
Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Accommodations for Disability

POLICY NUMBER: 3100

3100.1 The employment related provisions of the Fair Employment and Housing Act (“FEHA”) and the Americans with Disabilities Act (“ADA”) apply to all employees and job applicants seeking employment with the District. Under the ADA, a qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the position in which the individual is employed.

3100.2 The District will attempt to provide reasonable accommodation for known physical or mental disabilities if a job applicant or employee is otherwise qualified, unless undue hardship related to the necessity of business operations would result, in accordance with federal or state law. An applicant or employee who requires accommodation in order to perform the essential functions of the job should inform the General Manager, or his or her supervisor, to request an evaluation of such an accommodation. The District will participate in the interactive process with the employee in order to determine whether or not a reasonable accommodation, which does not present undue hardship to the District, exists.

Employee or applicant should contact his or her supervisor or the General Manager for further information.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Equal Opportunity
POLICY NUMBER: 3118

3118.1 The Gold Mountain Community Services District employs persons having the best available skills to efficiently provide high quality service to the public.

3118.2 The District provides equal opportunity for all persons in all aspects of employment, including recruitment, selection, promotion, transfer, training, compensation, educational assistance, benefits, discipline, working conditions, reduction in force, reinstatement, and all other matters of employment.

Such equality of opportunity shall be based solely on job related knowledge, skills, and job performance, and shall be without discrimination because of race, color, religion, national origin, sex, age, sexual orientation, handicap, veteran status, or any other factor unrelated to job performance.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Hours of Work and Overtime
POLICY NUMBER: 3122

3122.1 This policy shall apply to all employees whose job classifications are subject to the ***Fair Labor Standards Act (FLSA)***.

3122.2 The regular hours of work each day shall be consecutive except for interruptions for meal periods.

3122.3 The workweek shall consist of seven consecutive days from 12:01 o'clock A.M. Monday, through midnight Sunday.

3122.4 As approved by the General Manager, full-time employees will be assigned a regular schedule consisting of five consecutive eight-hour days, or a condensed schedule consisting of four consecutive ten-hour days.

3122.5 Holiday time is paid per District Policy 2030 Holidays.

3122.6 Overtime is defined as:

3122.6.1 Time worked in excess of 40 hours in a workweek;

3122.6.2 Time worked in excess of eight hours on a scheduled workday if a five-day, eight-hour per day workweek is in effect; or,

3122.6.3 Time worked in excess of ten hours on a scheduled workday if a four-day, ten-hour per day workweek is in effect; or,

3122.6.4 Time worked on a designated holiday.

3122.7 Other than regular hours of work, any time worked by an employee in after-hour emergency repair or after-hour emergency maintenance of facilities of the District shall be compensated at the overtime rate of pay at time and one-half of the employee's regular rate of pay.

3122.7.1 A schedule shall be maintained by the District General Manager or General Manager's appointee whereby maintenance employees shall be assigned, on a rotational basis, to be "on-call" on weekends, holidays, and other times not considered regular hours of work for District employees.

3122.7.2 When an employee is on-call, he/she shall be provided with a cell phone, radio and/or pager which will provide notification in the event of an emergency repair/maintenance work need. Said cell phone, radio and/or pager shall be kept in the on-call employee's possession during the entire on-call period. Notification of an emergency-repair/ maintenance job may also be given verbally, in person or telephonically by the District General Manager, Office Administrator, or appropriate authority, as applicable.

3122.6.3 When an employee is on-call, he/she shall be free to utilize his/her time as desired but must remain within the general Gold Mountain Community Services District area, going no farther than 60-minutes travel time away from any District facility.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Nepotism
POLICY NUMBER: 3126

3126.1 It is the policy of Gold Mountain Community Services District to seek for its staff the best possible candidates through appropriate search procedures. There shall be no bars to appointment of close relatives in any staff category in the same or different departments so long as the following standard is met:

3126.1.1 No employee shall supervise, vote for, make recommendations, or in any way participate in decisions about any personnel matter that may directly affect the selection, appointment, promotion, termination, other employment status, or interest of a close relative.

3126.1.1.1 For the purpose of this policy, "close relative" is defined as husband, wife, mother, father, son, daughter, sister, and brother.

3126.2 The Board of Directors reserves the right to consider and approve exceptions to this policy when a compelling case can be made and with proper agreements in place in writing.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Whistleblowing Policy
POLICY NUMBER: 3142

3142.1 It is the policy of Gold Mountain CSD that its employees should be free to report violations of law, abuse of authority, fraud, economic waste, or gross misconduct, incompetence, or inefficiency without fear of retaliation or retribution. This policy is based on a finding that the Gold Mountain CSD best serves itself and its membership when it can be candid and honest without reservation in conducting the business of the District.

In accordance with the California Labor Code 1102.5, the Gold Mountain CSD prohibits retaliation by employees, Board members or volunteers against any staff member, Board member or volunteer for making good faith complaints, reports, or inquiries regarding illegal or improper activities under this policy to the Gold Mountain CSD or any law enforcement agency, or for participating in a review or investigation of any such complaints under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The Gold Mountain CSD reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints or reports regarding alleged illegal or improper activities, or who otherwise abuse this policy.

