPENSATION AND PAYROLL PRACTICES

### Section 10.0 Administration

The compensation and payroll processing of the WCA may be administered by the agency or a contractor.

### Section 10.1 Attendance Reports (Timesheets)

The WCA uses attendance reports to assist in keeping an accurate record of work time for accounting purposes. Employees must record all hours worked, holiday time, vacation, sick, voluntary annual leave, and any other information required for accounting purposes. Employees are required to sign the attendance report before submitting it to his/her supervisor. The supervisor will review and approve the attendance report. All hours worked must be recorded.

Attendance forms found to be incorrect or incomplete will be returned to the appropriate supervisor, and may result in a paycheck being delayed if the amended attendance record is not returned to the payroll office prior to the completion of payroll processing.

Attendance reports must be submitted to the supervisor by 12:00 p.m. on the Friday before each pay period ends. This deadline may be adjusted accordingly for holidays and other reasons when payroll would be affected.

Under no circumstances should an employee sign another employee's attendance report. Doing so may result in disciplinary action up to and including discharge. Falsification of attendance reports may result in disciplinary action up to and including discharge.

Any employee on leave whether paid or unpaid during a time when timesheets are due will be required to complete the timesheet in advance of the absence. If an employee is on leave due to unforeseen circumstances during a time when timesheets are due, the Executive Officer or designee can allow the employee to send his/her timesheet electronically or can prepare an interim timesheet with the employee's hours during their absence. Upon the employee's return a corrected timesheet must be completed.

All hours recorded on the attendance form must be certified by his/her signature. If changes are needed to complete or correct an attendance form, such changes will be approved by the supervisor. A supervisor or other employee making any notations on the time sheets must initial such entries.

### Section 10.2 Distribution

Upon receipt, payroll checks will be distributed by the supervisor or Fiscal Manager, unless the employee elects direct deposit. Paper paychecks may not be cashed until the issue date ("pay day"). Paychecks not claimed on payday will be kept in the custody of the supervisor-Fiscal Manager for a period of three days. At the end of that period, any paychecks still unclaimed will be sent to the employee's last known address.

All monies due to a deceased employee will be held by the WCA pending notification by to release the funds to the legally designated party.

### Section 10.3 Compensation

For payroll purposes, the workweek starts on Monday at 12:01 a.m. and ends at 12:00 midnight the following Sunday. Exceptions to this may be made when an employee is staffing an event that begins on the last Sunday of the pay period but does not end until a few hours later on the first Monday of a different pay period. Compensation for all employees will be paid on a biweekly basis. Each paycheck represents payment for the preceding payroll period.

There are certain deductions that the WCA is required to make by law. Each payroll stub itemizes the deductions made from gross earnings. Federal and/or state laws require that deductions for Medicare, Social Security, Federal Income Tax, State Income Tax, and State Disability Insurance be made. There may also be deductions for items for which the employee has provided written authorization.

Wage assignments against an employee's compensation will be carried out only when the WCA is obligated to do so by Court Order and will be in strict compliance with laws governing such wage assignments.

In order to make sure that deductions are correctly made and updated, be certain to advise the WCA of any change to the W-4 form relating to deductions or withholding status. Any questions employees may have about their paycheck or the deductions made should be addressed to the HR representative.

#### **Section 10.4 Transfers**

A change in an employee's work location will be considered a transfer. The reassignment of an employee to a vacant position in a job class for which he/she has qualified on the same salary schedule as his/her job class will also be considered a transfer.

A Request for Personnel Action (RPA) form must be submitted to the payroll company prior to the end of the payroll period in which a transfer takes place in order to make appropriate adjustments in the payroll records. An employee transferred to a vacant position on the same salary schedule as his/her current rate of pay will retain his/her anniversary date for purposes of merit pay increases.

#### **Section 10.5 Salary or Wage Advances**

An employee may request early payment for wages or salary earned on his/her next paycheck for emergency reasons only. The request must be submitted in writing to the employee's supervisor, specifying the nature of the emergency. The Executive Officer or designee must approve all early payments. Generally, the early payment will be repaid by deduction in its entirety from the following paycheck. Routine or frequent requests (more than once every year) will be refused. The WCA does not extend credit to employees.

#### **Section 10.6 Wage Reviews**

When budget allows, merit increases for employees may be granted only for meritorious and efficient service and continued improvement by the employee in the effective performance of the duties of his/her position. Such salary increases will require the specific recommendation of the employee's supervisor and the approval of the Executive Officer or designee by means of the Work Performance Appraisal.

Merit increases will be based solely upon performance evaluations by each employee's supervisor, with the concurrence of the Executive Officer or designee as further specified in Section 10.11.

An RPA form reflecting a change of status must be submitted prior to the end of the payroll period in which the new status is effective in order for the employee to be compensated at the new rate. In the event that an RPA form is not submitted within the above specified time frame, retroactive pay may be granted.

#### **Section 10.7 Promotion or Reclassification with Higher Salary**

An incumbent who is selected for promotion or reclassified with his/her position to a higher salary job class will be placed in the step of the higher salary schedule that will provide a pay increase of not less than 5 percent, except when the last step of the higher salary schedule provides a pay increase of less than 5 percent. In this event, the employee will retain his/her anniversary date for merit increases.

An incumbent who is selected for promotion or is reclassified with his/her position to a higher job class resulting in a salary increase of at least 5 percent will be assigned a new anniversary date concurrent with the effective date of the action. The Executive Officer or designee may vary this policy whenever necessary.

For a period not to exceed six months, the employee's performance will be measured against the performance standards and expectations for the position. Should performance or behavior problems begin to develop, the evaluation period can be extended for a maximum of six months of employment within the position or upon recommendation of the supervisor to the Executive Officer, the employee is subject to and may be discharged from duty. Upon a satisfactory completion of the probation period performance evaluation and written recommendation from the Executive Officer, the employee will be eligible for a modest salary-pay adjustment, not to exceed 2 percent, in recognition of meeting performance standards and fulfillment of job expectations. The anniversary date of merit and/or cost of living adjustment shall not change with this adjustment. The employee shall remain eligible for cost of living and/or merit increases at the discretion of management, budget permitting.

