

# Rivergrove Water District



## **EMPLOYEE HANDBOOK THIS IS NOT A CONTRACT**

Adopted 2023

## **TABLE OF CONTENTS**

1.1	ABOUT THE DISTRICT AND OUR EMPLOYEE HANDBOOK	4
1.2	ABOUT OUR EMPLOYEE HANDBOOK	4
1.3	ORGANIZATIONAL STRUCTURE	5
1.4	CODE OF ETHICS	6
1.5	EQUAL EMPLOYMENT OPPORTUNITY COMMITMENT	6
2.1	EMPLOYMENT POLICY DEFINITIONS	7
2.2	EMPLOYEE APPLICATION AND WORK PROCEDURES	7
2.2.1	Physical Examinations	8
2.2.2	Duration of Employment	8
2.2.3	Anniversary Dates	8
2.2.4	Attendance	8
3.1	HEALTH INSURANCE AND WELLNESS BENEFIT	8
3.2	RETIREMENT BENEFITS	9
3.3	TRAINING, CONFERENCES, AND TUITION	9
3.4	EMPLOYEE PROVIDED CLOTHING & BOOT BENEFIT	10
4.1	WORK SCHEDULE AND BREAKS	11
4.1.1	Work Schedule	11
4.1.2	Hours Worked	11
4.1.3	Late Policy	11
4.1.4	Overtime	11
4.1.5	Rest Periods	11
4.1.6	Meal Periods	11
4.1.7	Lactation Breaks	11
4.1.8	Inclement Weather	12
4.2	PAY SCHEDULES	12
4.3	COMPETITIVE COMPENSATION	12
4.4	TRAVEL POLICY	13
4.5	ON CALL DUTY	14
5.1	SICK LEAVE	15
5.2	PREGNANCY ACCOMODATION	17

5.3	MISCELLANEOUS LEAVE	17
5.3.1	Bereavement Leave	17
5.3.2	Jury Duty	18
5.3.3	Military Service	18
5.3.4	Unpaid Leave of Absence / Additional Days Off	18
5.3.5	Emergency Closure	18
5.4	BENEFITS – VACATION PAY	19
5.5	HOLIDAYS	20
6.1	PERSONAL APPEARANCE	20
6.2	VEHICLE USE POLICY	21
6.3	TECHNOLOGY DEVICE USE AND INFORMATION MONITORING	24
6.4	VISITORS AT WORK	28
6.5	SAFETY IN THE WORKPLACE	28
6.6	DRUGS AND ALCOHOL	29
6.7	HARASSMENT	30
6.8	COMPLAINT PROCEDURE/OREGON WORKPLACE FAIRNESS ACT	32
6.9	NON-VIOLENCE	34
6.10	PUBLIC RELATIONS POLICY	34
6.11	DISTRICT CREDIT CARD AND ACCOUNT USE	34
7.1	DISCIPLINARY ACTION GUIDELINES	35
7.2	SEPARATION	36
	Employee Acknowledgement and Agreement	37

## **1.1 ABOUT THE DISTRICT AND OUR EMPLOYEE HANDBOOK**

**OUR MISSION: TO PROVIDE OUR COMMUNITY WITH SUSTAINABLE HIGH QUALITY WATER AND EXCELLENT CUSTOMER SERVICE.**

**OUR VISION: DELIVERING THE BEST ♠ WATER ♠ SERVICE ♠ VALUE!**

The Rivergrove Water District (the “District”) is a municipal corporation that provides domestic water service and fire flow for residential and commercial customers. The District’s goal is to provide safe drinking water in an environmentally sustainable manner and at a rate sufficient to generate adequate revenue at the least possible cost consistent with our 20-year Master Plan.

The District is situated in Clackamas and Washington County serving approximately 1,380 service connections in five jurisdictions which includes the Cities of Lake Oswego, Tualatin, and Rivergrove, and unincorporated Clackamas and Washington County. Incorporated in 1957, the area within the District is approximately one square mile. An elected five-member Board of Commissioners governs the District.

The District serves a population of 4,200 with approximately 1,382 service connections, to include residential, commercial, irrigation, and fire suppression. The District’s water sources are three ground water wells and in case of emergency we have emergency intertie supply connections with the City of Lake Oswego and the City of Tualatin. The District has three above ground water reservoirs, two located on SW Hilltop Rd and one on Olson Ct. with a combined water storage amount of 1.875 MG.

## **1.2 ABOUT OUR EMPLOYEE HANDBOOK**

The intent of this Employee Handbook is to clearly communicate policies and procedures to all employees. Please understand this is a dynamic and evolving document and can be revised at any time. This Handbook applies to all employees.

**Personnel Administration Generally:** The Board of Commissioners and the General Manager shall have authority over all matters of personnel administration through adoption and implementation of the District budget, pay plans, and ordinances and resolutions adopting and/or amending the personnel rules and regulations.

These policies are intended to set a general framework for effective personnel administration. In all cases, these policies should be construed with this in mind and should be understood as guiding the General Manager, and not limiting in any way the prerogatives of the Board in its relationship with the General Manager. The District reserves the right to deviate from this policy when determined to be legally appropriate and use its discretion in making all employment decisions. The Board may vary or modify any District personnel policy, on a case-by-case basis, if it is found that strict application of the policy is impractical or if it would result in hardship to the District. Exceptions granted in any instance will not automatically amend the policy, or otherwise be automatically considered to be binding upon the District in future situations.