Therefore, the purpose of this policy is to:

(1) encourage staff, Board members and volunteers to report to the Gold Mountain CSD any credible information in their possession regarding illegal or improper activities and/or retaliation as defined herein, including violations of the Gold Mountain CSD's policies, promptly to those members of the District specified in this policy; and

(2) prohibit the District's Board of Directors, General Manager and supervising employees from retaliating against any employee who reports illegal or improper activities to the District or law enforcement agencies as provided herein; and

(3) specify a procedure by which information regarding illegal or improper activities of or retaliation by members of the Board of Directors or employees can be reported to the District and investigated; and

(4) provide a hearing process to any employee or Board member who has filed a written complaint with the District alleging actual or attempted acts of retaliation in response to having made a protected

disclosure to the Gold Mountain CSD or law enforcement protected by this policy.

3142.2 Definitions:

- a) "Illegal Order" means a directive to violate or assist in violating a federal, state, or local law, rule or regulation, or an order to an employee to work or cause others to work in conditions outside of their scope of duty that could unreasonably threaten the health and safety of employees or the public.
- b) "Illegal or Improper Activity" means an activity by a member of the Board of Directors, an employee, or a volunteer of the Gold Mountain CSD that is undertaken in the performance of that person's duties that is either:
 - (1) a violation of any state or federal law or regulation including, but not limited to, corruption, malfeasance, bribery, theft of property, fraud, coercion, conversion, abuse of property or willful omission to perform a duty; or
 - (2) violates Gold Mountain CSD policies, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency.

Illegal or Improper Activity includes alleged financial, accounting or audit improprieties and alleged ethical violations by employees or Board members.

POLICY HANDBOOK

POLICY TITLE: Telecommuting Policy
POLICY NUMBER: 3144

3144.1 Telecommuting, also called “telework,” or performing work for one’s employer from home or a remote location allows employees the freedom to perform their job in locations other than on Gold Mountain Community Services District (GMCS D or District) property. Telecommuting under normal circumstances shall not be considered a standard work arrangement, these arrangements will be situational and in line with the needs of the District. Telecommuting may be necessary to effectively continue business as part of a disaster recovery or emergency response plan.

The purpose of this Policy is to:

- (1) enable employees to effectively work from home or another remote location;
- (2) develop a uniform policy for employees who work remotely; and
- (3) ensure that all telecommuting arrangements are in full compliance with applicable laws governing workplace safety, employee rights and responsibilities, and GMCS D policies.

3144.2 Eligibility

Only employees who can perform their job duties away from the GMCS D office may participate in a telecommuting arrangement. Other criteria shall be considered in determining whether to grant a specific request for telecommuting, including but not limited to whether the employee can reliably provide alternative workspace; whether the employee’s absence from the primary work location will disrupt the workflow of other employees; and whether the employee can demonstrate full understanding of the requirements of this policy. Supervisors may use other reasonable criteria in addition to these examples.

Employee participation in telecommuting is voluntary and granted only at the discretion of the General Manager and the employee’s immediate supervisor. GMCS D has the right to refuse to make telecommuting available to any employee. GMCS D has no obligation to allow one employee to telecommute merely because another employee who performs the same or similar job duties has been approved for telecommuting. Except in declared emergencies, an employee may decline a suggestion to telecommute made by a supervisor.

3144.3 Work Schedule

All telecommuting work schedules are at management’s discretion and shall be consistent with the

operational needs of the District. As with any work schedule, management has the discretion to change or eliminate telecommuting arrangements.

Telecommuters shall maintain regular contact with supervisors and co-workers by phone and e-mail while they are telecommuting. Unless granted express permission by the employee's immediate supervisor, employees shall be expected to adhere to a regular workday schedule as if they were present in the office and shall be in communication by phone and e-mail during those hours.

3144.4 Benefits and Compensation

The District will not make any distinction of benefits and compensation between telecommuting and onsite employees. All applicable contracts, agreements and policies governing an employee's position shall continue to apply in a telecommuting arrangement.

3144.5 GMCS D Policies

Employees who telecommute are bound by all GMCS D policies as if they were working onsite or on GMCS D property.

3144.6 Health and Safety

GMCS D is committed to ensuring a safe worksite in compliance with the rules and guidelines set forth by the Division of Occupational Safety and Health (Cal/OSHA). Employees who telecommute are responsible for designating an area in their home as the worksite and certifying that the space presents a safe and healthy work environment. If an employee incurs an injury or illness in the course or scope of employment while telecommuting, Workers' Compensation laws apply. Employees must immediately notify their supervisor and complete all necessary paperwork as required by GMCS D.

Actions that the telecommuter may take during break periods from working and actions not directly related to the approved remote worksite will not be covered under Workers' Compensation. These non-covered actions include, but are not limited to, all actions that the employee would not be able to perform in his or her GMCS D office, such as caring for children or pets, domestic tasks, yard work, retrieving the mail, cooking, exercising and interacting with non-GMCS D employees for non-business purposes. GMCS D shall in no instance be liable for injuries to third persons, including members of the telecommuting employee's family, who enter the employee's worksite or otherwise interact with the employee or use his or her home office equipment.