### **Section 10.8 Range Adjustment**

When a job class is placed at a different range in the salary schedule as a result of a classification and/or salary survey with no significant changes in the job specification, this will be considered a range adjustment rather than reclassification and the incumbent will receive the revised salary. In this event, the employee will retain his/her anniversary date for performance reviews.

An employee in a job class which is assigned to a different salary schedule as a result of a range adjustment will retain his/her same step status and will retain the same anniversary date.

### **Section 10.9 Demotion**

An employee who is demoted will be placed in the step of the lower salary schedule that is commensurate with his/her length of service with the WCA and that will provide a reduction in pay of not less than 5 percent. The employee will be given a new anniversary date for purposes of merit paying increases identical to the date on which the placement in the lower salary schedule occurred.

### **Section 10.10 More than One Salary Change on Same Effective Date**

When more than one personnel action involving changes in an employee's salary step status become effective on the same day, all changes will be in accordance with the provisions of the preceding sections of this policy and will take place in the following order of precedence: (1) merit pay advancement or reduction in salary step; (2) adjustment to salary step in a newly authorized salary schedule; (3) promotion, demotion, or classification.

### **Section 10.11 Performance Evaluation**

It is the philosophy of WCA that every employee has the right to know exactly how he/she is doing. In keeping with this philosophy, each employee's supervisor will discuss performance with each employee ~~during and at the completion of the employee's introductory period. Thereafter, via~~ performance appraisals will be conducted at least annually once per year during a designated month.

The purpose of the evaluations is to a) evaluate past performance; b) communicate the ways to maintain or improve performance; and c) discuss ways the employee may increase his/her value to the WCA. Although there are many factors that are considered in this evaluation, the prime factors for evaluation are quality and quantity of work, regular and prompt attendance, record of disciplinary actions, teamwork, judgment and initiative, safety concerns, and ability to handle current responsibilities and possible future responsibilities effectively.

### **Section 10.12 Voluntary Demotion and Reinstatement**

An employee may request a voluntary demotion in his/her classification for any reason. Such a voluntary demotion will require the authorization of the Executive Officer or designee.

An employee taking such a voluntary demotion may be placed in any salary step of the appropriate salary schedule and he/she will be given a new anniversary date for purposes of merit pay increases.

An employee who has taken a voluntary demotion to a lower job class may be reinstated to a vacant position in his/her former job class with the authorization of the Executive Officer or designee.

## CHAPTER 11 BENEFITS

### Section 11.0 Eligibility for Benefits

Eligibility for benefits varies depending on the classification of employment. In this chapter, “eligible employee” is used for all classifications, as noted below.

Full-time Employees: ~~WCA~~ Full-time employees are eligible for benefits six months after their hire date. ~~after their Introductory Period of six months is complete.~~ See Section 11.1 Health Insurance for exceptions to this policy.

Part-time Employees: Part-time employees who are regularly scheduled to work 40 or more hours per pay period are eligible for benefits once they have completed 480 hours of work. Part-time employees who are not regularly scheduled for 40 or more hours per pay period are not eligible for benefits or any accrued leave programs except the minimum as required by law.

Part time employees who are regularly scheduled to work 40 or more hours per pay period earn leave prorated on their fractional time base.

Temporary Employees: Temporary employees are not eligible for benefits except the minimum as required by law.

On-Call Employees: On-call employees are not eligible for benefits except the minimum as required by law.

### Section 11.1 Health Insurance

The WCA has insurance plans, for eligible employees who have completed ~~the introductory period~~ six months of employment and/or as of January 1, 2014, as part of California labor law and Affordable Care Act, the eligible employee has completed 30 days of employment and will hereafter be referred to as the Health Insurance Eligibility Period. The plan offers a broad range of protection for employees and their dependents, including medical, dental, vision and life insurance coverage.

“Dependent” costs are the full responsibility of the employee and may include spouses, domestic partners, children, and other legal dependents. The dental and vision benefits are considered a single package; for example, an employee may not decline dental insurance but still receive vision coverage. The WCA pays to the insurance companies the cost of employee health, dental, vision, and life insurance premiums up to an established amount per month for eligible employees. Any added dependents and their associated costs for health, dental, vision, and life insurance are the responsibility of the employee. Dental, vision and life insurance benefits begin on the 1<sup>st</sup> day of the month immediately following ~~the completion of the Introductory Period~~ the initial six months of employment. Medical insurance benefits begin on the 1<sup>st</sup> day of the month following the completion of the Health Insurance Eligibility Period.

Employees may decline the health insurance but must provide proof that they are covered by other health insurance. For example, an employee who is covered under their spouse’s policy would provide a copy of their insurance identification card. A current insurance card must be presented annually. If the card does not indicate the time period of coverage, a letter from the insurance company is required to confirm that the policy is current.

For those employees who decline the WCA insurance and have provided a copy of their insurance identification card, the WCA will pay up to \$200 per month (full-time employees; \$100 per month for part-time employees). In order to receive this health credit, the employee must decline the medical, dental and vision insurance being offered. Employees may still receive the employer paid life insurance coverage along with the health credit. This benefit also begins on the 1<sup>st</sup> day of the month immediately following the completion of the Health Insurance Eligibility Period.

Employees will be responsible for the entire cost of the health insurance premium after an unpaid personal leave of absence in excess of 30 days. Eligibility for employer paid insurance premiums for other types of leave are described in greater detail in the “Leaves of Absence (Unpaid)” section of this manual.

Upon termination of employment or upon other disqualifying events, the employee and/or eligible dependents may be entitled to elect to continue coverage under the WCA’s group health insurance program(s) or convert to individual coverage by paying the cost of the premium(s) directly to the WCA’s



insurance carrier under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Information on COBRA may be obtained by calling the carrier directly.