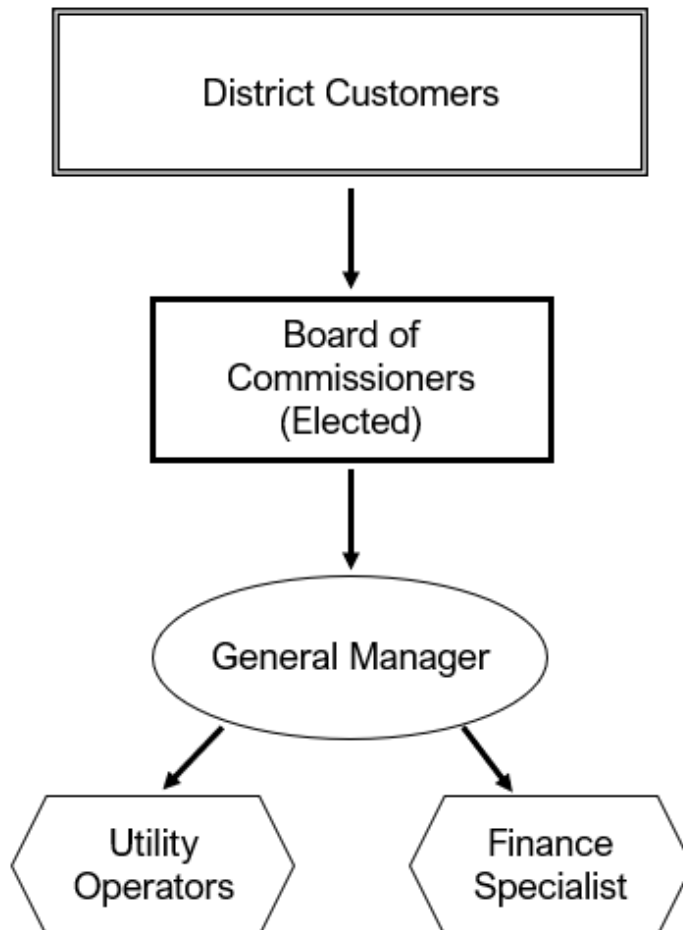
These personnel policies do not constitute a contract for employment, or a promise of specific treatment in a specific situation. No representative of the District other than the General Manager has the authority to enter into any arrangement or modification of the provisions of these personnel policies, and any such alternative arrangement or modification must be in writing and signed by the General Manager and approved by the Board of Commissioners.

The Board delegates to the General Manager to have broad discretion in all aspects of personnel and labor relations, subject to the advice and concurrence of the Board, and has authorized the General Manager to implement these policies, and to update the employee handbook as needed with Board approval.

**At-Will Employment:** Employment at the District is at-will, which means that either you or the District may terminate your employment at any time and for any lawful reason, with or without notice, subject to any due process requirements that may be required by law.

This handbook gives employees some basic information on our current personnel policies, procedures, and benefits effective 2021. It supersedes any prior written or oral policies, statements, or understandings on these subjects.

### 1.3 ORGANIZATIONAL STRUCTURE



## **1.4 CODE OF ETHICS**

All employees and public officials shall strive to uphold the District's Code of Ethics, as adopted by the Rivergrove Water Board of Commissioners. We are committed to the following:

- ❖ Demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all public activities, in order to inspire public confidence and trust in the District;
- ❖ Serve in such a way that does not realize undue personal or financial gain from the performance of official duties;
- ❖ Avoid any activity which is in conflict with the conduct of official duties;
- ❖ Approach the District's organization and duties of their position with a positive attitude and constructively support open communication, teamwork, creativity, dedication, and kindness;
- ❖ Maintain professional excellence, accept responsibility to keep up to date on emerging issues and conduct the public's business with competence, fairness, efficiency, and effectiveness;
- ❖ Support the values of the District and help make these values the norms of the organization;
- ❖ Support and strive to achieve the goals and visions for Rivergrove Water District;
- ❖ Be knowledgeable and support the code of conduct, quality, ethical, and performance standards of their respective professions;
- ❖ Refrain from engaging in political activities during working hours.
- ❖ Be objective in the selection of employees, contractors, goods, and services, basing decisions on merit and value to the District;
- ❖ Eliminate all forms of illegal discrimination, fraud, and mismanagement of public funds; support co-workers if they are in difficulty because of responsible efforts to correct such discrimination, fraud, mismanagement or abuse;
- ❖ Serve the public with respect, courtesy, concern, and responsiveness, recognizing that service to the public is beyond service to oneself or any special interest group; and
- ❖ Respect, support, study and when necessary, work to improve regulations, ordinances, laws, and policies which govern work at Rivergrove Water District.

## **1.5 EQUAL EMPLOYMENT OPPORTUNITY COMMITMENT**

We are committed to providing equal opportunity in all of our employment practices, including selection, hiring, promotion, transfer, and compensation, to all qualified applicants, and employees without regard to race, religion, color, sex, national origin, citizenship status, age, sexual orientation, gender identity and expression, disability and/or veteran status, or any other protected status in accordance with the requirements of all federal, state and local laws.

Discrimination or harassment based on any of these factors is inconsistent with our philosophy and will not be tolerated. If employees are aware of any violation of this policy, report it

immediately to the General Manager or to the Board Chair. We will not permit any retaliation against anyone who makes a good-faith complaint of discrimination or harassment.

## 2.1 EMPLOYMENT POLICY DEFINITIONS

### POLICY DEFINITIONS

- **Board of Commissioners or Board** - Five publicly elected customers of the Rivergrove Water District. Their basic duty is a fiduciary responsibility to the District and they also direct the General Manager to administer approved District policy.
- **District** - Rivergrove Water District or as herein described by the word “us” or “we” or abbreviated as “RGWD”.
- **Employees** - Staff hired to work for Rivergrove Water District or as herein described by the word “you” or “they”.
- **Employee Anniversary Date** - The date an employee is appointed or hired or is promoted or is reclassified to a position of employment.
- **Family** - Spouse or domestic partner and dependents as legally required.
- **Management** - General Manager
- **Regular Full-Time Employees** - An employee who regularly works a minimum of thirty (30) hours a week on a continuing basis, is considered a regular full-time employee.
- **Regular Part-Time Employees** - An employee who regularly works less than thirty (30) hours a week is considered a regular part-time employee. The District shall pay a proportion of benefits, based on the regular hours of work.
- **Temporary Employees** - Temporary employees are defined as an employee holding a job of limited duration arising out of special projects, abnormal workloads or emergencies. Temporary employees are ineligible for employer paid benefits.
- **Volunteers** - Volunteers are not employees of the District and receive only those benefits expressly conferred in writing or by law. Workers' compensation insurance will be provided to volunteers. The service of a volunteer may be discontinued at any time for any reason. Volunteers shall abide by all applicable rules, policies, and practices of the District, and serve at the pleasure of the District. All volunteer service is at-will and either the District or the volunteer may end the arrangement at any time, for any reason, with or without prior notice.