3144.7 Business Expenses and Reimbursement

Expenses incurred because of telecommuting will not be reimbursed by GMCS D unless they are normally reimbursable pursuant to GMCS D policies, or pre-approved in advance at the sole discretion of the employee's supervisor. Telecommuting employees may use GMCS D office equipment and supplies at any time, according to need. It is not anticipated that employees garner any out-of-pocket

expenses for supplies. The District will not reimburse expenses unless by prior approval of Employee's manager.

3144.8 Use of Computers, Smart Phones and Other Technology

All policies governing employee usage of GMCSD computers, internet connections and mobile devices shall apply to telecommuting employees when they are using their personal equipment in the course and scope of employment, and when they are using GMCSD technology at any time. Employees using GMCSD technology or conducting GMCSD business on personal devices have no expectation of privacy. All GMCSD issued technology equipment remains the property of the District and must be returned to the District upon request. The computer, software, and any other equipment or supplies provided by the District are provided for the use on District assignments and must be treated/handled as they would at the District's worksite. Other household members or anyone else shall not use the District equipment and software. District-owned software or data may not be duplicated except as formally authorized. District will be responsible for insurance and maintenance of all District provided materials. The employee will keep any District materials taken home in the designated work area and will not make materials or equipment accessible to others. Employees may use personal equipment/Smartphones for remote work purposes. In such cases, Employee will be responsible for maintenance/replacement required for personal equipment.

3144.9 Equal Opportunity and Harassment-Free Workplace

This policy does not alter GMCSD's commitment to maintaining an equal opportunity, discrimination, and harassment-free workplace. All GMCSD policies, as well as all state and federal laws, governing GMCSD's anti-discrimination policy apply uniformly to telecommuting and onsite employees.

3144.10 Procedure

Prior to receiving authorization to telecommute, employees shall review and sign the GMCSD Telecommuting Guidelines and Agreement form acknowledging provisions of this policy.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Lactation Accommodation Policy
POLICY NUMBER: 3146

3146.1 Gold Mountain CSD recognizes the need to promote a work environment that is supportive of breastfeeding employees who wish to continue nursing their infant children when they return to work. This policy establishes guidelines for promoting a breastfeeding friendly work environment and supporting lactating employees.

3146.2 Gold Mountain CSD will provide an environment that will enable employees to express their milk in a private, appropriate space. Such space will meet the requirements of the California Labor Code including a surface to place a breast pump and personal items, a place to sit, and access to electricity. Lactating employees will also be provided access to a sink with running water, and access to a refrigerator for storing breast milk.

3146.3 An employee may request an accommodation for reasonable lactation breaks by informing her supervisor in writing (preferably by electronic mail). The supervisor and the employee will discuss an appropriate break schedule for lactation. The lactation break time will, if possible, run concurrently with the employee's regular paid break time already provided. Any time in excess of a normal lunch or paid break time will not be paid. Gold Mountain CSD will respond, in writing, if lactation space or additional break time, as described in this policy, cannot be provided.

3146.4 Harassment of and/or discrimination against lactating employees is prohibited. It is also prohibited to retaliate against lactating employees who request time to express breast milk at work. Any harassment of and/or discrimination against a lactating employee, should be immediately reported to the District General Manager.

Employees have the right to file a complaint with the Labor Commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Family and Medical Leave

POLICY NUMBER: 3425

3425.1 The purpose of this policy is to clarify how Gold Mountain CSD will implement the Family and Medical Leave Act of 1993 (FMLA).

3425.2 Eligibility. To be eligible for leave under the FMLA, an employee must have: (1) been employed by Gold Mountain CSD for at least 12 months within a 5-year period, which need not be consecutive; and (2) worked for Gold Mountain CSD at least 1,250 hours during the 12 months immediately preceding the commencement of leave.

3425.3 Leave Benefit.

- a) Eligible employees will be provided with up to 12 weeks of unpaid leave in a 12-month period to care for a newborn, adopted, or foster child or for a child, parent, or spouse with a serious health condition. In addition, employees who are unable to perform the functions of their position because of a serious health condition will also be entitled to 12 weeks of unpaid leave. "Serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that entails
 - 1) Inpatient care in a hospital, hospice, or residential medical care facility; or,
 - 2) Continuing treatment by a health care provider.
- b) The employee may use applicable accrued paid leave permitted by the District, including vacation leave and sick leave for the first part of the 12-week statutory leave. Paid leave may not be added to the end of the 12 weeks of unpaid leave without the General Manager's prior approval. If a husband and wife are both employed by Gold Mountain CSD, the total number of work weeks of leave to which both may be entitled shall be limited to 12 weeks if leave is taken for the birth, adoption, or foster placement of a child or for the purpose of caring for a seriously ill parent.
- c) Employees on leave who were previously covered by Gold Mountain CSD's health benefit shall continue to be covered at the level and under the conditions that coverage would have been provided if the employee were continuing to work.
- d) At the end of the leave the employee will be reinstated to his/her previous position or to an equivalent job with equivalent pay, benefits, and working conditions. However, the employee will not accrue seniority or employment benefits during the leave period. Gold Mountain CSD may also require the employee to obtain medical certification that they are able to resume work.