## Section 11.2 Holidays

The WCA will observe all California State Holidays plus one personal holiday per fiscal year. Full-time employees accrue eight hours of holiday credit; part-time employees who are regularly scheduled to work 40 or more hours per pay period accrue hours equal to their time base, up to eight hours. If a holiday falls on a Saturday ~~or Sunday~~, the holiday is observed the preceding Friday; if it falls on a Sunday, the holiday is observed the following Monday. If the holiday falls on a Friday as part of a modified schedule day off, full-time employees accrue eight hours of holiday credit; part-time employees accrue hours equal to their time base, up to eight hours. This holiday credit must be used by the end of the fiscal year.

All full-time and qualified part-time employees are paid for the following holidays:

### HOLIDAY

Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving Day  
Day After Thanksgiving  
Christmas Day  
New Year's Day  
Martin Luther King's Birthday  
President's Day  
Cesar Chavez Day  
Memorial Day  
Personal Holiday

Full-time employees will receive compensation at the regular straight time rate of pay for the number of hours regularly scheduled to work, for a total amount not to exceed eight per day. To be eligible for any holiday pay, the employee must work the regularly scheduled work days before and after the holiday unless excused by the supervisor as authorized leave. When working a modified 4/40 or 9/80 work schedule employee can make up the Holiday hours in excess of 8 hours or choose to utilize personal time, vacation, annual leave or unpaid time off.

Part-time employees who are regularly scheduled to work 40 or more hours per pay period receive compensation at the regular straight time rate of pay prorated on their fractional time base. Part-time employees who are regularly scheduled to work less than 40 per pay period will not receive holiday pay. If the holiday falls on a day that the part-time employee is not regularly scheduled to work, they still receive holiday pay as described above.

Temporary and on-call employees are not eligible for holiday pay.

If an employee is requested to work on a holiday, the employee will receive the regular rate of pay (including any applicable overtime premiums) for all hours worked in addition to any holiday pay for which the employee is otherwise eligible.

See Section 5.8 for holiday timesheet coding practices.

In addition to the scheduled holidays, there is one personal holiday per fiscal year for employees. ~~Once an employee has completed their introductory period they are credited with a personal holiday for the current fiscal year. Thereafter, the~~ the personal holiday is credited on the first day of July for each fiscal year, ~~or the day an employee first begins employment with the WCA.~~ If the personal holiday time is not used during the fiscal year, it is forfeited. Personal holiday time does not roll over into the following fiscal year. Rules surrounding the accrual of the personal holiday will follow the policy applied to all other holidays.

## Section 11.3 Vacation

The WCA recognizes the importance of uninterrupted periods of rest and relaxation for all employees. Therefore, this vacation plan is based upon the employee's continuous service. Full-time employees may

utilize accrued vacation after six months. Part-time employees are eligible to use vacation after having worked 480 hours. Vacation leave will be compensated at the employee's regular straight-time hourly rate of pay as of the date vacation is taken.

The rate of vacation accrual for full-time employees is as follows:

Length of employment	Maximum vacation hours earned per year	Maximum Vacation accumulation hours
Up to 3 years	96	144
3 – 10 years	120	180
Over 10 years	160	240

Part-time employees accrue vacation hours prorated on their fractional time base. Part-time employees who are regularly scheduled to work 40 to 55 hours per pay period earn 50% of the full-time rate. Part-time employees who are regularly scheduled to work 56 to 79 hours per pay period earn 75% of the full-time rate. Part time employees who are regularly scheduled to work less than 40 hours per pay period will not accrue vacation.

Vacation does not accrue on overtime hours worked.

An employee may accumulate up to 1.5 times the maximum annual accrual as of January 1 each year. Exceptions to this limit will not be allowed except in extremely unusual situations and must be approved, in advance, by the Executive Officer or designee.

Employees who have used forty hours of accrued vacation hours in the preceding twelve-month period may elect to receive pay in lieu of up to forty hours of vacation accrual at a rate equal to the hourly equivalent of his/her salary. A request for payment under this provision may not be made more than once in any twelve-month period. Cash out or lump sum payment for any vacation leave credits will not be considered as "compensation" for purposes of retirement

#### **Section 11.4      Paid Sick Leave**

All employees are eligible to use paid sick leave. Sick leave will be compensated at the employee's regular straight-time hourly rate of pay as of the date sick leave is taken.

Full-time employees begin to accrue sick leave time immediately compensated by the WCA at the regular hourly rate, with a maximum of 96 hours earned per year. Sick leave can be used immediately after the employee's employment date as long as it is used for the following appropriate circumstances.

Part-time employees who are regularly scheduled to work more than 40 hours per pay period accrue sick leave prorated on their fractional time base. Part-time employees who are regularly scheduled to work 40 to 55 hours per pay period accrue 48 hours per year. Part-time employees who are regularly scheduled to work 56 to 79 hours per pay period accrue 72 hours per year. Sick leave can be used immediately after the employee's employment date as long as it is used for appropriate circumstances.

Part-time, temporary, on-call and all other employee classifications who work less than 40 hours per pay period will accrue sick leave hours according to the Healthy Workplace Family Act of 2014, California Labor Code Section 246 adopted and effective on July 1, 2015. Any employee who works at the WCA for 30 or more days within a year and has satisfied a 90-day employment period is entitled to take 24 hours of sick leave per year; notwithstanding the aforementioned, employees will accrue sick leave at a rate of one hour of sick leave for every 30 hours of work. Employees may use up to 3 days or 24 hours of sick leave per year, but accrual will be capped at 48 hours. Sick leave under this policy accrues as soon as the employee is hired but the employee is not entitled to utilize the leave until he/she has satisfied a 90-day employment period and will lose any accrued sick leave if the employment is terminated prior to the end of this period.

	Maximum sick hours earned per year
Full-time	96
Part-time: 56-79 hrs.	72

Part-time: 1-55 hrs.	48
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Sick leave does not accrue on overtime hours worked.