## 2.2 EMPLOYEE APPLICATION AND WORK PROCEDURES

All appointments to District position vacancies shall be made based on merit, qualifications and fitness as determined by Management. These qualities shall be determined through careful evaluation of one or more of the following:

- The applicant’s level of experience, education, and training relative to the requirements of the position for which they have applied. The applicant’s level of physical and mental fitness relative to the position for which they have applied.
- The results of an oral interview, and whenever practical, the results of a competitive written examination or demonstration test which shall evaluate the abilities and aptitudes of applicants for the duties to be performed.

All statements submitted on the employment application or resume shall be subject to inspection and verification. If the applicant provides false or misleading information either from material information on their application or on any other document in connection with employment with the District, it will be grounds for termination, regardless of when it is discovered.

### **2.2.1 Physical Examinations**

A conditional offer of appointment will be contingent upon the applicant completing a District background check and a pre-employment drug screen test. In addition, where permitted by law the applicant may be required to complete a medical examination to determine if the applicant is able to perform the essential functions of the job, with or without reasonable accommodation and without direct threat to the health or safety of the applicant or other employees and/or persons.

If required, these examinations will be provided by the District at District expense. Any information gathered will be treated as a confidential medical record. The scope of the post-offer medical examination need not be limited to the ability to perform essential job functions and may include a base-line physical exam and other inquiry into the applicant's physical and/or mental condition.

### **2.2.2 Duration of Employment**

All employees, except temporary employees, are hired for an unspecified duration. The District may not guarantee employment for any specific length of time. Employment is at-will, which means it is at the mutual consent of the employee and District. Accordingly, either the employee or the District can end the employment relationship at any time, for any reason, in accordance with District procedures. Discipline and discharge may occur subject to the policies and procedures set forth in this Handbook, except these shall not apply to a probationary employee.

### **2.2.3 Anniversary Dates**

The anniversary date is used to determine accrued vacation time. The anniversary date of an employee hired before the 15th of the month shall be the first day of that month. If an employee is hired on or after the 15th of the month, the date shall be the first day of the following month.

### **2.2.4 Attendance**

Employees shall attend to their work in accordance with the rules regarding hours of work. Employees shall not be absent from work for any reason, other than those leaves or absences outlined in this Handbook or otherwise authorized by law, without prior written approval of the General Manager. Unless prior arrangements are made, an employee who for any reason fails to report to work shall, as soon as possible, notify the General Manager with the reason for absence.

The General Manager shall monitor records of attendance. Any unauthorized absence by an employee from work shall be unpaid and may be cause for disciplinary action.

## **3.1 HEALTH INSURANCE AND WELLNESS BENEFIT**

The Rivergrove Water District provides to regular full-time employees 100% employer paid group health insurance coverage for employees, employees spouse or domestic partner, and family.\*



Coverage includes:

1. Medical;
2. Supplemental Health plans such as accident, disability, term life, cancer, and special event-regular employees have a choice of 3 plans;
3. Dental;
4. Vision; and
5. Alternative Care.

Employee Health insurance benefits shall begin on the 1<sup>st</sup> of the month after sixty (60) days of employment. The insurance benefits are periodically reviewed by the Board and General Manager and may change as needed. The District retains the right to change insurance carriers if the plan coverage is comparable to the existing plan.

Supplemental Health Policies are limited to a choice of 3 including accident, cancer, disability, and term life insurance. The dollar amount will be determined by budgetary and policy rules and to be given in equal amounts between regular employees and prorated for part-time employees.

\* Part-time employees who work over 24 hours are provided with the same insurance coverage, which is fully paid for by the District but limited to the employee only.

**Wellness Benefit:** Rivergrove Water will pay the employee \$20 per month toward classes, workout facilities, and/or approved health and wellness activities. The General Manager will review and approve all activities.

An employee receiving this benefit will provide proof of attendance. If an employee fails to attend the approved activity as scheduled or at least twice a week during the month they will lose the wellness benefit paid by the District for that month.

Failure to attend the health and wellness activities for acceptable reasons, such as a medical condition or vacation, shall not result in loss of wellness benefit. Acceptable reasons will be determined at the General Manager's sole discretion.

## **3.2 RETIREMENT BENEFITS**

The enrollment and administration details of the retirement plan are available from the District Finance Specialist. Below are the key employee's and employer requirements of the District's benefits program:

1. Mandatory enrollment after 6 calendar months of employment;
2. 12% pre-tax employer contribution;
3. Employee contribution individually decided by each employee; and
4. The employee and employer contributions are paid bi-weekly at the same time of District's payroll in accordance with the District's 457 plan rules.

## **3.3 TRAINING, CONFERENCES, AND TUITION**

Each year the District budgets and funds a line item in the Material Services section of the budget entitled continuing education. This budget is approved by the District budget committee, adopted by the Board of Commissioners, and legally appropriated by ORS statutes. These funds are used exclusively for training opportunities for employees and volunteer Board members.

If an employee or Board member has an interest in a training opportunity and it is deemed useful to District business and funds are available for continuing education, the interested party should inform the General Manager. The General Manager shall approve the training or refer to the Board for approval. Training for the General Manager will fall under these same guidelines.

All District approved training will be 100% paid including tuition, registration, materials, and approved travel expenses as needed. Travel expenses will be reimbursed as stated in the travel policy. The General Manager and the employee in agreement may vary the employee's schedules or provide compensatory time to not create overtime.

Employees may voluntarily attend relevant courses deemed useful to the District and during non-regular work hours. Employees may be eligible for reimbursement of books and tuition.

Please reference employee job descriptions and operator certification requirements for training and continuing education units needed.

### **3.4 EMPLOYEE PROVIDED CLOTHING & BOOT BENEFIT**

If work clothing with the identifying District logo is provided, it must be worn. Logo clothing will be issued from the closest District clothing reorder or the date of hire. The District provides at a minimum the following logo clothing items as needed:

- ✓ Shirts
- ✓ Sweatshirts
- ✓ Hats
- ✓ Coats

For inclement weather, the District will provide or reimburse employees, as approved by the General Manager, a minimum of the following Personal Protective Equipment ("PPE") for field employees:

- Rain Gear
- Gloves
- Coveralls
- Cold Weather Coveralls
- Pants or jeans

Field employee positions require waterproof, steel-toed boots and they are responsible to acquire them within fourteen (14) days of employment. The District will assist in the acquisition of necessary safety equipment. An annual boot allowance will be provided to District field employees and may carry forward into the following year for a total accrual of up to two years of boot benefits at any one time. The maximum reimbursement is adjusted periodically, please ask the General Manager for the current boot allowance amount.