3425.4 Employee Obligations

- a) If the event necessitating the leave is foreseeable, the employee must provide the General Manager with at least 30 days' prior written notice. However, if 30 days advance notice for foreseeable leave is not practical; the employee must provide the General Manager with as much notice as practicable.
- b) Employees seeking leave on account of pregnancy disability or serious health condition must provide the General Manager with medical certification regarding their condition. "A healthcare provider certification may also be required for leave to care for a serious health condition for a child, parent or spouse and before the leave is granted. The General Manager may require employees to obtain, at Gold Mountain CSD's expense, a second opinion. If the second opinion differs from the first, the General Manager may require a third opinion from a mutually agreed on health care provider."

3425.5 For most leaves, employees will not be permitted to take their leave intermittently or on a reduced-leave schedule without the General Manager's approval. However, intermittent leave or a reduced-leave schedule may, if medically necessary, be taken by the employee because of a serious health condition. An employee who seeks intermittent leave or leave on reduced-leave schedule because of planned medical treatment may be required to transfer temporarily to a different position, with equivalent working conditions and benefits, which accommodates recurring periods of leave.

3425.6 Employee Military Families:

For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent or next of kin may also take up to 26 weeks FMLA leave in a single 12-month period to care for the service member with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or the General Manager may require, use of accrued paid leave when taking FMLA leave.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Holidays
POLICY NUMBER: 3430

3430.1 This policy shall apply to all regular and probationary full-time employees, as defined in Policy 2080 “Employee Status”, in any job classification.

3430.2 All full-time employees are entitled to eight paid holidays each calendar year. The following days shall be recognized and observed as paid holidays and the Gold Mountain CSD office shall otherwise be closed for regular business on these days and on Saturdays and Sundays):

New Years Day;
Memorial Day;
Independence Day;
Labor Day;
Veteran's Day;
Thanksgiving Day;
Christmas Day;
Personal Choice Day (floating holiday)*
* must be scheduled and taken in the calendar year or be lost

3430.3 The number of hours represented by a holiday or paid time off (PTO) is equal to 8 hours, based on the number of hours in a “traditional” day of work for the District. All regular work shall be suspended, and all full-time employees shall receive 8 hours pay for each of the holidays listed above. Eligibility is also granted if the employee was on vacation or had notified the General Manager or other approval authority and received permission to be absent from work on that day or days.

3430.4 Whenever a holiday falls on Saturday or regular Friday off, the preceding normal workday shall be observed as the holiday. Whenever a holiday falls on Sunday or regular Monday off, the following normal workday shall be observed as the holiday.

3430.4.1 If a staff member is working a compressed work schedule with four ten-hour workdays, a holiday applies to eight of the ten hours of the observed holiday. The employee has the option of taking the remaining two hours as PTO or working two additional hours at the regular hourly rate on a selected day(s) during the time-period in which the holiday is observed. This allows for equitable benefit of holiday time for all in the work environment.

3430.5 When an employee is taking an authorized leave with pay when a holiday occurs, said holiday hours shall not be charged against said leave with pay.

3430.6 If any employee is required to work on any of the holidays listed above, he/she shall, in addition to his/her holiday pay, be paid for all hours worked at the rate of time and one-half (1½) his/her regular rate of pay, or as otherwise specified under Policy #3122, "Hours of Work and Overtime" provided the employee is in an FLSA non-exempt pay classification.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Leave for Crime Victims and Family Members
POLICY NUMBER: 3440

3440.1 An employee who is a victim of a crime, a member of a crime victim's immediate family (spouse, child, stepchild, sibling, stepsibling, parent, or stepparent), a registered domestic partner of a crime victim, or the child of a registered domestic partner of a crime victim shall be allowed to be absent from work in order to attend judicial proceedings related to that crime, subject to the District's General Manager determining that work requirements may be maintained during the absence.

3440.2 "Victim" means a person against whom one of the following crimes has been committed:

- a) A violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code;
- b) A serious felony, as defined in subdivision (c) of Section 1192.7 of the Penal Code; or
- c) A felony provision of law proscribing theft or embezzlement.

3440.3 Prior to an employee being absent from work, the employee must provide the District with a copy of the official notice provided to the victim of each scheduled proceeding.

3440.4 An employee absent from work to attend a scheduled proceeding may elect to use accrued vacation leave, sick leave, compensatory time off, or unpaid leave time.

3440.5 The District shall keep confidential any records regarding an employee's absence from work pursuant to this Policy.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Military Leave
POLICY NUMBER: 3445

3445.1 Military leave is a form of a personal leave of absence subject to applicable federal and state laws and regulations. Leaves of absence and re-employment resulting from service in the National Guard or U.S. Military Armed Forces will be in accordance with applicable State and Federal laws. A copy of the applicable, official military orders for training or active duty must accompany an employee's request for a leave of absence.