WCA provided sick leave is allowed only for absences in the following circumstances:

- 1) Sick-Leave - Self: Preventative care or care of an existing health condition or for specified purposed if you are a victim of domestic violence, sexual assault or stalking.
- 3) Sick-Leave - Immediate Family: Preventative care or care of an existing health condition for the employee's family members defined as the employee's parent, child, spouse, registered domestic partner, grandparent, grandchild, and sibling or other dependent relative residing in the employee's household.
- 4) Disability leave due to pregnancy, childbirth or pregnancy-related condition: The employee may elect to use accrued personal or vacation or compensatory time off for this purpose in addition to unpaid leave. Refer to the section on Pregnancy Disability Leave in Chapter 12 for more detailed information on this matter.

Eligible employees are to notify their supervisors promptly whenever the use of sick leave becomes necessary. Employees are expected to:

- 1) Advise their supervisor of the specific reason for taking sick leave; and
- 2) Advise their supervisor of the probable duration of absence; and
- 3) Seek their supervisor's verbal or written approval to use sick leave; and
- 4) Keep their supervisors informed of conditions during sick leave absence, including requested medical verifications.

Paid sick leave may be granted in minimum units of ½ hour provided such time has been earned at the time of use. The use of any sick leave taken must be so noted on the employee's attendance record for each pay period in which time is taken.

At the WCA's sole discretion, an employee using paid sick leave may be required to produce evidence (attending physician's statement, employee's affidavit, etc.) to substantiate the reason for or length of sick leave. Where sick leave is taken due to health reasons, the WCA reserves the right to require that an employee be examined by a physician prior to returning to work in order to assure fitness for a resumption of duties, and the welfare of other employees.

Unused paid sick leave will be considered forfeited at the end of end calendar year and is not eligible to be paid upon termination of employment.

### **Section 11.5 Bereavement Time**

A total of three consecutive days will be granted to a full time employee without loss of pay for each bereavement caused by the death of a member of the immediate family as defined in the Paid Sick Leave section. When travel to distant locations or other circumstances requires absence in excess of three days, the Executive Officer or designee may allow the use of accrued sick leave or accrued annual leave up to an additional two days to supplement the bereavement time.

~~Introductory employees~~ New employees during their initial six months of employment are not eligible for bereavement leave, but may be granted three days leave without pay, and may use up to two days of accrued sick leave or accrued annual leave when circumstances require an absence in excess of three days.

Part-time employees who have completed ~~the Introductory Period~~ at least six months of employment are eligible for paid bereavement leave prorated on their fractional time base. Part-time employees who are regularly scheduled to work more than 40 hours per pay period qualify for 4 hours of leave for three days. All other part-time employees are not eligible for bereavement leave. Part-time employees may use up to two days of accrued sick leave when circumstances require an absence in excess of three days.

### **Section 11.6 Voluntary Annual Leave Program**

The voluntary annual leave program (ALP) replaces the traditional sick and vacation leave credits with a more versatile annual leave pool. Annual leave will be compensated at the employee's regular straight-time hourly rate of pay as of the date annual leave is taken. All employees who are regularly scheduled to

work more than 40 hours per pay period are eligible to elect to participate in this program. Employees in this program begin to accrue annual leave time immediately but cannot take it until the introductory employee's initial six months of employment period is completed.

The rate of ALP accrual for full-time employees is as follows:

Length of employment	Maximum ALP hours earned per year	Maximum ALP accumulation hours
Up to 3 years	144	216
3 – 10 years	168	252
Over 10 years	208	312

Part-time employees accrue vacation hours prorated on their fractional time base. Part-time employees who are regularly scheduled to work 40 to 55 hours per pay period earn 50% of the full-time rate. Part-time employees who are regularly scheduled to work 56 to 79 hours per pay period earn 75% of the full-time rate. Part-time employees who work less than 40 hours per pay period are not eligible to opt into the voluntary annual leave program.

ALP does not accrue on overtime hours worked.

An employee may accumulate up to 1.5 times the maximum annual accrual as of January 1 each year. Exceptions to this limit will not be allowed except in extremely unusual situations and must be approved, in advance, by the Executive Officer or designee.

Annual leave will be requested and used by the employee in the same manner as vacation or sick leave. Requests to use annual leave must be submitted in accordance with policies on vacation and sick leave. Leave must be used in half-hour increments. The PTO balance for Exempt employees will be reduced for partial day absences if the employee works four hours or less on a working day. In the example of an exempt employee with a normal workday of 8 hours, the employee works 3 hours and takes the remainder of the day off. This employee's PTO balance will be reduced by 5 hours.

At the discretion of the WCA, all or a portion of unused annual leave credits may be cashed out at the employee's salary rate, no more often than once per calendar year. Upon termination of employment, the employee will be paid for unused annual leave credits in the same manner as vacation leave. Cash out or lump sum payment for any annual leave credits will not be considered as "compensation" for purposes of retirement.

The WCA reserves the right to cancel the annual leave program at any time with 30 days' notice to employees. Enrollment is effective the 1<sup>st</sup> pay period following receipt of an enrollment request, except at the discretion of the Executive Officer or designee.

## **Section 11.7 Jury Duty Pay and Witness Leave**

In the event an employee is duly summoned to any court for the purpose of performing jury service or serving as a witness in connection, he/she will receive his/her regular compensation for any regularly scheduled work hours spent in the actual performance of such service, provided the fees, except mileage or subsistence allowance which he/she receives as a juror or subpoenaed witness, are remitted to the WCA. Time off taken for jury duty is treated as a paid absence for up to ten (10) workdays during any one year. Employees must give their supervisor at least five (5) working days' notice prior to the start date of jury duty. A copy of the summons should accompany the request. If you are dismissed from jury duty before the end of the workday, you must report to your supervisor for instructions on whether to return for work for the rest of the workday.

The above policies will pertain to part-time employees. If hours of work are variable, the part-time employee will be compensated at the rate of his/her hourly wage multiplied by the average daily hours worked during the pay period prior to the court-ordered absence, or by the actual number of hours of court-ordered absence, whichever is less. Fees paid for such court appearances will be remitted to the WCA up to the amount of compensation paid by the WCA. Mileage reimbursements do not have to be remitted to the WCA.

