

North Delta Water Agency - Employee Handbook

# **Employee Handbook**

## **North Delta Water Agency**

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**GENERAL EMPLOYMENT POLICIES**

## Introductory Statement

Welcome! As an employee of North Delta Water Agency (NDWA/Agency), you are an important member of a team effort. We hope that you will find your position with the Agency rewarding, challenging, and productive.

This employee handbook is intended to explain the terms and conditions of employment of all full- and part-time employees and supervisors. Written employment contracts between North Delta Water Agency and some employees may supersede some of the provisions of this handbook.

[This Handbook is designed to familiarize you with the Company's major policies and to answer common questions posed by employees. It cannot, however, anticipate every situation or answer every question about your employment. It is a summary of the Company's personnel policies, benefits, and work rules. If you have any questions about the Company's policies and practices that are not answered by this Handbook, you should ask your supervisor or Human Resources.](#)

This handbook summarizes the policies and practices in effect at the time of publication. This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described here. Your supervisor or manager will be happy to answer any questions you may have, [but it is your responsibility to understand this Handbook and its policies.](#)

## Harassment Discrimination and Retaliation Prevention

North Delta Water Agency is an equal opportunity employer. North Delta Water Agency is committed to providing a work environment free of harassment, discrimination, retaliation, and disrespectful or other unprofessional conduct based on:

- Race ([including, hair texture and protective hairstyles, such as braids, locks, and twists, that are historically associated with race](#))
- Religion (including religious dress and grooming practices)
- Color
- Sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned) and sexual orientation
- National origin
- Ancestry
- Physical or mental disability, [including HIV and AIDS](#)
- Medical condition
- Genetic information/characteristics
- Marital status/registered domestic partner status
- Age (40 and over)
- Sexual orientation
- Military or veteran status
- Any other basis protected by federal, state or local law or ordinance or regulation

North Delta Water Agency also prohibits discrimination, harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

In addition, the Agency prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in workplace investigations.

All such conduct violates Agency policy.

### **Harassment Prevention**

The Agency's policy prohibiting harassment applies to all persons involved in the operation of NDWA. The Agency prohibits harassment, disrespectful or unprofessional conduct by any employee of the Agency, including supervisors, managers and co-workers. The Agency's anti-harassment policy also applies to vendors, customers, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and other persons with whom you come into contact while working.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts or messages;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by Agency policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of his/her gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is not just sexual harassment but harassment based on any protected category.

### **Non-Discrimination**

The Agency is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in NDWA operations. The Agency prohibits unlawful discrimination against any job applicant, employee or unpaid intern by any employee of NDWA, including supervisors and coworkers.

Pay discrimination between employees of the opposite sex or between employees of another race or ethnicity performing substantially similar work, as defined by the California Fair Pay Act and federal law, is prohibited. Pay differentials may be valid in certain situations defined by law.

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Employees will not be retaliated against for inquiring about or discussing wages. However, North Delta Water Agency is not obligated to disclose the wages of other employees.

### **Anti-Retaliation**

The Agency will not retaliate against you for filing a complaint or participating in any workplace investigation or complaint process, and will not tolerate or permit retaliation by management, employees or co-workers.

### **Reasonable Accommodation**

Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Agency will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a NDWA representative with day-to-day personnel responsibilities and discuss the need for an accommodation. The Agency will engage in an interactive process with the employee to identify possible accommodations, if any, that will help the applicant or employee perform the job. An applicant, employee or unpaid intern who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact a NDWA representative with day-to-day personnel responsibilities and discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, NDWA will make the accommodation.

The Agency will not retaliate against you for requesting a reasonable accommodation and will not knowingly tolerate or permit retaliation by management, employees or co-workers.

### **Complaint Process**

If you believe that you have been the subject of harassment, discrimination, retaliation or other prohibited conduct, bring your complaint to the NDWA Manager or to:

- The Assistant Manager, the office manager, the personnel manager
- The president of the Board of Directors
- Any Director of the NDWA
- Legal Counsel for the NDWA



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as soon as possible after the incident. You can bring your complaint to any of these individuals. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the Manager or President of the Board of Directors. Please provide all known details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory.

The Agency encourages all individuals to report any incidents of harassment, discrimination, retaliation or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved. [The California Department of Fair Employment and Housing \(“DFEH”\) investigates and may prosecute complaints of harassment. An employee may have a claim of harassment even if he or she has not lost a job related or economic benefit. Whenever an employee thinks he or she has been harassed or that he or she has been retaliated against for resisting or complaining, that employee may file a complaint with the DFEH. The nearest DFEH office is listed in the telephone book. The Agency expects all employees to act in a professional and respectful manner at all times.](#)

[You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment, discrimination and retaliation in employment. If you think you have been harassed or discriminated against or that you have been retaliated against for resisting, complaining or participating in an investigation, you may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at \[www.dfeh.ca.gov\]\(http://www.dfeh.ca.gov\) and \[www.eeoc.gov\]\(http://www.eeoc.gov\).](#)

Supervisors must refer all complaints involving harassment, discrimination, retaliation or other prohibited conduct to the Chairman of the Agency so the Agency can try to resolve the complaint.

When the Agency receives allegations of misconduct, it will immediately undertake a fair, timely, thorough and objective investigation of the allegations in accordance with all legal requirements. The Agency will reach reasonable conclusions based on the evidence collected.

The Agency will maintain confidentiality to the extent possible. However, the NDWA cannot promise complete confidentiality. The employer’s duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

Complaints will be:

- Responded to in a timely manner
- Kept confidential to the extent possible
- Investigated impartially by qualified personnel in a timely manner
- Documented and tracked for reasonable progress
- Given appropriate options for remedial action and resolution

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Closed in a timely manner

If NDWA determines that harassment, discrimination, retaliation or other prohibited conduct has occurred; appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The Agency also will take appropriate action to deter future misconduct.

Any employee determined by NDWA to be responsible for harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

## **Confirmation of Harassment Discrimination and Retaliation Prevention Policy**

I have received my copy of NDWA's Harassment, Discrimination and Retaliation Prevention policy. I understand and agree that it is my responsibility to read and familiarize myself with this policy.

I understand that the Agency is committed to providing a work environment that is free from harassment, discrimination and retaliation. My signature certifies that I understand that I must conform to and abide by the rules and requirements described in this policy.