## **4.1 WORK SCHEDULE AND BREAKS**

### **4.1.1 Work Schedule**

The normal workweek consists of forty hours for all regular full-time District employees; however, this should not be considered as a guarantee of work. Part-time employees will work as scheduled by the General Manager. The work week begins on Sunday at 12:00 am and ends on Saturday at 11:59 pm each week. If any policies become in conflict with state or federal regulations, the applicable law will apply.

The General Manager can authorize advance or immediate closure of the District office due to inclement weather, employee emergency and/or sickness, and field operations. In the event the District office is closed, proper signage will be placed at the District office notifying customers.

### **4.1.2 Hours Worked**

“Hours worked,” for the purposes of determining pay and benefits accrual, shall include hours actually worked, vacation, paid sick leave, compensatory time, holidays, and any other paid leave, unless otherwise required by law.

### **4.1.3 Late Policy**

If employees cannot report to work on time or at all during a normal workday, employees must notify the General Manager before the start of the workday. Absence from work without notice, except in the case of legitimate emergency or as otherwise provided by law, is cause for disciplinary action up to and including termination.

### **4.1.4 Overtime**

Overtime pay for non-exempt (i.e., hourly) employees will be paid at their hourly rate times time and one-half (1½) after forty (40) hours per week, as required by law.

Employees are not to work additional hours unless authorized by the General Manager, and the District reserves the right to modify the schedule within the same work week to avoid overtime obligations, in accordance with applicable law. Working unauthorized overtime can subject employees to discipline (see the disciplinary section).

### **4.1.5 Rest Periods**

Rest periods must be provided to employees of no less than fifteen (15) minutes of paid time for every four-hour period of work. At the employee’s discretion the rest periods may be taken consecutively with the unpaid meal period. They may not, however, be taken at the beginning or end of the shift, in order to shorten the work day.

### **4.1.6 Meal Periods**

Meal periods are required for each employee of no less than thirty (30) minutes in length. The time is unpaid provided the employee is relieved of all duty. If the employee remains on duty, then the meal period will be paid.

### **4.1.7 Lactation Breaks**

Employees who are presently nursing children 18 months or younger will receive, in addition to the meal and break periods discussed above, reasonable rest periods to accommodate the expression of breast milk. When possible, lactating employees should use their meal and rest breaks to express milk. For example, the employee can take one (1) 30-minute break during each 4-hour shift, or two (2) 30-minute breaks during each 8 hour shift, for this purpose. The Employee will be paid for 10 of the 30 minutes of the break time, which is considered the paid rest break, and the remainder is unpaid. The employee will also be entitled to his or her 30-minute unpaid meal break. The District will make a reasonable effort to provide the employee with a private location, within a close proximity to the employee's work area, where the employee may express milk concealed from view and without intrusion by other employees or the public. The employee can bring a cooler/other insulated container to store the expressed milk. The employee may store the milk in any onsite refrigerator provided to employees for their use.

#### **4.1.8 Inclement Weather**

At times, the General Manager may close the District office due to inclement weather and/or emergencies. This may be done to avoid putting District employees at jeopardy of unnecessary personal risks. Employees will not report to work until notified by the General Manager. Those employees expected to report for work during that time will be paid their regularly scheduled compensation.

During inclement weather, which creates hazardous traffic conditions, field employees that are the designated on call operator 24 hours a day, will be expected to drive the District vehicle to their residence in order to respond to emergencies. All District-related fuel expenses will be covered by the District during this time.

## **4.2 PAY SCHEDULES**

We pay all regular full-time employees and part-time employees bi-weekly. Pay is distributed via Direct Deposit the Thursday after the pay period for which the paycheck is processed.

Required Payroll Deductions:

- Federal Withholding Tax
- State Withholding Taxes
- Social Security (Medicare & FICA)
- Court Ordered Child Support Payments or Garnishments
- Optional Payroll Deductions
- Deferred Comp –VALIC 457 Plan

## **4.3 COMPETITIVE COMPENSATION**

On the date of hire the General Manager will propose a beginning wage for all new employees. That wage will be based at a rate approved by the Board. In approving such wage amounts, the Board will consider prevailing rates of pay for comparable work in other public and private employment. Other factors considered include conditions of work and basic pay, current costs of

living, the local economy, wage adjustments in the community, proposals of the General Manager, and the District's overall financial condition.

**Wage Review:** The General Manager will review regular full-time or part time employees' wage rates each budget cycle of continuous employment using the employee pay scale. A cost of living adjustment (COLA) review will also be conducted to determine if an adjustment is appropriate based upon the adjusted percentage of the cost of living index in the Portland metro areas and in relationship with the District's budget.

The General Manager will determine if a merit raise is warranted based on the employee's work performance. Merit increases will be considered in increments of .5 starting with 1% and ending with 4%. Merit increases are not automatic or guaranteed.

#### 4.4 TRAVEL POLICY

Board members' and employees' travel requests need to be appropriate to the needs of the District and approved as provided in the District policy 3.3 Training Conferences and Tuition. The General Manager will ensure that budgeted funds are available or bring additional requests for funds to the Board to fund or reject the request.

Within thirty (30) days after the travel has been completed, Board members or employees shall turn in receipts for reimbursement. All receipts for lodging and all other expenses should be attached and are to be paid on an actual basis. Reimbursement of job-related expenses is included and excluded from employee compensation in a manner which is consistent with federal and state tax law and IRS regulation.

#### GUIDELINES

**Reimbursable/payable Expenses:** Necessary and reasonable business expenses which are incurred while conducting training or business on behalf of Rivergrove Water District include, but are not limited to: parking costs, transportation and travel, registration fees, lodging, and meals. If actual costs cannot be established or at the option of the General Manager, the *Federal per diem* rates regulated by the Federal guidelines shall apply.

**Transportation:** The actual cost of transportation, taxi fares, parking, and similar items incidental and necessary to the performance of official business while on travel status will be paid. If a personal vehicle is used, the District will reimburse at the current IRS mileage rate for the actual mileage required for the trip. Other related expenses must be documented by receipt.