3445.2 An employee who is assigned to an U.S. Military Armed Forces Reserve organization and is subject to active or inactive duty training will be granted leaves of absence without pay, generally for up to two (2) weeks per calendar year unless additional time is approved by the General Manager.

3445.3 The following conditions also apply: The employee may remain in paid status while using appropriate accrued leave balances (vacation) to supplement his/her military pay to maintain the equivalent of full salary.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Pregnancy Disability Leave
POLICY NUMBER: 3450

3450.1 Any female employee planning to take Pregnancy Disability Leave (PDL) should advise their supervisor as soon as possible. The employee should also inform their supervisor when such leave is expected to begin and how long it will likely last. The employee should make arrangements with their supervisor regarding the scheduling of any planned medical treatment or appointments in order to minimize disruption to the operations of Gold Mountain CSD.

3450.2 Upon the request of an employee and recommendation of the employee's health care provider, the employee's work assignment may be modified if necessary, to protect the health and safety of the employee and her child.

3450.3 The following conditions also apply:

3450.3.1 PDL begins when ordered by the employee's health care provider. The employee must provide their supervisor with a certification from a health care provider containing:

- a) The date on which the employee became disabled due to pregnancy;
- b) The probable duration of the period or periods of disability; and
- c) A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.
- d) Return to work from PDL will be allowed only when the employee's health care provider endorses a release that must be submitted to the employee's supervisor.

3450.3.2 The duration of the leave will be determined by the employee's health care provider, in accordance with all state and federal regulations, may be for not more than 17 1/3 weeks or 693 hours. Regular part-time employees are entitled to leave on a pro rata basis. The 17 1/3 weeks or 693 hours of available leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. Examples of this include, but are not limited to severe morning sickness, prenatal care, postnatal appointments, etc.

3450.3.3 The employee will remain in paid status while using appropriate accrued leave (sick or vacation) during a PDL to satisfy any disability waiting periods and/or to supplement disability benefits in order to maintain the equivalent of full salary.

3450.3.4 The employee will be in non-paid status after exhaustion of appropriate accrued leave balances or at the employee's election not to use accrued leave benefits.

3450.3.5 During the period of PDL, Gold Mountain CSD will continue payment of all premiums for employee benefit plans in place at the time the leave begins. Gold Mountain CSD will also continue the employer contribution for employee benefit premiums as if the employee were not in leave status, as required by law or regulations. The employee must reimburse Gold Mountain CSD for any portion of benefits they would have paid through payroll deduction. Such reimbursement must be received by Gold Mountain CSD within 30 days of the date of the invoice or written notification. If Gold Mountain CSD does not receive the reimbursement from the employee within 30 days, Gold Mountain CSD may cancel any policies and/or plans for which they have not been reimbursed.

3450.4 Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a PDL, an employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a PDL has no greater right to reinstatement than if the employee had been continuously employed.

Gold Mountain Community Services District



POLICY TITLE: Sick Leave
POLICY NUMBER: 3460

3460.1 This policy shall apply to probationary and regular full-time employees in all job classifications.

3460.2 Sick leave is defined as absence from work due to illness, non-industrial injury, or quarantine due to exposure to a contagious disease. In addition, dentist and doctor appointments and prescribed sickness prevention measures shall be subject to sick leave provided prior notice is provided to the General Manager or other approval authority.

3460.3 Eligible employees shall earn sick leave at the rate of one working day per month cumulative to a maximum of 60 days. The determination of total accumulated sick leave days shall be made on January 2 of each year.

3460.4 Sick leave is not a privilege that an employee may use at his/her discretion, but shall be allowed only in case of necessity and actual sickness or disability of the employee, or because of illness in his/her immediate family.

3460.4.1 The definition of "immediate family" shall be the same as specified in Section 2050.3 of the *Bereavement Leave* policy (#2050).

3460.5 In order to receive compensation while on sick leave, the employee shall notify his/her supervisor prior to the time for beginning the regular work day, or as soon thereafter as practical.

3460.6 If absence from duty by reason of illness occurs, satisfactory evidence may be required by the General Manager or other approval authority.

3460.7 Unused sick-leave time shall lapse and not be paid off at the time of termination for any reason.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Time Off for Children - School Activities

POLICY NUMBER: 3470

3470.1 California Law allows a parent or guardian to take up to a total of 40 hours of time off each calendar year (but no more than 8 hours in one month) without pay to participate in their children's activities at school (grades K through 12) or licensed childcare provider. The absence is subject to all of the following conditions:

3470.1.1 Employees planning to take time off for school visits must provide as much advance notice as possible and all requests must be approved by the employee's supervisor.

3470.1.2 If both parents are employed by the District, the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by his or her supervisor.