Employee's Signature \_\_\_\_\_

Employee's Printed Name \_\_\_\_\_

Date \_\_\_\_\_

## At-Will Employment Status

North Delta Water Agency personnel are employed on an at-will basis. Employment at-will means that the employment relationship may be terminated, ~~with or without cause at any time, for any reason or no reason at all,~~ and with or without advance notice ~~at any time by the employee or NDWA.~~ Nothing in this handbook shall limit the right to terminate at-will employment.

No manager, supervisor, or employee of the Agency 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. Only the Manager of North Delta Water Agency has the authority to make any such agreement, which is binding only if it is in writing.

Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of their employment.

## **Right to Revise**

This employee handbook contains the employment policies and practices of the North Delta Water Agency in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

North Delta Water Agency reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook at any time, except for the policy of at-will employment.

Any written changes to this handbook will be distributed to all employees so that you will be aware of any new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

This handbook contains the entire agreement between you and the North Delta Water Agency as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this employee handbook or any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

Nothing in this statement is intended to interfere with your right to communicate or work with others toward altering the terms and conditions of your employment, such as communications regarding wages, scheduling or other terms or conditions of employment.

**HIRING**

## **Full-Time Employees**

Regular full-time employees are those who are scheduled for and do work 40 hours per week. Regular full-time employees are eligible for most employee benefits described in this handbook. Benefit eligibility may depend on length of continuous service. Benefit eligibility requirements may also be imposed by the plans themselves or by law.

## **Inactive Status**

Employees who are on any type of leave of absence, work-related or non-work-related, that exceeds any protected state, federal or local leave of absence will be placed on inactive status.

### **Health Benefits Extension.**

Unless health benefits extension is covered by state or federal law, benefits will terminate according to our insurance carrier's policy. Contact the Assistant Manager for more information.



## **Job Duties**

During the introductory period, your supervisor will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of the North Delta Water Agency. Your cooperation and assistance in performing such additional work is expected.

North Delta Water Agency reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

## **New Hires**

The first 90 Days of continuous employment at North Delta Water Agency is considered an introductory period. During this time, you will learn your responsibilities, get acquainted with fellow employees and determine whether or not you are happy with your job. Your supervisor will closely monitor your performance.

Completion of the introductory period does not entitle you to remain employed by NDWA for any definite period of time. Your status as an at-will employee does not change. The employment relationship may be terminated with or without cause and with or without advance notice, at any time by you or the Agency.

## Part-Time Employees

Part-time employees are those who are scheduled for and do work fewer than 40 hours per week, but not fewer than 20 hours. ~~Part time employees are eligible for the following North Delta Water Agency benefits.~~ Part time employees should discuss applicable benefits with Human Resources.

## **Regular Employees**

Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

## **Temporary Employees**

Temporary employees are those employed for short-term assignments. Short-term assignments generally are periods of three months or fewer; however, such assignments may be extended. Temporary employees are not eligible for employee benefits except those mandated by applicable law.

**LEAVES OF ABSENCE**

## **Bereavement Leave**

In the event of the death of the employee's current spouse, registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, or grandchild; or mother-, father-, sister-, brother-, son-, or daughter-in-law, employees are eligible for unpaid leave. An employee with such a death in the family may take up to 5 consecutive scheduled workdays off without pay, with the approval of the Agency. The employee's supervisor may approve additional unpaid time off. Although the leave is unpaid, employees can use their paid sick time for purpose described above.

## **Domestic Violence, Sexual Assault or Stalking Leave and Accommodation**

Employees who are victims of domestic violence, sexual assault and stalking are eligible for unpaid leave. Although the leave is generally unpaid, employees can use their paid sick time under California's Healthy Workplaces, Healthy Families Act for the purposes described below.

You may request leave if you are involved in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure your health, safety or welfare, or that of your child. Please provide reasonable advance notice of the need for leave unless advance notice is not feasible. Contact NDWA Manager.

Employees who are victims of domestic violence, sexual assault or stalking and need a reasonable accommodation for their safety at work should contact Agency representative with day-to-day personnel responsibilities and discuss the need for an accommodation. If you are requesting such a reasonable accommodation, you will need to submit a written statement signed by you, or by an individual acting on your behalf, certifying that the accommodation is for the purpose of your safety at work.

For reasonable accommodation requests, NDWA will also require certification demonstrating that you are the victim of domestic violence, sexual assault or stalking. Any of the forms of certification described above for leave purposes will suffice. The Agency may request recertification every six months from the date of the previous certification. You should notify NDWA if an approved accommodation is no longer needed.

The Agency will engage in an interactive process with the employee to identify possible accommodations, if any, that are effective and will make reasonable accommodations unless an undue hardship will result.

North Delta Water Agency will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave or accommodation under these provisions.



## **Domestic Violence, Sexual Assault or Stalking Leave for Treatment**

Employees who are victims of domestic violence, sexual assault or stalking are eligible for unpaid leave. Although the leave is generally unpaid, employees can use their paid sick time under California's Healthy Workplaces, Healthy Families Act for the purposes described below.

You may request leave for any of the following purposes:

- To seek medical attention for injuries caused by domestic violence, sexual assault or stalking;
- To obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence, sexual assault or stalking;
- To obtain psychological counseling related to experiencing domestic violence, sexual assault or stalking;
- To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault or stalking including temporary or permanent relocation.

Please provide reasonable advance notice of the need for leave unless advance notice is not feasible. Contact Agency Manager.

North Delta Water Agency will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

The length of unpaid leave an employee may take is limited to 12 weeks provided for in the federal Family and Medical Leave Act of 1993 for eligible employees.

## **Extended Medical Leave**

On occasion, an employee may need a medical leave of absence that extends beyond limits under any state or federal mandatory leave law. In addition, there may be circumstances when an employee needs a medical leave allowed under disability laws and in accordance with this policy.

In these situations, an extended medical leave of absence may be granted for medical disabilities (other than pregnancy, childbirth, and related medical conditions) with a doctor's written certificate of disability. Extended disability leaves will also be considered on a case-by-case basis, consistent with the Agency's obligations under federal and state disability laws.

Employees should request any leave in writing as far in advance as possible.

A medical leave begins on the first day your doctor certifies that you are unable to work, and ends when your doctor certifies that you are able to return to work. Your supervisor will supply you with a form for your doctor to complete, showing the date you were disabled and the estimated date you will be able to return to work. An employee returning from a medical disability leave must present a doctor's certificate declaring fitness to return to work.

Upon return from medical leave, you will be offered the same position you held at the time your leave began, if available. If your former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return. North Delta Water Agency makes no guarantees of reinstatement, and your return will depend on your qualifications for existing openings. North Delta Water Agency will comply with any reinstatement obligations under state or federal law.