In the event an employee is duly summoned to any court for the purpose of performing jury service or serving as a witness in connection with WCA litigation, he/she will receive his/her regular compensation for any regularly scheduled work hours spent in the actual performance of such service, provided the fees, except mileage or subsistence allowance which he/she received as a juror or subpoenaed witness, are submitted to the WCA.

Accrued vacation or accrued annual leave may be used for the purpose of appearances in court on personal cases or appearances unrelated to his/her employment with the WCA.

### **Section 11.8 Training and Education**

Employees in all classifications may be provided opportunities for training or education. In-service training will be conducted as part of the normal work schedule and will be compensated at the regular rate. In the event that a WCA sponsored in-service training program requires hours beyond the normal work week's schedule, employees may be allowed time off during the work week schedule.

Supervisors may recommend an employee's attendance at conferences, seminars and/or workshops. Related expenses will be paid for by the WCA to the extent of lodging, transportation, parking fees, meals, materials and registration fees. See Chapter 8, Travel and Per Diem for policies on reimbursement.

### **Section 11.9 Workers' Compensation Insurance**

Workers' Compensation Insurance is provided by the WCA. The WCA pays the entire cost of all Workers' Compensation Insurance. This insurance covers injuries or illness arising out of or in the course of employment.

The WCA is concerned for each employee's safety, and it is important that employees help to limit on the job injuries. To ensure each employee's physical well-being and the correct processing of claims, it is extremely important that employees notify their supervisor immediately of any injury which occurs during or as a result of employment no matter how slight.

The WCA or its insurance carrier may not be liable for the payment of workers' compensation benefits for any injury which arises out of an employee's voluntary participation in any off-duty, recreational, social or athletic activity which is not part of the employee's work-related duties.

All work-related injuries must be reported to your supervisor immediately. In the event of a work-related injury, the WCA will obtain a physician for the employee. The employee may request to change the treating physician within 30 days after the injury is reported. If the employee does not wish to be initially treated by a WCA designated physician, he/she may designate a physician by notifying the WCA in writing. Such designation applies only to injuries sustained after the date of notification.

If the work-related injury causes the employee to take a temporary disability injury leave, WCA will compensate the first 3 days of absence. Additional leave time off will be compensated by WCA's workers' compensation insurance company. Compensation of wages will be two-thirds (2/3) of the employees average weekly wage. The compensation is paid out tax free.

Questions in regard to workers' compensation benefits should be directed to an HR representative.

### **Section 11.10 Retirement Program**

The WCA has a 457(b) retirement plan. An eligible employee must be 21 years of age to participate in the retirement plan. Once an employee completes the ~~introductory period~~ **initial six months** of employment, the WCA makes a contribution of 8% of W-2 compensation for each employee per year. Employees may elect to make an additional deferral from their pre-tax earnings. There is a 5-year modified vesting schedule in which an employee becomes 20% incrementally vested after each year of service and becomes 100% vested in the employer contributions upon completion of their fifth year of employment. Employees must be actively employed on the last day of the plan year and must complete at least 1,000 hours of service during the plan year in order to qualify for that year's employer contribution. Detailed information regarding the 457(b) retirement plan should be directed to an HR representative.

### **Section 11.11 Medicare and Social Security**

All employees are covered by Medicare and Social Security. Contributions are deducted from the employee's paycheck. The amount that is deducted is matched by the WCA to provide the employee with

benefits after retirement. Detailed information regarding individual benefits may be obtained by contacting the nearest Social Security office for assistance.

#### **Section 11.12 State Disability Insurance**

As an additional benefit, employees are covered under the State Disability Insurance plan which provides benefits in the event work is missed due to a non-work-related accident or illness. A small percentage of an employee's wages are deducted each pay period for disability insurance.

#### **Section 11.13 Unemployment Insurance**

If employment is terminated, the employee may be eligible to receive unemployment benefit payment. In most cases, the employee must file a claim in order to collect the benefit. Employees should contact the Employment Development Department, Unemployment Insurance Office for additional information.

#### **Section 11.14 Voting Time Off**

Employees are allowed up to two hours of time off from work with pay to vote in general elections if, because of extended working hours or distance from the voting place, the employee cannot vote during normal off-duty hours. These two hours must be taken at either the beginning or the end of the workday. If the employee is going to need time off for this purpose, the supervisor must be notified at least two working days in advance.

#### **Section 11.15 Dog Friendly Workplace Policy**

As a dog-friendly workplace, employees who participate in bringing dogs to work shall abide by the following code of conduct and be respectful of coworkers who may be uncomfortable or distracted by the pet's behavior and proactively address distractions, as well as, be open to co-workers' suggestions on how to improve distractions. WCA is responsible for assuring the health and safety of all employees during working hours; therefore, the privilege of bringing a dog to work is subordinate to the health, safety, and comfort of persons who may come into contact with the pet at the office. In an effort to respond to concerns of health, fear, and safety regarding dogs, the code of conduct and guidelines are as follows:

- It is the employee's/owner's responsibility to ensure that pets relieve themselves outside, and to clean up after the pet and dispose of the pet's waste properly. All indoor accidents will be the responsibility of the employee; not of the cleaning service
- Pets are to be leashed or in a closed office or cubicle at all times
- Dogs are not permitted in bathrooms, break areas, or other areas where food is present
- A sign must be posted in a conspicuous location (i.e. office door) so any employee or visitor will be notified to expect a pet in that area.
- Dog owners will be financially responsible for any damage or cleaning costs resulting from the dog being at the office under this policy. This includes damage from accidents, excessive pet hair, and odor removal.
- Dog owners will be completely responsible for their dog at all times. The Employee Handbook's Signed Acknowledgment Form will serve as a hold harmless agreement, whereas the owner unconditionally releases and indemnifies WCA staff or visitors from any loss, damage, liability and expense – including court costs and attorney fees – that may incur as a result of injuries to persons and/or other pets.
- Owners must comply with all State and City of Azusa laws and ordinances governing licensing and vaccinations.
- The Executive Officer retains discretion regarding time, place, and frequency of pet visits (with the exception of service animals)

A pet may be excluded from the office if it:

- Causes any employee or third party person to experience allergic reactions, fear, or any other physical or psychological discomfort;
- Reduces any employee's productivity or quality of work; or
- Is unhealthy or carries any disease, active infections, parasites, etc. that is communicable to other animals in the office or to humans.