3470.1.3 Employees must use accrued vacation time to receive compensation for this time off.

3470.1.4 Employees who do not have accrued vacation time available will take the time off without pay.

3470.2 Suspension - If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In compliance with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

3470.2.1 Employees must use accrued vacation to receive compensation for this time off.

3470.2.2 Employees who do not have accrued vacation time or compensatory time off available will take the time off without pay.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Vacations
POLICY NUMBER: 3490

3490.1 This policy shall apply to regular and probationary full-time and regularly scheduled part-time employees in all job classifications.

3490.2 Paid vacations shall be accrued according to the following schedule on an annual basis*:

- a. After the first year of continuous work, five days;
- b. Two through five years of service, ten days;
- c. Six through ten years of service, 15 days;
- d. After ten years of service, one additional day of paid vacation for each additional year of service to a maximum of 30 days.
- e. Regularly scheduled part-time employees will accrue hours in proportion to their assigned work schedule (i.e., half-time employees would accrue 2.5 days after their first year)

* Recognition *may* be granted for directly related job experience in lieu of regular service.

3490.3 Eligible employees who have completed one year in regular status may take their vacation time all at once, or gradually in as few as one-day increments. No vacation may be taken until the employee has completed at least one year in regular employee status.

3490.4 Vacation time may be accumulated or postponed only upon specific written approval by the General Manager or other approval authority. The total accumulated vacation time shall not exceed that amount earned annually by the employee. Only one week of accumulated vacation may be used in addition to regular vacation time during any given year (see section 3490.10 below for further reference).

3490.5 At termination of employment for any reason, the District shall compensate the employee for his/her accumulated unused vacation time at his/her straight time rate of pay at the time of termination.

3490.6 The District will not require an employee to take vacation time in lieu of sick leave or leave of absence during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used.

3490.7 If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

3490.8 Vacations may be scheduled at any time during the year upon approval of the General Manager or other approval authority.

3490.9 Probationary employees shall not accrue vacation time during the probationary period. However, if a probationary employee becomes a regular employee of the District, after 12 months of employment with the District, the period which the employee occupied probationary status shall be included in calculating his/ her entitlement to vacation with pay.

3490.10 Vacations are provided by the District to employees as a period of exemption from work with pay for the purpose of rest, relaxation and recreation. This respite is a benefit and is intended as an aid in maintaining the long-term and consistent productivity and contentment of the employee. As such, pay in lieu of vacation time away from work shall not be permitted nor will vacation time be routinely accumulated or postponed into another calendar year unless there are extenuating circumstances acknowledged by written approval by the General Manager or other approval authority.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Workers' Compensation Leave
POLICY NUMBER: 3495

3495.1 If an employee is injured at work and is temporarily unable to perform his or her usual and customary work, the employee will be allowed to take an unpaid leave of absence while receiving workers' compensation benefits. Certification from a recognized medical professional confirming the necessity of the leave must be provided to Gold Mountain CSD within fourteen (14) days after the leave begins. The duration of the leave will be determined on a case-by-case basis, considering both the injured employee's medical condition and Gold Mountain CSD business needs.

3495.2 The employee may elect during such absence to apply sick leave on a prorated basis to such absence and receive compensation in an amount equal to the difference between compensation received as regular salary and the amount received as Workers' Compensation benefits, not to exceed the amount of available accrued sick leave. Similarly, the employee may elect to use any accrued paid leave time and accrued time off at the prorated basis after the sick leave is exhausted.

3495.3 The employee may return to work only after a recognized medical professional certifies that the employee can resume all the essential functions of the employee's position. Gold Mountain CSD may, in its discretion, provide modified or light duty work if the employee's release contains such limitation. If the employee has been released without limitation, the employee will be offered the same position he or she held previously, unless the job no longer exists or has been filled so that Gold Mountain CSD can operate safely and efficiently or the employment relationship has otherwise been terminated.

3495.4 Workers' compensation leave will run concurrently with any family and medical leave. During the period of leave, Gold Mountain CSD will continue payment of all premiums for employee benefit plans in place at the time the leave begins. Gold Mountain CSD will also continue the employer contribution for employee benefit premiums, as if the employee were not in leave status, for the duration of the leave. The employee must reimburse Gold Mountain CSD for any portion of benefits they would have paid through payroll deduction. Such reimbursement must be received by Gold Mountain CSD within 30 days of the date of the invoice or written notification. If Gold Mountain CSD does not receive the reimbursement from the employee within 30 days, Gold Mountain CSD can cancel any policies and/or plans for which they have not been reimbursed.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Illness and Injury Prevention Program
POLICY NUMBER: 3510

3510.1 Program Goal and Outline

The goal of the District is to provide safe and healthful working conditions for all employees and volunteers. Therefore, the District will maintain a safety and health program conforming to the best practices of agencies of this type. The District's safety and health program will include:

3510.1.1 Providing mechanical and physical safeguards to the maximum extent possible.

3510.1.2 Conducting a program of safety and health inspections to find and eliminate unsafe working conditions or practices, to control health hazards, and to comply fully with the safety and health standards and law for every job.

3510.1.3 Training all employees and volunteers in good safety and health practices.

3510.1.4 Providing necessary personal protective equipment, and instructions for use and care.

3510.1.5 Developing and enforcing safety and health rules and requiring that employees cooperate with these rules as a condition of employment and volunteers as a condition of service.