California workers' compensation laws govern work-related injuries and illnesses. California pregnancy disability laws govern leaves taken because of pregnancy, childbirth, and related medical conditions.

An employee that needs reasonable accommodations should contact a company representative with day-to-day personnel responsibilities and discuss the need for an accommodation.

## **Jury Duty and Witness Leave**

North Delta Water Agency encourages employees to serve on jury duty when called. Non-exempt employees who have completed their introductory periods will receive full pay while serving up to 3 days of jury duty. Exempt employees will receive full salary unless they are absent for a full week and perform no work. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of performance of jury service. If work time remains after any day of jury selection or jury duty, you will be expected to return to work for the remainder of your work schedule.

### **Fees Paid by the Court**

You may retain any mileage allowance or other fee paid by the court for jury services.

## **Military Leave**

Employees who serve in the Armed Forces of the United States will be granted a military leave in accordance with federal and state laws. You are expected to notify the NDWA Manager as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence. These employees may apply accrued vacation or personal days to the leave if they wish. However, they are not obliged to do so.

Military leaves of absence are without pay from the Agency. All other rights and benefits will continue as if the employee had remained continuously employed and will be available to the employee upon reinstatement.

Upon completion of military service, the employee will be reinstated with full seniority to his/her former position or to a comparable position if application for reemployment is made within ninety (90) calendar days from release from the service or hospitalization. However, the employee will not be reinstated if the Agency's circumstances have so changed that the reemployment is impossible or unreasonable. Employees who wish to serve in the military and take military leave should contact the NDWA Manager for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

## **Pregnancy Disability Leave Five or More Employees**

If you are pregnant, have a related medical condition, or are recovering from childbirth, please review this policy. Any employee planning to take pregnancy disability leave should advise the personnel department as early as possible. The individual should make an appointment with the personnel manager to discuss the following conditions:

- Duration of pregnancy disability leave will be determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to four months of leave per pregnancy (the working days you normally would work in one-third of a year or 17 1/3 weeks). Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care, doctor-ordered bed rest, as well as other reasons. Your healthcare provider determines how much time you need for your disability;
- North Delta Water Agency will also reasonably accommodate medical needs related to pregnancy, childbirth, or related conditions or temporarily transfer you to a less strenuous or hazardous position (where one is available) or duties if medically needed because of your pregnancy;
- Employees who need to take pregnancy disability must inform the Agency when a leave is expected to begin and how long it will likely last. If the need for a leave, reasonable accommodation, or transfer is foreseeable (such as the expected birth of a child or a planned medical treatment for yourself), employees must provide at least 30 days advance notice before the pregnancy disability leave or transfer is to begin. Employees must consult with the NDWA personnel manager regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Agency. Any such scheduling is subject to the approval of the employee's health care provider;
- For emergencies or events that are unforeseeable, we need you to notify the Agency, at least verbally, as soon as practical after you learn of the need for the leave;
- Failure to comply with these notice requirements may result in delay of leave, reasonable accommodation, or transfer;
- Pregnancy leave usually begins when ordered by the employee's physician. The employee must provide NDWA with a written certification from a health care provider for need of PDL, reasonable accommodation or transfer. The certification must be returned no later than 15 calendar days after it is requested by the Agency. Failure to do so may, in some circumstances, delay PDL leave, reasonable accommodation or transfer. Please see the NDWA personnel department for a medical certification form to give to your health provider;
- Leave returns will be allowed only when the employee's physician sends a release;

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- An employee will be required to use accrued sick time (if otherwise eligible to take the time) during a pregnancy disability leave. An employee will be allowed to use accrued vacation or personal time (if otherwise eligible to take the time) during a pregnancy disability leave; and
- Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in increments of 15 minutes.

If intermittent leave or leave on a reduced work schedule is medically advisable the employee may, in some instances, be required to transfer temporarily to an available alternative position that meets the employee's needs. The alternative position need not consist of equivalent duties, but must have the equivalent rate of pay and benefits. The employee must be qualified for the position. The position must better accommodate the employee's leave requirements than their regular job. Transfer to an alternative position can include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work schedule.

Upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to their same position held at the time the leave began or, in certain instances, to a comparable position, if available. There are limited exceptions to this policy. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

Employees on pregnancy disability leave will be allowed to continue to participate in group health insurance coverage for up to a maximum of four months of disability leave (if such insurance was provided before the leave was taken) at the level and under the conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of the leave. In some instances, an employer can recover from an employee premiums paid to maintain health coverage if the employee fails to return following pregnancy disability leave. PDL may impact other benefits or a seniority date. Please contact the personnel department for more information.

## **Sick Leave**

California law provides for mandatory paid sick leave under the Healthy Workplaces, Healthy Families Act (the "Act"). This paid sick leave policy is intended to comply with the requirements of the Act.

Employees cannot be discriminated or retaliated against for requesting or using accrued paid sick time.

If you have any questions about paid sick leave, please contact the NDWA Manager. Eligible Employees

Beginning July 1, 2015, all employees who have worked in California for the same employer for 30 or more days within a year from the start of their employment will be entitled to paid sick time.

However, employees are not eligible to take paid sick time until they have worked for NDWA for 90 days from their date of hire.

### **Sick Pay Amount**

Eligible NDWA employees will receive sick leave as follows:

Eligible employees earn sick leave at the rate of 4 hour(s) of paid sick time per [pay period. At a minimum, employees will have: (1) at least one day or eight hours of paid sick time within three months of employment, each calendar year or each 12-month period; and (2) Employees are eligible to earn at least three days or 24 hours of sick leave within nine months of employment.

You will need to meet the 90 day employment requirement before taking any leave.

Exempt employees are presumed to work 40 hours per workweek for purposes of sick time accrual. If their normal workweek is less than 40 hours, accrual will be based on their normal workweek.

NDWA does not pay employees for unused paid sick leave, unless otherwise specified in their employment agreement contract. Employees who are rehired with one year of separation from employment may be eligible for reinstatement of previously accrued and unused paid sick time.

Employees may earn a maximum of paid sick time. After an employee has reached this maximum amount, no additional paid sick time will be earned until some or all of the employee's accrued paid sick time is used.

### **Qualifying Reasons for Paid Sick Leave**

Paid sick time can be used for the following reasons:

- Diagnosis, care or treatment of an existing health condition for an employee or covered family member, as defined below.

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- Preventive care for an employee or an employee's covered family member.
- For certain, specified purposes when the employee is a victim of domestic violence, sexual assault or stalking.