An employee who requires the help of a service animal, defined by 28 FR 36.104 as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability" will be permitted to bring a service animal to the office, provided that the animal's presence does not create a danger or health issue to others.

As described in Section 6.5, employees are expected to conduct themselves in accordance with good business judgment for the sole benefit of the WCA. This includes exercising sound judgement when taking dogs to off-site work events. The employee remains responsible for their dog's actions, and the employee must ensure the dog is allowed at the event.

Any individual with a grievance regarding an animal at the office should bring the matter to the attention of the dog owner, Supervisor or H/R representative.



## CHAPTER 12 LEAVES OF ABSENCE (UNPAID)

### Section 12.0 Rules

An unpaid leave may be granted when an employee is under a doctor's care or in some instances when a family member is under a doctor's care, and the employee has provided the WCA with a doctor's note specifying the medical condition and the expected duration of the leave. All types of disability leave run concurrent with leaves taken under state or federal leaves if applicable (e.g., the California Family Rights Act of 1994 (CFRA), or occupational disability leave.

It is the employee's responsibility to update the WCA during an approved medical leave as to his/her progress and/or his/her estimated date of return. If it becomes necessary for the medical leave to be extended, per doctor's instructions, the employee must provide the WCA with a doctor's note in order to extend the leave. All unpaid leaves must be approved by the Executive Officer or designee. Whenever circumstances permit, approval for a leave of absence must be obtained at least 10 working days in advance.

### Section 12.1 Disability/Medical Leave

Employees are eligible for an unpaid disability leave of absence due to illness, injury or pregnancy. All requests for a disability leave of absence (or extensions) must be made in writing for final approval. The request must include a doctor's certificate stating the nature and estimated period of disability.

Any accrued vacation and/or paid personal leave (such as floating holidays, vacation, etc.) must be exhausted prior to the commencement of disability leave of absence, except for a Pregnancy Disability Leave (see Section 12.3). The WCA will continue to pay its portion of the employee's health insurance premiums for up to three months during an approved disability/medical leave of absence provided that the employee continues to pay his/her portion of the premium during the leave if applicable.

Employees are not eligible for holiday pay during a disability, medical or pregnancy leave of absence. Personal and annual leave time do not accrue during unpaid disability leave. An employee's length of service for the purpose of benefits will continue to accrue for a period of time not to exceed thirty (30) days.

The employee should give the WCA at least two (2) weeks' notice prior to returning to work. This is important so that the return to work is properly scheduled. Upon an employee's return, a doctor's certificate stating that the employee is physically able to return to normal duties will be required. The WCA will reinstate an employee to his/her former job upon his/her return from disability leave unless prevented from doing so as a result of business necessity. In that event, the WCA will place the employee in a comparable position for which he/she is qualified should there be an opening. If no position for which the employee is qualified is available, the WCA will place the employee on a preferential rehire list, to be called in the event of a suitable opening.

Should the disability continue for more than four months a physical fitness evaluation will be made in as timely a manner as possible and will take the following factors into consideration:

- 1) Medical opinion and diagnosis.
- 2) Extent and nature of disability in relation to job duties and physical requirements of the position held prior to the illness or injury.
- 3) Continued ability to satisfactorily perform the essential functions of the position.
- 4) Availability of a position more compatible with the disability in the event that continued employment in the position held prior to the illness or injury is not feasible and/or practical.

The evaluation will result in one of the following decisions:

- 1) The employee will resume position held prior to the illness or injury.
- 2) The employee will be offered an alternative position at an equal or lower salary level.
- 3) The employee will be terminated if continued employment in the position held prior to the illness or injury is incompatible with the disability and an alternative position is not available or desirable to the employee.

Reasonable Accommodations as defined by the Americans with Disability Act will be provided where possible.



For information on State Disability Insurance benefits, contact the state Employment Development Department at 1-877-BE-THERE or [www.edd.ca.gov](http://www.edd.ca.gov).

## **Section 12.2      Family Care Leave**

The WCA does not employ the minimum number of employees required for the federal Family and Medical Leave Act (FMLA).

The California Family Rights Act (CFRA) guarantees up to 12 weeks of unpaid leave during a 12-month period. Although the leave is unpaid, an employee's medical, dental, and life insurance benefits continue for those 12 weeks, and the employee will be restored to their previous position or an equivalent position upon return. This type of unpaid leave is referred to as Family Care Leave (FCL).

### **ELIGIBILITY**

If an employee has worked for the WCA for a minimum of 12 months and has worked at least 1250 hours in the past 12 months, he/she is eligible for Family Care Leave (FCL). WCA will grant FCL for the following circumstances:

- 1) for the birth, adoption or foster care placement of a child;
- 2) for the employee's own "Serious Health Condition"; or
- 3) for the care of the employee's child, parent, spouse, or domestic partner with a Serious Health Condition.

"Serious Health Condition" is defined as an illness, injury, impairment, or physical or mental condition which grants the participation of a family member to provide care as part of either: 1) inpatient care in a hospital, hospice, or residential health care facility or 2) continuing treatment or supervision by a health care provider.

### **LENGTH OF LEAVE**

If an employee is eligible for FCL, he/she is entitled to 12 weeks leave in a 12-month period. The WCA has adopted a rolling 12-month retrospective period to determine the amount of leave time that is available. This means that when an employee requests FCL, the WCA will consider the amount of FCL that the employee has taken during the 12-month period that immediately precedes the request. For example, if an employee requested FCL as of February 1, 2009, and the employee had not taken any FCL between January 31, 2009 and February 1, 2008, the employee would be eligible for up to 12 weeks of unpaid leave. If, however, the employee had taken four weeks of FCL in July of 2008, the employee would only be eligible for eight weeks of leave.