3510.1.6 Investigating promptly and thoroughly, every accident, to determine its cause and correct the problem so it will not happen again.

3510.1.7 Developing plans and procedures for addressing infectious diseases, including contamination, spread and prevention measures, in the workplace and in the community.

3510.1.8 Developing a system of recognition and awards for outstanding safety service and/or performance.

3510.2 Program Responsibilities

Although the District recognizes that the responsibility for safety and health is shared, the General Manager shall be responsible and have full authority for implementing this policy and all elements of the District's Injury and Illness Prevention Plans.

3510.2.1 The District accepts responsibility for leadership of the safety and health program, for its effectiveness and improvements, and for providing the safeguards required to ensure safe conditions.

3510.2.2 Supervisory personnel are responsible for developing proper attitudes toward safety and health for themselves and those they supervise and for ensuring that all operations are performed with the utmost regard for the safety and health of all personnel and volunteers involved, including themselves.

3510.2.3 No employee or volunteer will be required to work at a job he/she knows is not safe or healthy. Employees and volunteers are responsible for wholehearted, genuine operation of all aspects of the safety and health program, including compliance with all rules and regulations, and for continuously practicing safety while performing their duties.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: SMOKE-FREE WORKPLACE
POLICY NUMBER: 3125

3125.1 Purpose: The Gold Mountain Community Services District (GMCS D) is dedicated to providing a smoke-free work environment to protect all employees and visitors from secondhand smoke, an established cause of cancer and respiratory disease. This smoke-free workplace policy further intends to mitigate wildfire risk within the District.

The standards set forth below are effective for all GMCS D locations and vehicles. Compliance with the smoke-free standard is mandatory for all employees and visitors, with no exceptions.

3125.2 Definition: “*Smoking*” refers to the inhaling, exhaling, burning, vaping, carrying, or possession of a lighted cigarette, cigar, pipe, or other equipment for tobacco, marijuana, or other smokable substance. Chewing and smokeless tobacco products are also prohibited under this policy.

3125.2.1 Definition: A “*public area*”, includes all GMCS D indoor and outdoor facilities, including but not limited to walking paths in or around District maintenance buildings; pump houses, leach fields, septic tanks, or other worksites.

3125.3 Smoking is *prohibited* within the buildings, facilities, and vehicles owned or operated by GMCS D. Those who smoke are requested to do so outdoors provided it is a minimum of 20-feet from the entrance or operable window of any GMCS D public area.

3125.4 Personnel that use tobacco or smoke products shall only do so during regularly scheduled break and meal periods and are required to always adhere to this policy while on GMCS D public areas; a designated smoking area *may* be established by the General Manager.

3125.4.1 Tobacco products shall always be disposed of in a safe and responsible manner. Proper disposal receptacles will be provided if the General Manager establishes a designated smoking area for staff.

3125.4.2 Personnel may be exposed to potentially flammable substances or fumes, thus smoking is prohibited while working to mitigate harm to personnel and reduce fire risk to the district.

3125.5 Smoking is allowed in non-District (private) vehicles.

3125.6 Gold Mountain CSD complies with all Federal, state, county, and local regulations pertaining to tobacco use and smoking in the workplace.

Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Workplace Violence Prevention Policy
POLICY NUMBER: 3525

3525.1 Purpose: The purpose of this policy is to maintain a zero-tolerance standard of violence in the workplace. This policy provides District employees with guidance that will maintain an environment at and within District premises and facilities as well as events that are free of violence and the threat of violence. This policy applies to all full-time and part-time employees and includes Board Members, volunteers, temporary and provisional employees as well as contracted employees.

3525.2 Policy: The District prohibits violent behavior of any kind or threats of violence, either implied or direct, in District premises and facilities as well as at District sponsored events. Such conduct by a District employee will not be tolerated. An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including termination. Violent threats or actions by a non-employee may result in criminal prosecution. The District will investigate all complaints filed and will also investigate any possible violation of this policy of which District management are made aware. Retaliation against a person who makes a good-faith complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

3525.3 Definitions:

- a) Workplace Violence: Behavior in which an employee, former employee or visitor to a workplace inflicts or threatens to inflict damage to property, serious harm, injury or death to others at the workplace.
- b) Threat: The implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.
- c) District premises or District facilities: Means all property of the District including, but not limited to the offices, facilities and surrounding areas on District-owned or -leased property, parking lots, and storage areas. The term also includes District-owned or -leased vehicles and equipment wherever located, as well as, pump station, sites, sewer line, excavation sites.”
- d) Intimidation: Making others afraid or fearful through threatening behavior.
- e) Zero-tolerance: A standard that establishes that any behavior, implied or actual, that violates the policy will not be tolerated.

- f) Court Order: An order by a Court that specifies and/or restricts the behavior of an individual. Court orders may be issued in matters involving domestic violence, stalking or harassment, among other types of protective orders, including Temporary Restraining Orders.