For purposes of paid sick leave, a covered family member includes:

- A child defined as a biological, foster or adopted child; a stepchild; or a legal ward, regardless of the age or dependency status of the child. A "child" also may be someone for whom you have accepted the duties and responsibilities of raising, even if he or she is not your legal child.
- A "parent" defined as a biological, foster or adoptive parent; a stepparent; or a legal guardian of an employee or the employee's spouse or registered domestic partner. A parent may also be someone who accepted the duties and responsibilities of raising you when you were a minor child, even if he or she is not your legal parent.
- A spouse.
- A registered domestic partner.
- A grandparent.
- A grandchild.
- A sibling.

### **Use of Paid Sick Leave**

If the need for paid sick leave is foreseeable, employees shall provide advance oral or written notification to the Assistant Manager. If the need for paid sick leave is not foreseeable, employees shall provide notice to the Assistant Manager as soon as practicable.

An employee's use of paid sick time may run concurrently with other leaves under local, state or federal law.

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued and unused paid sick leave, you may use paid sick leave to receive pay for these absences.



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If you do not have accrued, paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation/paid time off for further absences from work, related to your illness or injury.

## **School Appearances Involving 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 their supervisor as soon as possible before leaving work. In agreement with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

## Time Off for Voting

[NDWA encourages employees to exercise their voting privileges in local, state, and national elections.](#) If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two hours combined. Under these circumstances, an employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give their supervisor at least two day's notice.

## Vacation

### Vacation Accrual from First Day

Regular full-time employees are entitled to accrue (if not already covered in an employment contract with NDWA) [at the following rate](#):

<u>Years of Service</u>	<u>Days Accrued Per Year</u>	<u>Accrual Cap</u>
<u>0-5 year(s)</u>	<u>40 hours</u>	<u>60 hours</u>
<u>6-10 year(s)</u>	<u>80 hours</u>	<u>120 hours</u>
<u>11+ year(s)</u>	<u>120 hours</u>	<u>180 hours</u>

Active service begins on Employee’s first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment.

Vacation is accrued on a daily basis. An employee may not accrue more than the accrual cap based on years of service. If an employee accrues this maximum amount of vacation, the employee will not accrue any further vacation hours until he or she takes vacation and falls below the maximum accrual level, or enters the next “years of service” level.

Employee becomes eligible to take accrued vacation after six months of active service as work schedules permit.

Vacation schedules must be coordinated with and approved by NDWA in advance. Employee should endeavor to complete a request for vacation well in advance of the dates involved. Vacations are scheduled to provide adequate coverage of job responsibilities and staffing requirements. Every effort will be made to permit Employee to take vacation at the time of Employee’s choice, however, NDWA’s operating needs will take priority.

When Employee’s employment with NDWA terminates, Employee will be paid for accrued unused vacation days on a pro rata basis. ~~First day of employment – 1st year = 5 days~~

~~2nd year – 4th year = 10 days per year~~

~~5th year – 14th year = 15 days per year~~

~~15th year and thereafter = 20 days per year~~

## North Delta Water Agency - Employee Handbook

~~Active service begins on your first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. Temporary and part-time employees do not accrue paid vacation.~~

~~Vacation can accrue up to a maximum of six paid weeks. No additional vacation will be earned until accrued vacation time is used.~~

~~You become eligible to take accrued vacation after six months of active service as work schedules permit.~~

~~Vacation schedules must be coordinated with and approved by Manager in advance. Complete a request for vacation well in advance of the dates involved.~~

~~Vacations are scheduled to provide adequate coverage of job responsibilities and staffing requirements. Every effort will be made to permit employees to take their vacations at the times they wish. However, NDWA's operating needs will take priority.~~

~~When your employment relationship with the Agency ends, you will be paid for accrued unused vacation days on a pro-rata basis.~~

### **Use of Vacation Before Unpaid Leave**

If you are taking an unpaid leave of absence, there are circumstances where you may be required to use your accrued and unused vacation before taking unpaid leave or having unpaid absences. In other circumstances, you can choose to use vacation before taking unpaid leave or having unpaid absences, but it is not required. It will depend on the terms in the employment contract with NDWA or the type of leave you are taking and/or federal and state leave requirements.

Please contact the NDWA Manager to discuss coordination of your benefits.

## Victims of Crime Leave

The Agency takes threats and actions of crime against its employees and their families very seriously. An employee who is themselves a victim or who is the family member of a victim of certain serious crimes may take time off from work to attend judicial proceedings related to the crime or to attend proceedings involving rights of the victim. The crime must be a violent or serious felony, as defined by law and the employee must be either the victim of the crime, or an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. Immediate family includes the employee's spouse, registered domestic partner, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather. ~~A family member of a crime victim may be eligible to take this leave if they are the crime victims spouse, parent, child or sibling.~~ Other family members may also be covered, depending on the purpose of the leave.

The absence from work must be in order to attend judicial proceedings or proceedings involving rights of the victim. Only certain crimes are covered. You must provide reasonable advance notice of your need for leave and documentation related to the proceeding may be required. If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence.

Any absence from work to attend judicial proceedings or proceedings involving victim rights will be unpaid, unless you choose to take paid time off.

For more information regarding this leave (including whether you are covered, when and what type of documentation is required and which type of paid time off can be used), please contact an Agency representative with day-to-day personnel responsibilities. The employee's privacy will be protected to the greatest extent possible.

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## **Volunteer Civil Service Personnel**

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. Employees who perform emergency duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel may also take up to a total of fourteen days unpaid leave time per calendar year to engage in required fire, law enforcement or emergency rescue training. Please alert your supervisor that you may have to take time off for emergency duty or emergency duty training. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

## **BENEFITS**



## **Benefits Overview**

North Delta Water Agency is committed to providing the following benefits for eligible employees. Benefit eligibility may be dependent upon your employment agreement with NDWA, employee classification (full-time versus part-time, for example) and on length of continuous employment at NDWA. Benefit eligibility requirements may also be imposed by the plans themselves.

Upon becoming eligible for certain employee benefit plans, you will receive Summary Plan Descriptions which describe the benefits in greater detail. For information regarding employee benefits and to answer any questions you may have contact Assistant Manager.

NDWA reserves the right to modify, amend or terminate benefits and to modify or amend benefit eligibility requirements at any time and for any reason, subject to any legal restrictions.