Note that spouses or domestic partners working for the WCA are limited to 12 weeks total leave time per couple for the birth of a child, adoption of a child, foster care of a child in connection with the adoption of that child, or the serious illness of a child or parent.

Leave for childbirth or adoption can be taken intermittently (e.g., two days a week or one week per month). Leave for a serious illness, including a pregnancy related illness, may be taken intermittently or on a reduced hours schedule when medically necessary, or if the employee is unable to perform his/her job as normally scheduled because of a medical condition. When a leave is to be taken intermittently, this need must be included in the medical certification.

If the employee is taking a leave for the birth, adoption or foster care placement of a child, the basic minimum duration of the leave is two weeks and the leave must be concluded within one year of the birth or placement for adoption or foster care.

Employees taking FCL will be required to use all available paid time off (e.g., vacation, floating holidays, etc.) before any unpaid FCL.

### **PREGNANCY DISABILITY LEAVES**

Even if an employee is not eligible for FCL, if the employee is disabled by pregnancy, childbirth or related medical conditions, she is entitled to take a pregnancy disability leave of up to four months, depending on the period(s) of actual disability. See Section 12.3. If the employee is FCL eligible, she has the right to

take both a pregnancy disability leave and an FCL leave for the same event. Both leaves contain a guarantee of reinstatement to the same or to a comparable position at the end of the leave, subject to any defense allowed under the law.

#### EMPLOYEE NOTICE & CERTIFICATION

If possible, the employee must provide at least 30 days advance written notice for FCL for foreseeable events (such as the expected birth of a child or a planned medical treatment for self or of a family member.). For events which are unforeseeable, the employee must notify the WCA, at least 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.

An employee must provide certification from the health care provider when the leave involves the illness of a spouse, domestic partner, child, parent, or the employee. Certification must include:

- 1) Date serious health condition commenced.
- 2) Probable duration.
- 3) Appropriate medical facts regarding condition.
- 4) Statement that the employee is needed to care for the family member and an estimate of the time necessary.
- 5) If the employee is ill, that the employee is unable to perform the essential functions of his/her position.

The WCA may obtain second and third medical opinions if desired. The WCA also reserves the right to require a re-certification of a medical condition during the course of FCL as it deems appropriate.

#### IMPACT ON BENEFITS

Coverage for group medical, dental, and life insurance will continue during FCL under the same conditions as if the employee had continued working. This means that if the employee pays a portion of the insurance premium, he or she must continue to pay his/her portion during the leave. If an employee fails to return from FCL the WCA has the right to recover any insurance premiums paid by the WCA during the course of leave from the employee.

Employees are not eligible for holiday pay during FCL. Personal and annual leave time do not accrue during FCL.

Employees returning from FCL will be restored to their previous position or an equivalent position in terms of pay, benefits, etc. Certain "key employees" may be exempted from reinstatement, but these employees will be notified of their status at the time of their request for leave.

Taking a family care or pregnancy disability leave may impact certain other benefits and the employee's seniority date. For more information regarding eligibility for a leave and/or the impact of the leave on seniority and benefits, please contact your Supervisor.

#### CALIFORNIA PAID FAMILY LEAVE

The State of California offers a Paid Family Leave benefit for all employees covered by the State Disability Insurance program (SDI). Employees taking unpaid FCL may also be eligible for up to 6 weeks of paid leave under Family Temporary Disability Insurance. For additional information, contact the Employment Development Department at 1-877-BE-THERE or [www.edd.ca.gov](http://www.edd.ca.gov).

### Section 12.3 Pregnancy Disability Leaves of Absence

If an employee is disabled by pregnancy, childbirth, or related medical conditions, she is eligible to take a Pregnancy Disability Leave (PDL) for up to four months. If an employee is affected by pregnancy or a related medical condition, she is also eligible for a less strenuous or hazardous position or for less strenuous or hazardous duties, if this transfer is medically advisable.

- PDL is for any period(s) of actual disability caused by pregnancy, childbirth or related medical condition up to four months (or 88 work days for a full-time employee) per pregnancy.

- PDL does not need to be taken in one continuous period of time, but can be taken on an as needed basis, or intermittently. Intermittent leave is leave that is taken in small increments. These increments can be in hours, days, weeks, or months
- Time off for prenatal care, severe morning sickness, doctor ordered bed rest, childbirth, and recovery from childbirth would all be covered by PDL.
- The WCA is required to treat pregnancy disability the same as other disabilities of similarly situated employees. This affects whether the leave will be paid or unpaid.
- Employees may be required to obtain a certification from the health care provider of pregnancy disability or the medical advisability for a transfer. The certification should include:
  - 1) The date on which the employee became disabled due to pregnancy, or the date of the medical advisability for the transfer.
  - 2) The probable duration of the period(s) of disability or the period(s) for the advisability of the transfer.
  - 3) A statement that, due to the disability, the employee is unable to work at all or to perform any one or more of the essential functions of her position without undue risk to herself, the successful completion of the pregnancy or to other persons, or a statement that, due to the pregnancy, the transfer is medically advisable.

At the employee's option, she may use any accrued vacation or other accrued time off as part of the pregnancy disability leave before taking the remainder of the leave as an unpaid leave. The WCA may require that the employee use any available sick leave during the leave. The employee may also be eligible for state disability insurance for the unpaid portion of the leave.

Taking a pregnancy disability leave may impact certain employee benefits and seniority date. For more information regarding eligibility for a leave, the impact of the leave on seniority and benefits, and WCA's policy for other disabilities, please contact your supervisor. An employee returning to work after PDL may be asked to provide a doctor's release.