**Lodging:** Hotel and motel accommodations should be appropriate to the purpose of the trip. Expenses for lodging including taxes must be documented by receipts. Reimbursement for lodging is limited to the expense of a single room, except where employees are sharing a room. Lodging arrangements shall be approved by the General Manager prior to traveling.

**Meals:** For eligible approved training meetings or conferences, all meals, taxes, and gratuity, excluding alcohol, from the point of departure to point of return (actual and reasonable), will be reimbursed. All reimbursements must be documented by receipts.

**Registration and Tuition Fees:** Expenses for conference registration, activities or tuition fees are allowable expenses. A copy of the registration must be provided for reimbursement/payment.

**Accompanied Travel:** Only expenses for a Commissioner or employee are reimbursable.

**Combining Personal and Business Travel:** When authorized in advance, a traveler may combine a vacation or other personal travel with a business trip. Reimbursements and payments will only be paid for those costs necessary for the District business portion of the trip.

**Travel Awards:** Examples of travel awards are coupons, discounts, credit card rebates, frequent flyer miles, tickets, and vouchers for being bumped from an airline flight. Employees should be aware of the provisions of the Oregon public employee ethics statutes (ORS 244.040). This statute prohibits a public employee from using or attempting to use his/her official position to receive a financial gain or avoid a financial detriment that would not be available but for the person's employment by a public agency.

**Travel Awards as Compensation:** Travel awards accrued or earned by officials and employees on official District business are part of the salary and benefits to which such officials and employees are entitled as compensation. Officials and employees shall make decisions regarding travel arrangements and expenses in the best interest of the District rather than maximizing accrual of this benefit. Abuse of this benefit, including but not limited to influencing travel arrangements to maximize accrual of awards to the detriment of the District or public is prohibited. District officials and employees shall be responsible for ensuring this compensation is reported as income for tax purposes to the extent required by law.

## 4.5 ON CALL DUTY

To provide uninterrupted service, the District finds it necessary to have at least one employee available and on "on call" 24 hours a day. On call begins Friday at 7:30 am and ends the following Friday at 7:30 am. The responsibility of on call duty is to respond to emergencies as quickly as possible. The on call employee will earn a lump sum monetary compensation determined by the General Manager.

While in on call status, the designated on call employee, must be mentally and physically prepared to respond to emergency calls from District customers, equipment failures and main breaks, emergency locates, and other emergencies from regulatory agencies (i.e., City of Lake Oswego Dispatch), but may otherwise engage in personal activities. No employee on sick or vacation time will serve on call duty.

Just as when on duty, the District expects that on call employees refrain from the use of any mind-altering substances, including alcohol, marijuana, or other narcotics even if taken as

prescribed while on call, and not be engaged in any activity that would prevent that employee from a one (1) hour response time to the District.

If you are asked to return to work for an **emergency work assignment**, you will be paid at twice your regular hourly rate, i.e., “double time.” Double time starts at the location of work or office, as directed by the General Manager.

## 5.1 SICK LEAVE

Employees will begin to accrue sick leave immediately after hire at a rate of two (2) hours for every forty (40) hours worked. Sick leave may not be used in less than one (1) hour increments.

Employees will be allowed to use accrued sick leave on the first day of illness or injury. An employee may use accrued sick leave when unable to perform their work by reason of:

1. Diagnosis, care, or treatment of the employee’s or a family member’s, mental or physical illness, injury, or health condition, including pregnancy, childbirth, post-partum care, and preventative medical care.
2. Caring for an infant, newly adopted, or newly placed foster child under 18 years of age, or for an adopted foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability, within 12 months of the birth or placement of the child.
3. Caring for a child of the employee who is suffering from an illness, injury, or condition that is not a “serious health condition,” but one that requires home care.
4. Absences related to domestic violence, harassment, and sexual assault or stalking, including, but not limited to, time to seek law enforcement assistance, to pursue civil or criminal legal remedies, to obtain counseling, or assist a minor child with obtaining counseling related to an experience of domestic violence, sexual assault, or stalking, and for safety relocation.
5. Absences due to an office or school closure caused by a publicly declared public health emergency, to care for a family member who has been determined by a public health authority or health care provider to present a health risk to others, or the employer was required by law to exclude the employee from the workplace for health reasons.
6. Time to deal with the death of a family member by attending the funeral (or alternative to a funeral), making necessary arrangements, or for grieving within sixty (60) days of the date that the employee receives notice of the death of a family member.

The definition of “family member” for purposes of this policy includes: spouses and domestic partners; biological, adoptive, foster or step parents and children, a person whom the employee is or was a relationship of in loco parentis, or the parent or child of an employee’s same-gender domestic partner; grandparents and grandchildren; parents-in-law; and a person with whom the employee was or is in a relationship in place of a parent. An employee’s child in any of these categories may be either a minor or an adult at the time leave is taken.

From time to time and in accordance with applicable law, the District may require the employee to submit appropriate medical certification to confirm the continued need for leave. Failure or

refusal to supply any such certificate can subject the employee to appropriate disciplinary action up to and including termination.

Employees do not continue to accrue sick leave while using paid sick leave. Sick leave shall not accrue during any unpaid leave of absence. In the case of unforeseen illness, the employee must contact the General Manager before their shift starts.

If an employee uses sick time for more than three (3) consecutive scheduled workdays, or if abuse of this leave is suspected, the District may require the employee to provide verification from a health care provider of the need for the sick time, or other appropriate certification as permitted by law if for other reasons. The District will reimburse the employee for any out-of-pocket costs incurred in connection with any required medical verification.

Although paid sick leave is not a vested benefit, employees who are laid-off or who resign in good standing are permitted to cash out 20% of their earned and unused sick leave benefits upon termination. In order to be considered to have been laid-off or resigned in good standing under this policy:

1. The employee must provide the District with advance notice of at least three (3) work weeks of his/her intent to resign (not applicable to layoffs), and must work those three workweeks; vacation and sick leave will not be considered as days worked;
2. The employee must have no written disciplinary actions within 6 months of the resignation; and
3. The employee may not be in an active disciplinary process (employees will be considered to be in an active disciplinary process if any investigation has been initiated into conduct that could lead to disciplinary action or if a preliminary disciplinary determination has been made even if a final disciplinary decision has not been made or issued).