The Agency offers the following employee benefits:

- Health Insurance
- Dental Insurance
- Vision Plan
- Life Insurance
- Retirement Plan

## Holidays

For the ~~2020~~-calendar year, North Delta Water Agency observes the following paid holidays:

- January 1 (New Year's Day)
- Martin Luther King Jr.'s Birthday
- Presidents' Day
- Memorial Day
- July 4th (Independence Day)
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day and the Friday after
- Christmas Eve
- Christmas Day

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. However, North Delta Water Agency may grant another day off in lieu of closing. Holiday observance will be announced in advance.

Each non-exempt employee's eligibility for holiday pay begins after completion of their trial period. To be eligible for holiday pay, you must be regularly scheduled to work on the day on which the holiday is observed and must work your regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by your supervisor or the absence is otherwise protected by law. If you are required to work on a paid scheduled holiday you will receive Straight Time.

## Lactation Accommodation

North Delta Water Agency accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for the employees child, subject to exception allowed under applicable law. The break time shall, if possible, run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the employee shall be unpaid.

We will provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Employees with private offices ~~are requested~~ will be required to use their offices to express breast milk.

~~Employees who desire lactation accommodations should contact their supervisor or Human Resources to request accommodations.~~

Discrimination on the basis of sex includes discrimination based on breastfeeding and related medical conditions, and is unlawful. The Agency will not tolerate discrimination or harassment against nursing employees electing to take break time to express breast milk in the work place.

## **State Disability and Paid Family Leave**

For certain absences, the State of California will pay State Disability Insurance (“SDI”) or Paid Family Leave (“PFL”) benefits. The Agency does not pay SDI and PFL. SDI applies to leaves taken due to the employee’s own illness. PFL applies to qualifying leaves taken due to illnesses of the employee’s family member (child, parent, spouse, domestic partner, grandparent, grandchild, sibling or parent-in-law), as well as bonding with a new child. The laws governing the payment of SDI and PFL benefits do not give an employee the right to return to work and employees taking such leave have no right to continued employment after taking leave, except as otherwise required by law. Employees may be eligible for Paid Family Leave (PFL) wage replacement benefits, which are funded through payroll deductions and coordinated through the Employment Development Department. PFL provides partial pay for up to six weeks when an employee needs to take leave from work to care for a parent, parent in law, child, spouse, registered domestic partner, grandparent, grandchild, or sibling who is seriously ill, or for a working parent who wants time to bond with their newborn, foster child or newly adopted child. The PFL program does not provide employees with a right to a leave of absence; it is limited to a state mandated wage replacement benefit.

## Workers' Compensation

North Delta Water Agency, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax free, to replace lost wages; and
- Assistance to help qualified injured employees return to suitable employment.
- To ensure that you receive any workers' compensation benefits to which you may be entitled, you need to:
  - Immediately report any work-related injury to your supervisor;
  - Seek medical treatment and follow-up care if required;
  - Complete a written Employee's Claim for Workers' Compensation Benefits (DWC Form 1) and return it to Assistant Manager; and
  - Provide the Agency with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to their same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on workers' compensation leave would have been laid off had they not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining the Agency's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement.

An employee's return depends on their qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of their job because of a physical or mental disability, NDWA's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act.

The law requires North Delta Water Agency to notify the workers' compensation insurance company of any concerns of false or fraudulent claims.

### **Workers' Compensation and FMLA/CFRA**

Employees who are ill or injured as a result of a work-related incident, and who are eligible for family and medical leave under state and federal law (Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA)), will be placed on FMLA/CFRA during the time they are disabled and not released to return to work. The leave under these laws runs concurrently, and eligible employees will be on FMLA/CFRA for a maximum of 12 weeks in a 12-month period fiscal year.

### **Paid Sick Leave and Workers' Compensation Benefits**

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued and unused sick leave, you may choose to substitute paid sick leave for any time that would otherwise be unpaid.

If you do not have accrued, paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation/paid time off for further absences from worked, related to your illness or injury.

**MANAGEMENT**

## **Employee Property**

An employee's personal property, including but not limited to lockers, packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of North Delta Water Agency property, possession of dangerous weapons or firearms, or abuse of the Agency's drug and alcohol policy.



## **Names and Addresses Policy**

North Delta Water Agency is required by law to keep current all employees' names and addresses. Employees are responsible for notifying the Agency in the event of a name or address change.

## **Open-Door Policy**

Suggestions for improving North Delta Water Agency are always welcome. At some time, you may have a complaint, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Your complaints, questions, and suggestions also are of concern to the Company.

If you have a complaint, suggestion or question, speak with your immediate supervisors as soon as possible. If you are not comfortable speaking to your immediate supervisor, please bring the issue to the personnel manager or any other member of management.

Moreover, if you have raised the issue and If the problem persists, you may present it to the personnel manager, who will investigate and provide a solution or explanation.

If the problem is not resolved, you may also present the problem to the president of North Delta Water Agency, who will attempt to reach a final resolution.

While a written complaint will assist us in investigating your concerns, it is not required that you put your complaint in writing. If you need assistance with your complaint, or you prefer to make a complaint in person, contact Manager.

This procedure, which we believe is important for both you and the Company, cannot guarantee that every problem will be resolved to your satisfaction. However, North Delta Water Agency values your observations and you should feel free to raise issues of concern without the fear of retaliation.

## **Performance Evaluations**

Each employee will receive periodic performance reviews conducted by their supervisor. Your first performance evaluation will take place Six Months after you hire date. Subsequent performance evaluations will be conducted Annually. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Your performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. The performance evaluations are intended to make you aware of your progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of North Delta Water Agency Board of

Directors and depend upon many factors in addition to performance. After the review, you will be required to sign the evaluation report simply to acknowledge that it has been presented to you, that you have discussed it with your supervisor, and that you are aware of its contents.

## **Personnel Records**

You have a right to inspect or receive a copy of the personnel records that North Delta Water Agency maintains relating to your performance or to any grievance concerning you. Certain documents may be excluded or redacted from your personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or copy personnel records must be made in writing to the Assistant Manager. You can obtain a form for making such a written request from the Assistant Manager.

You may designate a representative to conduct the inspection of the records or receive a copy of the records. However, any designated representative must be authorized by you in writing to inspect or receive a copy of the records. North Delta Water Agency may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.

The personnel records may be made available to you either at the place where you work or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available no later than 30 calendar days from the date North Delta Water Agency receives your written request to inspect or copy your personnel records (unless you/your representative and North Delta Water Agency mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request).

If you request a copy of the contents of your file, you will be charged the actual cost of copying.

Disclosure of personnel information to outside sources, other than your designated representative, will be limited. However, North Delta Water Agency will cooperate with request from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

## **Telecommuting**

Telecommuting provides employees with an opportunity to work from an alternative work environment instead of in the primary location of the Agency. Telecommuting must be pre-approved by the NDWA Manager and cannot be initiated without a Telecommuting Agreement.