3525.4 Prohibited Behavior:

- a) Violence in the workplace may include, but is not limited to the following list of prohibited behaviors directed at or by a co-worker, supervisor or member of the public:
 - 1) Direct threats or physical intimidation.
 - 2) Implications or suggestions of violence
 - 3) Stalking, including following to and from work.
 - 4) Possession of weapons of any kind on District premises, including parking lots, other exterior premises or while engaged in activities for District in other locations, or at District sponsored event
 - 5) Assault of any form.
 - 6) Physical restraint or confinement.
 - 7) Dangerous or threatening horseplay.
 - 8) Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.
 - 9) Blatant or intentional disregard for the safety or well-being of others.
 - 10) Commission of a violent felony or misdemeanor on District premises.
 - 11) Any other act that a reasonable person would perceive as constituting a threat of violence. Records shall be maintained of steps taken to establish and maintain the District's Injury and Illness Prevention Program. They shall include:
- b) Domestic violence, while often originating in the home, can significantly impact workplace safety and the productivity of victims as well as co-workers. For the purposes of this document, "domestic violence" is defined as abuse committed against an adult or fully emancipated minor. Abuse is the intentional or reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment, or stalking, or making annoying phone calls to a person who is in any of the following relationships:
 - 1) Spouse or former spouse;
 - 2) Domestic partner or former domestic partner;
 - 3) Cohabitant or former cohabitant and or other household members;
 - 4) A person with whom the victim is having, or has had, a dating or engagement relationship;
 - 5) A person with whom the victim has a child.

The District recognizes that domestic violence may occur in relationships regardless of the marital status, age, race, or sexual orientation of the parties.

3525.5 Required Actions/Procedures

a) Reporting Acts or Threats of Violence: An employee who:

- 1) is the victim of violence, or
- 2) believes they have been threatened with violence, or
- 3) witnesses an act or threat of violence towards anyone else shall take the following steps:
 - i. If an emergency exists and the situation is one of immediate danger, the employee shall contact the Police Department by dialing 9-1-1 and take whatever emergency steps are available and appropriate to protect himself/herself from immediate harm, such as leaving the area.
 - ii. If the situation is not one of immediate danger, the employee shall report the incident to the appropriate supervisor or manager as soon as possible and complete the District's Workplace Violence Incident Report Form.

b) Procedures for Future Violence:

- 1) Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with the District, shall inform their supervisor immediately so appropriate action may be taken. The supervisor shall inform the General Manager and the local law enforcement officials.
- 2) Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor. The supervisor shall provide copies to the General Manager and to the Police Department.

c) Incident Investigation:

- 1) Acts of violence or threats will be investigated immediately in order to protect employees from danger, unnecessary anxiety concerning their welfare, and the loss of productivity. The General Manager will initiate an investigation into potential violation of work rules/policies. Simultaneously, the General Manager will refer the matter to local police for their review of potential violation of civil and/or criminal law.
- 2) Procedures for investigating incidents of workplace violence include:
 - Visiting the scene of an incident as soon as possible.
 - Interviewing injured and threatened employees and witnesses.
 - Examining the workplace for security risk factors associated with the incident, including any reports of inappropriate behavior by the perpetrator.

- Determining the cause of the incident.
 - Taking mitigating action to prevent the incident from recurring.
 - Recording the findings and mitigating actions taken.
- 3) In appropriate circumstances, the District will inform the reporting individual of the results of the investigation. To the extent possible, the District will maintain the confidentiality of the reporting employee and the investigation but may need to disclose results in appropriate circumstances; for example, in order to protect individual safety. The District will not tolerate retaliation against any employee who reports workplace violence.
- d) Mitigating Measures: Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery. Mitigating actions include:
- 1) Notification of law enforcement authorities when a potential criminal act has occurred.
 - 2) Provision of emergency medical care in the event of any violent act upon an employee.
 - 3) Post-event trauma counseling for those employees desiring such assistance.
 - 4) Assurance that incidents are handled in accordance with the Workplace Violence Prevention policy.
 - 5) Requesting District Counsel file a restraining order as appropriate.
- e) Training Instruction:
- 1) The District shall be responsible for ensuring that all employees, including managers and supervisors, are provided training and instruction on general workplace security practices. Managers and supervisors shall be responsible for ensuring that all employees are provided training and instructions on job specific workplace security practices.
 - 2) Training and instruction shall be provided as follows:
 - To all current employees when the policy is first implemented. Employees will be required to sign a written acknowledgment that the policy has been received and read.
 - To all newly hired employees, supervisors and managers, Employees will be required to sign a written acknowledgment that the policy has been received and read within 30 days of hire.
 - To affected employees whenever management is made aware of a new or previously unrecognized hazard.
 - 3) Workplace security training and instruction includes, but is not limited to, the following:

- Preventive measures to reduce the threat of workplace violence, including procedures for reporting workplace security hazards.
 - Methods to diffuse hostile or threatening situations.
 - Escape routes.
 - Explanation of this Workplace Violence Prevention Policy.
- f) Specific instructions shall be provided to all employees regarding workplace security hazards unique to their job assignment.