Payment for unused accrued sick leave upon separation of employment by retirement is allowed. At retirement, an employee's accrued unused sick leave shall be converted to the employee's 457 account. The amount to be credited at retirement shall be based on the following table:

<u>Sick Leave Hours</u>	<u>Conversion at Retirement</u>
Up to 700	50%
701 – 775	55%
776 – 850	60%
851 – 925	65%
926 – 1000	70%

If an employee is rehired within 180 days after termination, previously accrued and unused sick leave time will be credited back to the employee and available for immediate use.



## **5.2 PREGNANCY ACCOMMODATION**

The District does not discriminate against any applicant or employee in hiring or in the terms, conditions, and privileges of employment due to known limitations related to pregnancy, childbirth, or a related medical condition, including but not limited to lactation. The District therefore will not, based on pregnancy, childbirth, or related medical condition:

- Deny employment opportunities to an applicant or employee;
- Fail to make reasonable accommodation that would not impose an undue hardship on the operation of the District;
- Take adverse employment action against an employee;
- Require an employee to accept a reasonable accommodation that is unnecessary to perform the essential duties of the job; or
- Require the employee to accept reasonable accommodation if the employee does not have a known limitation or require the employee to take leave if the District can make reasonable accommodation.

Reasonable accommodation may include, but not limited to:

- Acquisition or modification of equipment or devices;
- More frequent or longer break periods or periodic rest;
- Assistance with manual labor; or
- Modification of work schedules or job assignments.

Upon notification by an employee of the employee's pregnancy, the District will provide the employee with written notice of their right to reasonable accommodation within ten (10) days of receipt of such notice. An accommodation creating an undue hardship on the District or which endangers health or safety is not a reasonable accommodation. Any additional requests for accommodation under this policy should be presented to the Office Manager as soon as possible.

## **5.3 MISCELLANEOUS LEAVE**

### **5.3.1 Bereavement Leave**

Employees are provided up to five (5) workdays off with pay for a death of an immediate family member. Employees are provided four hours with pay to attend the funeral of an employee, an employee's immediate family, or board member.

More than five (5) days may be taken with District approval if operational needs will reasonably allow it. In this event, additional leave will be deducted from accrued sick leave and/or vacation.

### **5.3.2 Jury Duty**

Employees will be paid their regular salary less compensation received for mileage and parking and must tender their jury service fee to the District. A copy of the subpoena is required for Jury Duty compensation. If you are called for jury service and are dismissed from such service with at least four (4) hours remaining in your shift, you will be expected to return to work.

### **5.3.3 Military Service**

Employees who serve in a branch of the armed forces, including the Reserves, and who are required to be absent from work to fulfill active obligations may request an unpaid leave of absence. If called to duty, you must submit copies of your military orders as soon as possible.

After six months of employment, we will continue regular pay and benefits for Oregon National Guard training not to exceed fifteen (15) days per Federal fiscal year for the military component.

If employees are requested to perform military duties, they will continue to receive District health benefits. When employees return from a military assignment, they are entitled to reinstatement if able to perform duties, or the District will attempt to find a comparable position. A copy of employees' orders must accompany a leave request.

Military leave will be managed in accordance with applicable federal and state laws. Please contact Management with questions or to determine your eligibility for Military Service Leave.

### **5.3.4 Unpaid Leave of Absence / Additional Days Off**

Employees may be allowed to take time off without pay if District is adequately staffed and the absence will not adversely impact operations, or if it is otherwise required by law. These additional days must be approved by the General Manager.

### **5.3.5 Emergency Closure**

In the event of emergency closure of District facilities due to inclement weather or other natural or human caused disaster (e.g., flood, earthquake, volcano, terrorism), when employees are prohibited from coming to or remaining at work (i.e., their General Manager requires them to go home), the District shall pay affected employees their regular rate of pay for up to three (3) days. In the absence of an emergency closure, if employees decide that such conditions prevent them from coming to work or causes them to leave early, employees can use paid leave time, including vacation, comp time, personal time or up to three (3) days leave without pay per incident.

## 5.4 BENEFITS-VACATION PAY

All regular, full-time, and part-time staff shall accrue vacation time at the following rate:

<b>Years of Service</b>	<b>Hours of Vacation Per month</b>	<b>Weeks Per Year</b>	<b>Days Per Year</b>	<b>Max Vacation Accrual</b>
<b>0 through 3</b>	8	2.4	12	240
<b>4 through 9</b>	11	3.3	16.5	240
<b>10 through 15</b>	14.33	4.2	21.5	240
<b>16 through 19</b>	15.66	4.8	23.5	240
<b>20+</b>	16.67	5	25	240

Vacation benefits for employees shall accrue monthly. Vacation can be carried over from year to year. The maximum amount of vacation hours that an employee can accrue is 240 hours. Should the employee's vacation hours exceed 240 hours on their anniversary date, the following shall apply: the employee will have until their following year's anniversary date to use any vacation hours over the maximum accrual.

If during the year that the employee accrued the vacation hours the employee took at least forty (40) hours of vacation, the employee can elect to bank up to forty (40) excess hours (i.e. the monetary value of forty (40) hours of vacation at the employee's regular wage as of the time of transfer) in the District's 457 Pension plan or be paid for the forty (40) excess hours. The day before the next anniversary date, any vacation hours above 240 will be deleted from the employee's vacation account.

Vacations shall be scheduled and approved in advance by the General Manager. Consideration will be given to requests of the employee and work requirements facing the District. Vacation leave shall not be used in blocks of less than one (1) hour.

Employees granted vacation leave with pay shall continue to accrue vacation credits. Vacation credits shall not accrue during any unpaid leave of absence. Employee compensatory time off may be used before vacation time.

The minimum staffing requirements for basic service to the Rivergrove Water District shall be one Certified Operator and one additional employee to cover office operations. When staffing is not met due to unscheduled personnel sickness, injury, or emergency and scheduled vacations, the General Manager authorizes payment of standby coverage of a contracted Certified Operator.

An employee's requested scheduled vacation may be denied if such time would be detrimental to the best interests of the District. Reimbursement for non-refundable out of pocket expenses shall be provided if scheduled vacations are cancelled due to emergency needs of the District and will be determined on a case-by-case basis as determined by the General Manager.

Accrued, but unused vacation, will be cashed out at termination.