North Delta Water Agency retains the right in its sole discretion to designate positions that are appropriate for telecommuting and approve employees for telecommuting. Telecommuting must be approved by the NDWA Manager. Telecommuting does not change the conditions of employment or required compliance with all Agency policies and procedures. NDWA reserves the right to change or terminate the Telecommuting Agreement at any time, without cause or advance notice. An employee's ability to work under a Telecommuting Agreement rests in the sole discretion of the Agency. Telecommuting is a privilege and may not be appropriate for all employees. If an employee wishes to request a Telecommuting Agreement, they should contact their supervisor and ask for a Telecommuting Request form.

### **Telecommuting Safety**

The Telecommuter is solely responsible for ensuring the safety of their alternative work environment. However, because the Agency is legally obligated to provide its employees with a workplace that is free from hazards that might cause serious harm or injury, the Agency reserves the right to periodically inspect the Telecommuter's home work space. Any such inspection will be preceded by advance notice and an appointment will be scheduled. Telecommuters are protected by NDWA's workers' compensation insurance. As such, Telecommuters are required to immediately report any injuries that occur while working.

The Telecommuter shall be liable for any injuries that occur to third parties at or around the Telecommuter's alternative work environment.

### **Telecommuting Plan**

All Telecommuters will be required to sign a Telecommuting Agreement with their supervisor that outlines the days and work hours (as applicable) of the Telecommuter; equipment the Telecommuter will need; how the Telecommuter will communicate with the Agency; use of support or secretarial staff; and other appropriate information.

### **Hours of Work**

Unless otherwise agreed in the Telecommuting Agreement, hours and days of work will not change. Employees agree to apply themselves during work hours.

Nonexempt employees agree not to work outside of scheduled hours without advance approval; this includes such activities as checking and responding to emails. Any work outside of a scheduled shift must be reported to a supervisor.

Telecommuting is not intended as a substitute for child care or care for another adult. If a child or adult needs care during work time, another responsible individual is expected to be present.

**Attendance at Meetings**

Telecommuters are expected to attend all required meetings.

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**Costs Associated with Telecommuting**

NDWA shall not incur additional costs due to a Telecommuting Agreement. The Telecommuting Agreement will specify any costs the Agency will cover.

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**COMPANY PROPERTY**

## **Electronic and Social Media**

This policy is intended to protect NDWA's computer systems and electronic information.

For purposes of these policies, the following definitions apply: "Computers" are defined as desktop computers, laptops, handheld devices (including but not limited to iPhones, Black berries, smart phones, iPads, and other electronic tablets and cell phones), computer software/hardware and servers.

North Delta Water Agency also uses various forms of "electronic communication." "Electronic communications" includes e-mail, text messages, telephones, cell phones and other handheld devices (such as cell phones, Blackberries or smart phones or writing tablets or iPads), fax machines, and online services including the Internet.

"Electronic information" is any information created by an employee using computers or any means of electronic communication, including but not limited to, data, messages, multimedia data, and files.

The following general policies apply:

- Computers and all data transmitted through North Delta Water Agency servers are Agency property owned by the NDWA for the purpose of conducting Agency business. These items must be maintained according to North Delta Water Agency rules and regulations. Computers must be kept clean and employees must exercise care to prevent loss and damage. Prior authorization must be obtained before any Company property may be removed from the premises.
- All electronic communications also remain the sole property of North Delta Water Agency and are to be used for Agency business. For example, email messages are considered NDWA records.
- Electronic information created by an employee using any computer or any means of electronic communication is also the property of North Delta Water Agency and remains the property of North Delta Water Agency.
- Information stored in North Delta Water Agency computers and file servers, including without limitation is the property of NDWA and may not be distributed outside the Agency in any form whatsoever without the written permission of the NDWA Manager.
- Violation of any of the provisions of this policy, whether intentional or not, will subject North Delta Water Agency employees to disciplinary action, up to and including termination.

### **Monitoring of Company Property**

North Delta Water Agency reserves the right to inspect all Agency property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not



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necessarily in the employee's presence. North Delta Water Agency computers and all electronic communications and electronic information are subject to monitoring and no one should expect privacy regarding such use. NDWA reserves the right to access, review and monitor electronic files, information, messages, text messages, e-mail, Internet history, browser-based webmail systems and other digital archives and to access, review and monitor the use of computers, software, and electronic communications to ensure that no misuse or violation of Agency policy or any law occurs. E-mail may be monitored by NDWA and there is no expectation of privacy. Assume that e-mail may be accessed, forwarded, read or heard by someone other than the intended recipient, even if marked as "private."

Employee passwords may be used for purposes of security but the use of a password does not affect the Agency's ownership of the electronic information or ability to monitor the information. NDWA may override an employee's password for any reason.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by North Delta Water Agency management.

### **Prohibited Use**

All existing NDWA policies apply to employee use of computers, electronic communications, electronic information, and the Internet. This includes policies that deal with misuse of Company assets or resources. It is a violation of North Delta Water Agency policy to use computers, electronic communications, electronic information, or the Internet, in a manner that: is discriminatory harassing or obscene; constitutes copyright or trademark infringement; violates software licensing rules; is illegal; or is against North Delta Water Agency policy. It is also a violation of policy to use computers, electronic communications, electronic information, or the Internet to communicate confidential or sensitive information or trade secrets.

The display of any kind of sexually explicit multimedia content, message, or document on any NDWA computer is a violation of the Agency's policy against sexual harassment. This description of prohibited usage is not exhaustive and it is within the discretion of North Delta Water Agency to determine if there has been a violation of this policy. Employees that engage in prohibited use will be subject to discipline and/or immediate termination.

This policy is not intended to limit the ability of employees to discuss with other employees the terms and conditions of their employment, including such topics as wages, job performance, workload, supervisors, or staffing.

### **Computer and Internet Use**

North Delta Water Agency provides computers, electronic communications, electronic information and information technology resources, including the Internet, to its employees to help them do their job. Generally, these Agency resources and property should be used only for business related purposes; however, there are a few exceptions:

- To send and receive necessary and occasional personal communications;

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- To use the telephone system, cell phones or smart phones for brief and necessary personal calls or messages; and
- To access the Internet for brief personal searches and inquiries during meal times or other breaks, or outside of work hours provided that employees adhere to all other usage policies.

This policy is not intended to limit the ability of employees to use NDWA email systems to communicate with other employees regarding the terms and conditions of their employment, including such topics as wages, job performance, workload, supervisors or staffing.