#### **Section 12.4 Occupational Injury/Illness Leave**

Employees will be granted a leave of absence upon written request for a work-related disability. A leave of absence for a work-related disability will be extended for the duration of the work-related disability. Benefits for a leave of absence for a work-related disability will be concurrent with the Workers' Compensation benefits and "Family Care Leave" under FMLA. Notification requirements for an occupational disability leave are the same as those for non-occupational disability leaves. The WCA will retain the employee on an extended leave of absence for work-related disabilities until one of the following situations occurs:

1. Release for full or partial duty.
2. The WCA receives medical evidence satisfactory to it that the employee will be permanently unable to return to work; or
3. The WCA is directly or indirectly informed (i.e., by accepting other employment, moving out of the state, etc.) that the employee does not intend to return to the WCA's employ.

The WCA will reinstate the employee to his/her former position upon return from an occupational disability leave unless prevented from doing so as result of business necessity. In that event, the WCA will place the employee in a comparable position for which he/she is qualified should there be an opening. If no position for which the employee is qualified is available, the WCA will place the employee on a preferential rehire list to be called in the event of a suitable opening. When the employee is able to return to work, he/she should give the WCA at least two weeks' notice. The employee will be required to provide a physician's statement that indicates that he/she is fit to return to work.

The employee will continue to accrue length of service for the purpose of benefits (e.g., vacation, annual leave, etc.) during an approved occupational disability leave of absence. Insurance benefits ordinarily provided by the WCA, and for which the employee is otherwise eligible, will be continued for three months. If the leave exceeds three months, the employee may continue coverage by paying the full cost of the premium. The employee should speak to his/her supervisor to make arrangements to pay for the cost of such coverage.

### **Section 12.5      Unpaid Personal Leave**

An unpaid personal leave of absence for a specified period of time may be granted at the WCA's discretion. Requests for a personal leave of absence must be presented to the employee's supervisor at least two weeks in advance, whenever possible. The request will be considered on the basis of staffing requirements, the reason for the leave, and the employee's performance and attendance records.

The WCA will not pay insurance premiums while an employee is on a personal leave of absence in excess of 30 days. Should the employee desire to maintain insurance coverage while on a personal leave of absence exceeding 30 days he/she will have the option of continuing insurance coverage by paying the monthly insurance premiums. The employee's length of service and benefits (e.g., vacation, sick leave etc.) will accrue for a period of time not to exceed 30 days. Employees are not eligible for holiday pay during an unpaid leave of absence.

Before the employee returns to work, the employee's supervisor must be notified when he/she is ready to return to work. This notification should be made at least two weeks before the expiration of the leave. The supervisor will notify the employee if an opening exists. The WCA cannot guarantee re-employment to employees returning from a personal leave of absence.

The following will be deemed a voluntary resignation for the purposes of the Personal Leave policy:

- 1) Failure to advise the WCA of availability to work.
- 2) Application for unemployment benefits.
- 3) Obtaining another position.
- 4) Engaging in another business.
- 5) Failure to return to work when notified.
- 6) Continued absence from work beyond the time approved by the WCA.

### **Section 12.6      Military Leave**

If an employee enters the military service, he/she is eligible for unpaid military leave of absence. Employees are required to present their supervisor with a copy of his/her service papers as soon as they are received.

The employee will be reinstated upon return in accordance with applicable law. Employees on extended military leave are not entitled to holiday pay, insurance benefits, and vacation, personal or annual leave accrual. Employees on military leave of 30 days or less are entitled to insurance benefits and accrual of vacation, personal or annual leave benefits; however, are not eligible for holiday pay.

**ACKNOWLEDGMENT FORM**

I have received a copy of the WCA's Employee Handbook. I have read the Employee Handbook and agree to abide by the rules of conduct and other personnel policies set forth in the Employee Handbook.

I understand that the Employee Handbook is presented as a guide for employees and contains descriptions and explanations of rules, procedures and benefits available to employees at the time of my employment. Except as otherwise expressly stated, such rules, procedures and benefits may be changed, amended or modified by the WCA at any time.

I further understand that my employment relationship with the WCA is at-will and may be terminated at the option of either the WCA or me at any time for any reason.

I understand that nothing contained in the WCA Employee Handbook or this Acknowledgment Form will be construed to modify, change or vary the at-will nature of my employment relationship with the WCA or create a contract of employment for a specified period of time. Further, I understand and agree that no one other than the Executive Officer or designee of the WCA may modify or change the at-will nature of my employment relationship. Any such modification must be in writing and signed by the Executive Officer or designee of the WCA and me.

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DATE

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EMPLOYEE NAME

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EMPLOYEE SIGNATURE

September 21, 2017 - Item 14

**RESOLUTION 2017-30**

**RESOLUTION OF THE WATERSHED CONSERVATION AUTHORITY TO ADOPT  
AMENDMENTS TO THE WCA EMPLOYEE HANDBOOK AND RELATED POLICIES.**

**WHEREAS**, The Watershed Conservation Authority has been established as a joint powers agency between the Rivers and Mountains Conservancy (RMC) and the Los Angeles County Flood Control District (District); and

**WHEREAS**, the Watershed Conservation Authority (WCA) has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects in both the San Gabriel and Lower Los Angeles Rivers watershed; and

**WHEREAS**, this action will adopt amendments to the WCA Employee Handbook and related policies; and

**WHEREAS**, the proposed action is exempt from the provisions of the California Environmental Quality Act; NOW

*Therefore be it resolved that the WCA hereby:*

1. **FINDS** that this action is consistent with the purposes and objectives of the WCA.
2. **FINDS** that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA).
3. **ADOPTS** the staff report dated September 21, 2017.
4. **ADOPTS** amendments to the WCA Employee Handbook and related policies.

*~ End of Resolution ~*

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Motion \_\_\_\_\_ Second: \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_

Passed and Adopted by the Board of the  
**WATERSHED CONSERVATION AUTHORITY**  
On September 21, 2017

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M. Janet Chin, Governing Board Chair

ATTEST: \_\_\_\_\_  
David Edsall  
Deputy Attorney General