## 5.5 HOLIDAYS

You will receive a full day's pay for the following observed holidays:

<b>New Year's Day</b>	<b>January 1st</b>
<b>Martin Luther King's Birthday</b>	<b>3rd Monday in January</b>
<b>Presidents Day</b>	<b>3rd Monday in February</b>
<b>Memorial Day</b>	<b>Last Monday in May</b>
<b>Juneteenth</b>	<b>June 19th</b>
<b>Independence Day</b>	<b>July 4th</b>
<b>Labor Day</b>	<b>1st Monday in September</b>
<b>Indigenous Peoples' Day</b>	<b>2nd Monday in October</b>
<b>Veteran's Day</b>	<b>November 11th</b>
<b>Thanksgiving Day</b>	<b>4th Thursday in November</b>
<b>Day After Thanksgiving</b>	<b>4th Friday in November</b>
<b>Christmas Eve</b>	<b>December 24<sup>th</sup> (except when it falls on a Saturday or Sunday)</b>
<b>Christmas Day</b>	<b>December 25<sup>th</sup></b>

In order to be eligible for Holiday pay, an employee, **not on approved leave**, must work either the scheduled day before or the scheduled day after the designated holiday. Employees submitting a doctor's disability or illness certificate for scheduled days before or after the designated holiday shall be eligible for Holiday pay.

If a holiday falls during an employee's scheduled vacation, the employee will receive holiday pay for the day, if eligible for such pay, and will not be charged for vacation benefits for the day.

Holidays that occur during an employee's sick leave shall not be charged against such leave.

When a scheduled holiday falls on Sunday, it will be observed on the following Monday. When a scheduled holiday falls on a Saturday, it will be observed on the proceeding Friday.

If an employee works on any holiday observed by the District, the employee shall either be paid or given compensatory time for all hours worked at the rate of double time and a half the regular rate of pay.

Regular part-time personnel shall be paid Holiday pay for all the above-designated paid Holidays.

## 6.1 PERSONAL APPEARANCE

If employees are provided District clothing, they **MUST** wear it while on duty. Employees are expected to report to work in clean clothes appropriate for the position. All employees have public contact and must present themselves appropriately to maintain a business-like appearance.

### **Field Employees:**

1. Normal working conditions: If jeans are worn, they must be clean, and have no holes or tears. Logo shirts are to be worn as an outer shirt, except in winter weather when uniform coats will be worn. When a uniform cap is worn, the bill is to the front.
2. Extreme Weather: Weather conditions may warrant the use of other winter attire such as coveralls or heavy jackets. The purchase of this apparel must be approved by the General Manager.
3. Waterproof and/or Steel-toed Safety Boots: Waterproof and/or Steel-toed safety boots must be obtained within fourteen (14) days of employment and always worn for any position requiring them. Field employees are provided with a boot allowance; please see the benefits section for details.

### **Office Employees:**

Logo shirts are provided for office employees. All clothes are to be clean, free of stains, holes, tears, and wrinkles. Clothing is to be appropriate for an office environment.

### **All Employees:**

Grooming: Please cover body art such as tattoos to the best of your ability. If possible, please remove body piercing while at work or representing the District. Business professional includes modest earrings or gauges, unless a potential safety issue, then earrings/gauges are to be removed while performing those duties. Please keep your hair clean and groomed to maintain a business appearance.

## **6.2 VEHICLE USE POLICY**

This policy applies to District employees, volunteers, or agents who drive for District business.

### **Driving Record**

Employees, volunteers, or agents who drive District vehicles or personal vehicles for District business on a regular basis must maintain an acceptable driving record. The District defines “regular basis” as five (5) or more trips on average per week or a job which cannot be accomplished without driving.

Employees who may be required to drive must possess a valid Oregon driver's license and must comply with any operator's license restriction. All job applicants must pass a pre-employment driver record check. Current employees, who may be required to drive on District business, may at any time have their driving record checked by the District as permitted by applicable law. As a condition of continued employment each employee who operates District vehicles must

maintain a personal driving record which is within risk criteria, if any, established by the District's insurer.

Employees who may be required to drive shall notify the General Manager of any change in license status and all traffic violations. Failure to report a traffic violation or change in license status to the General Manager is viewed as a violation of District policy. The District may monitor employee driving records as a component of risk management, in order to identify needs for driver improvement.

### **Vehicular Accidents**

Accidents involving District owned vehicles or personal vehicles being operated on District business must be reported in detail, regardless of how serious, to the General Manager as soon as possible. Accidents must also be reported to a police agency for investigation, if applicable. Copies of all accident reports should be submitted to the General Manager. Any accident resulting in personal injuries or death must be reported immediately to the General Manager and the District Insurance Agent. Failure to report accidents can result in a violation of conditions of insurance coverage and state laws, leading to difficulties in processing insurance and benefit claims.

On the job traffic offenses and/or misconduct involving vehicles may be grounds for disciplinary action. If an injury occurs, the employee must fill out a Workers' Compensation Report form and submit it to the General Manager as soon as possible. All injuries must be reported in a timely manner to avoid the risk of claim denial. The General Manager will provide advice and assistance to any person filling out a Workers' Compensation Report.

### **District Driver Responsibilities**

- 1) The following responsibilities apply to everyone who drives any vehicle on District business:**
  - a. Drivers shall inspect vehicles at the beginning of each shift or prior to each trip to ensure that the vehicles are in safe operating condition prior to their use. This should include tires properly inflated (i.e., not visibly deflated), windows (cleanliness), mirrors properly cleaned and positioned, all lights in working order, fluid levels in the proper range, no obvious fluid leaks, and overall condition of the vehicle's exterior and interior.
  - b. Drivers shall comply with all applicable state and local driving laws, parking regulations, and all District and departmental safety policies and rules. All drivers and passengers shall wear safety belts when the vehicle is in motion.
  - c. Drivers shall be held personally responsible and liable for any parking tickets received while driving a vehicle on District business. Parking fines received on District vehicles shall be paid or otherwise resolved promptly by the driver. Drivers shall notify their General Manager within 48 hours of receiving a parking citation on a District vehicle.
  - d. Drivers shall be held personally responsible and liable for any failure to comply with the rules of the road for drivers while driving a vehicle on District business. Drivers shall notify the General Manager by the beginning of the next work shift after receiving a citation or being arrested for failure to comply with the rules of the road for drivers while driving a vehicle on District business.