Any personal usage of NDWA property must not interfere with the employee's work performance, take away from work time, consume supplies, slow other users, slow the servers or computer systems, or tie up printers or other shared resources, or violate any NDWA policy, including policies against harassment, discrimination and disclosure of confidential or trade secret information. All policies relating to monitoring usage of NDWA property apply.

### **Social Media**

North Delta Water Agency does not use nor does it condone the use of social media in the workplace for any purpose. Social media is a set of Internet tools that aid in the facilitation of interaction between people online. If you have specific questions about which programs NDWA deems to be social media, consult with the Manager.

Use of Internet based programs such as Facebook, Linked In, and Twitter (this is not meant to be an exhaustive list) is a violation of NDWA policy and use of Agency property (including computers or handheld devices) to access social media tools or programs during working time on the work premises can result in discipline up to and including termination.

Employees can use their own personal devices to engage in social media during non-working times, such as breaks and meal periods; however, all other NDWA policies against inappropriate usage, including the Agency's no tolerance for discrimination, harassment or retaliation in the workplace, and protection of confidential or trade secret information apply.

Nothing in the NDWA's social media policy is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment.

## Employer Property

Lockers, furniture, desks, computers, cell phones, data processing equipment/software, vehicles, and other office assets are North Delta Water Agency property and must be maintained according to Agency rules and regulations. They must be kept clean and are to be used only for work-related purposes. North Delta Water Agency reserves the right to inspect all Agency property including computer or phone data or messages to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Prior authorization must be obtained before any NDWA property may be removed from the premises.

NDWA voice mail and/or electronic mail (e-mail) including texting, pagers and mobile email are to be used for business purposes. North Delta Water Agency reserves the right to monitor voice mail messages, and e-mail messages, and texts to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence.

North Delta Water Agency may periodically need to assign and/or change "passwords" and personal codes for

- email
- computers

These communication technologies and related storage media and databases are to be used only for Agency business and they remain the property of North Delta Water Agency.

North Delta Water Agency reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system. Messages on the Agency voice-mail and email systems are subject to the same NDWA policies against discrimination and harassment as are any workplace communications. Offensive, harassing or discriminatory content in such messages will not be tolerated.

For security reasons, employees should not leave personal belongings of value in the workplace. Terminated employees should remove any personal items at the time they leave North Delta Water Agency. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

**EMPLOYEE CONDUCT**

## **Confidential Information**

Each employee is responsible for safeguarding the confidential information obtained during employment.

In the course of your work, you may have access to trade secrets or similarly protected proprietary or confidential information regarding North Delta Water Agency's business (such as financial data, research and development, marketing, business plans or strategies, suppliers, business partners or customers). You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties or as required by law.

Access to, or disclosure of, confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by NDWA.

This policy does not prohibit employees from confidentially disclosing trade secret, proprietary or confidential information to federal, state and local government officials, or to an attorney, when done to report or investigate a suspected violation of the law. Employees may also disclose the information in certain court proceedings if specific procedures to protect the information are followed. Nothing in this policy is intended to conflict with 18 U.S.C. sec. 1833(b) or create liability for disclosures of trade secrets that are expressly allowed by 18 U.S.C. sec. 1833(b).

## **Conflicts of Interest**

All employees must avoid situations involving actual conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of North Delta Water Agency, which impairs an employee's ability to exercise good judgment on behalf of the NDWA, can create an actual conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to their immediate supervisor, or any other appropriate supervisor, for a determination about whether an actual conflict exists. If an actual conflict is determined, North Delta Water Agency may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

## Drug and Alcohol Abuse

North Delta Water Agency is concerned about the use of alcohol, marijuana, illegal drugs or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and seriously impair Agency operations. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the Company to the risks of property loss or damage, or injury to other persons.

The following rules and standards of conduct apply to all employees while on NDWA property, at work, or working on Agency business. The following are strictly prohibited by NDWA policy:

- Being under the influence of, or impaired by, an illegal or controlled substance, alcohol or marijuana while on the job.
- Using or possessing illegal or controlled substances, alcohol or marijuana while on the job (including the illegal use of prescription drugs and possessing drug paraphernalia)
- Distributing, selling, or purchasing of an illegal or controlled substance, alcohol or marijuana while on the job.

Violation of these rules and standards of conduct will not be tolerated. North Delta Water Agency also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, North Delta Water Agency reserves the right to conduct searches of Agency property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off Agency property will not be tolerated because such conduct, even though off duty, reflects adversely on North Delta Water Agency. In addition, NDWA must keep people who sell or possess controlled substances off Agency premises in order to keep the controlled substances themselves off the premises.

North Delta Water Agency will encourage and reasonably accommodate employees with alcohol, marijuana or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. NDWA is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug, alcohol or marijuana use. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be reemployed or be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the Agency's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

## **Political Activity**

Many employees participate in political activities on their own time. Agency time, facilities, property or equipment (including all computers, networks, and electronic equipment) must not be used for an employee's outside political activities. North Delta Water Agency will not reimburse any employee for political contributions, and employees should not attempt to receive or facilitate such reimbursements.

Absent a formal statement by North Delta Water Agency announcing any political endorsements, employees must not, through their own actions, speech, contributions, or written communication, mislead others to believe that North Delta Water Agency officially endorses or opposes any candidates for political office that North Delta Water Agency itself has not publicly announced. NDWA employees are entitled to their own personal position.

NDWA will not discriminate against employees based on their lawful political activity engaged in outside of work.



**WAGES**

## **Advances**

North Delta Water Agency does not permit advances against paychecks or against unaccrued vacation.

## **Expense Accounts**

North Delta Water Agency reimburses employees for business expenses on the Last business day of the month of each month. Employees who have expense accounts or who have incurred business expenses must submit required receipts to the Assistant Manager no later than the 25th of each month.

If you have any questions about the Agency's expense reimbursement policy, contact the NDWA Manager.

## **Meal and Rest Periods**

### **Rest Breaks**

All nonexempt employees are entitled to uninterrupted rest break periods during their workday. If you are a nonexempt employee, you will be paid for all such break periods, and you will not clock out.

### **Number of Rest Breaks**

You will be authorized and permitted one (1) 10-minute net rest break for every four (4) hours you work (or major fraction thereof, which is defined as any amount of time over two [2] hours). A rest break need not be authorized for employees whose total daily work time is less than three and one half (3.5) hours.

You will be relieved of all duty during your rest break periods. You are free to come and go as you please and are free to leave the premises. You are expected to return to work promptly at the end of any rest break.

If you work a shift from three and one-half (3.5) to six (6) hours in length you will be entitled to one (1) ten-minute rest break. If you work more than six (6) hours and up to 10 hours, you will be entitled to two (2) ten-minute rest breaks. If you work more than 10 hours and up to 14 hours, you will be entitled to three (3) ten-minute rest breaks.

### **Timing of Rest Breaks**

You are authorized and permitted to take a rest break in the middle of each four hour work period.

### **Meal Period**

All nonexempt employees will be provided an uninterrupted unpaid meal period of at least 30 minutes if you work more than five (5) hours in a workday. You must clock out for your meal period. You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty. During your meal period, you are free to come and go as you please and are free to leave the premises. You are expected to return to work promptly at the end of any meal period.

### **Timing of Meal Period**

Your meal period will be provided no later than the end of your fifth hour of work. For example, if you begin work at 8:00 a.m., you must start your meal period by 12:59 p.m. (which is before the end of your fifth hour of work).

Your meal period will be scheduled by the Assistant Manager

### **Second Meal Period**

If you work more than 10 hours in a day, you will be provided a second, unpaid meal period of at least 30 minutes. Again, you must clock out for your meal period. You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty. There will be no control over your activities during your meal period. During your meal period, you are free to leave the premises and are free to come and go as you please. You are expected to return to work promptly at the end of any meal period.

### **Timing of Second Meal Period**

This second meal period will be provided no later than the end of your 10th hour of work. Your second meal period will be scheduled by the Assistant Manager.

### **Recording Meal Periods**

You must clock out for any meal period and record the start and end of the meal period.

Employees are not allowed to work "off the clock." All work time must be accurately reported on your time record.

If for any reason you are not provided a meal period in accordance with our policy, or if you are in any way discouraged or impeded from taking your meal period or from taking the full amount of time allotted to you, please immediately notify Manager.

Anytime you miss a meal period that was provided to you (or you work any portion of a provided meal period), you will be required to report to Manager and document the reason for the missed meal period or time worked.

Please also refer to the North Delta Water Agency Timekeeping Policy.

## Overtime for Nonexempt Employees

Employees may be required to work overtime as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime. North Delta Water Agency will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by a supervisor. North Delta Water Agency provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

- All hours worked in excess of eight hours in one workday or 40 hours in one workweek will be treated as overtime. A workday begins at 12:01 a.m. and ends at midnight 24 hours later. Workweeks begin each Sunday at 12:01 a.m.;
- Compensation for hours in excess of 40 for the workweek, or in excess of eight and not more than 12 for the workday, and for the first eight hours on the seventh consecutive day of work in one workweek, shall be paid at a rate one and one-half times the employee's regular rate of pay;
- Compensation for hours in excess of 12 in one workday and in excess of eight on the seventh consecutive workday in a workweek shall be paid at double the regular rate of pay; and
- Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.

## **Payment of Wages**

Paychecks are normally distributed once a month and are Direct Deposited the last business day of the month office. If you observe an error on your check, please report it immediately to the Assistant Manager.

Paydays are scheduled on the last business day of the Month and include payment from the 1st to the last working day of the month.

North Delta Water Agency offers automatic payroll deposit. You may begin and stop automatic payroll deposit at any time. To begin automatic payroll deposit, you must complete a form (available from the payroll department) and return it to payroll at least 10 days before the pay period for which you would like the service to begin. You should carefully monitor your payroll deposit statements for the first two pay periods after the service begins.

To stop automatic payroll deposit, complete the form available from the payroll department and return it to payroll at least 10 days before the pay period for which you would like the service to end. You will receive a regular payroll check on the first pay period after the receipt of the form, provided it is received no later than 10 days before the end of the pay period.

**SAFETY AND HEALTH**



## **Employees Who Are Required to Drive**

Employees whose job duties require them to drive an Agency vehicle or their own vehicles for Agency business will be required to show proof of current valid driving licenses and proof of insurability under the Agency's policy or current effective insurance coverage before the first day of employment.

North Delta Water Agency participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who are required to drive as part of their job.

If an employee is required to drive as part of their job, North Delta Water Agency retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is suspended or revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the Agency's policy.

Employees who drive their own vehicles on NDWA business will be reimbursed on a monthly basis at the rate of IRS Standard Rate per mile.

## **Health and Safety**

All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses immediately to your supervisor or to the Assistant Manager. In compliance with California law, and to promote the concept of a safe workplace, North Delta Water Agency maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives in the general manager's office.

In compliance with Proposition 65, North Delta Water Agency will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

## **Recreational Activities and Programs**

North Delta Water Agency or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

## **Security**

North Delta Water Agency has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security personnel. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

## Workplace Violence

North Delta Water Agency has adopted the following workplace violence policy to ensure a safe working environment for all employees.

NDWA has zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Possession of non-work related weapons on NDWA premises and at NDWA-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event which you reasonably believe is threatening or violent.

You may report an incident to any supervisor or manager.

A threat includes, but is not limited to, any indication of intent to harm a person or damage NDWA property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally. The following are examples of threats and acts that shall be considered violent - this list is in no way all-inclusive:

Example	Type of Threat
Saying, "Do you want to see your next birthday?"	Indirect
Writing, "Employees who kill their supervisors have the right idea."	Indirect
Saying, "I'm going to punch your lights out."	Direct
Making a hitting motion or obscene gesture	Nonverbal
Displaying weapons	Extreme
Stalking or otherwise forcing undue attention on someone, whether romantic or hostile	Extreme
Taking actions likely to cause bodily harm or property damage	Acts of violence

**CONFIRMATION OF RECEIPT**

## Confirmation of Receipt

I have received my copy of NDWA's employee handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook.

I understand and agree that nothing in the employee handbook creates or is intended to create a promise or representation of continued employment and that employment at North Delta Water Agency is employment at-will; employment may be terminated at the will of either the Agency or myself. My signature certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between North Delta Water Agency and myself concerning the duration of my employment and the circumstances under which my employment may be terminated. It supersedes all prior agreements, understandings, and representations concerning my employment with North Delta Water Agency.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by the Agency. North Delta Water Agency reserves the right to change my hours, wages, and working conditions at any time. I understand and agree that other than the Manager and the president of North Delta Water Agency, no supervisor, or representative of NDWA has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the manager and president has the authority to make any such agreement and then only in writing, signed by the president.

Employee's Signature \_\_\_\_\_

Employee's Printed Name \_\_\_\_\_

Date \_\_\_\_\_