- e. For photo radar or other citations issued against the vehicle's registration, the General Manager will complete the "Affidavit of Non-Liability" or similar document issued with the citation to identify the driver. The driver shall be personally responsible and liable for promptly paying the fine or otherwise resolving the citation.
- f. In the event of an accident on District business, drivers **shall** immediately contact the General Manager, and if driving a District vehicle, follow all instructions placed in each vehicle for that purpose.
- g. A driver whose driver's license has been suspended or revoked shall immediately notify the General Manager so an appropriate course of action can be developed.
- h. Drivers shall ensure that any passengers who ride with them in a District vehicle or in any vehicle while on District business are authorized by the General Manager. Drivers shall not transport passengers unless the passengers are wearing safety belts in accordance with Oregon Revised Statutes.
- i. In the event of a citizen emergency that requires the use of a District vehicle, the General Manager can grant prior authorization under specific circumstances they establish. If an employee on District business encounters a stranded motorist, please be aware: a.) There is no obligation to stop and render assistance, b.) Drivers should consider all objective circumstances regarding your own personal safety before choosing to stop, c.) the only authorized action is to help connect the motorist with appropriate roadside assistance.
- j. Drivers shall not drive District vehicles or private vehicles for District business when they are required to take medication that may impair their ability to safely operate a moving vehicle. If in doubt, the employee should first obtain approval from his/her physician that it is safe to drive while taking the medication.
- k. When operating a vehicle, driving is the first responsibility. If a call must be made or taken while driving on District time or conducting District business, only a hands-free phone (a phone that does not require the user to hold it while talking or dialing and should only be done when stopped) should be used. Concentration on driving should be the highest priority. Just as in any other activity while driving (e.g., adjusting the radio, writing a note, drinking coffee, consulting GPS device, etc.), if the content of a call makes it difficult to concentrate on driving, postpone the call until the driver can stop.

### **Incidental Use of District Owned Vehicles for Non-Business Purposes**

The District owns, maintains, and operates specially outfitted types of vehicles. These vehicles are designated for official use only, to be operated while conducting business benefiting the customers of the District.

District employees and elected officials (and occasionally volunteers) are perceived by the public as on duty while operating such vehicles. Unless they are unmarked vehicles designated for public safety work, most District owned vehicles have either a District logo, the logo of one of the District's affiliated agencies, or a state issued license plate beginning with a capital E as identifying marks.

It is important the trust of the public with the District be protected and enhanced by appropriate behavior by any person who is authorized to drive a District vehicle. This includes safe and courteous driving and avoiding the perception of misconduct while using the vehicle.

**When operating the District's vehicles, employees, elected officials and volunteers may:**

- 1) Make stops for lunch or other meals, if appropriate to the time of day, occasionally;
- 2) Make stops for short duration for a personal errand while traveling directly to or from the office;
- 3) Make stops for restroom breaks as needed; and
- 4) Drive the vehicle home if authorized.

**Stops or other uses of District vehicle equipment are prohibited in all instances if they would expose the District to public perception of misuse or abuse of the driving privilege.**

**Such uses are not limited to but may include stops:**

- 1) At a liquor store or cannabis store/dispensary,
- 2) A bar or tavern;
- 3) An adult bookstore;
- 4) A gambling establishment;
- 5) Neighborhood garage or yard sales; or
- 6) Any other business or location that the public may find to constitute misuse of District vehicles.

District employees, volunteers and/or elected officials may not purchase or transport alcoholic beverages at any time, nor transport unauthorized passengers at any time, while using a District vehicle.

### **6.3 TECHNOLOGY DEVICE USE AND INFORMATION MONITORING**

District computers, email, electronic documents, software, internet access, and cellular phones and land lines are the property of the District for business use. Employee personal cellular phone use, either in making or receiving calls or text messaging, is to be limited during District business hours.

#### **DEFINITIONS:**

**Technology** is a term that applies to any equipment, services, licenses, or software owned or managed by the District that is used in the acquisition, storage, manipulation, management, movement, control, display, translation, research, transmission, reception, utilization, or processing of information. This applies to all equipment regardless of location, including home assigned or portable systems. This also applies to any equipment, such as copiers, which is connected to the District Network or any equipment that connects directly to a District managed device.

**Information** is a term that applies to all forms of electronic data, regardless of storage or transmission formats. This includes, but is not limited to, databases, transmissions, emails, logs, voice mail, files, spreadsheets, pictures, multimedia, metadata, backups, etc., or any subset, extracted or translated data.

#### **Telephone Use-District Cellular and Land Lines**



The district provides cellular phones and or land lines which are used for conducting District business.

Do not list District cell phone and/or land line numbers on social sites for any personal contact.

District cellular phone plans as of the date of this adopted policy, are expensed to the District based on per minute charges with a minimum charge for all District cellular phones allowing 800 minutes of usage.

District employees need to limit personal use of District business cell phones. Personal use of District phones, cellular or land lines which incur additional charges beyond the current minimum charge to the District shall be reimbursed by the employee incurring the charge immediately upon the bills being received at the District.

### **Cellular phone use in vehicles, at work sites, or while operating equipment**

Currently state law prohibits the use of hand-held cellular phones while driving except when they are being used as a necessity in the course of employment. As more drivers are using cellular phones, it is important, both for safety and for the image of District drivers, that common sense and courtesy be followed in using cellular phones.

The General Manager will have the authority to restrict or prohibit use of cellular phones at any time on the job when they consider such situations and use may present a safety hazard to the employee, co-worker, contractors, and/or to the general public and private property.

### **Sending and/or receiving text messages is expressly prohibited while operating any vehicle**

Proper cellular phone protocol while driving a District vehicle or personal vehicle on District business is listed below.

- 1) Voice mail service and hands-free equipment for the phone are the only allowable means of phone use while driving.
- 2) It is strongly recommended, if possible, to use your cellular phone when parked, or have a passenger use the phone. Conversations should be kept to a minimum.
- 3) If your phone rings when you are driving, especially during hazardous conditions, let your cellular voice mail service take the call and listen to the message later when you are parked, or pull over before answering, if traffic conditions permit.
- 4) Suspend conversations during hazardous driving conditions or situations.
- 5) Let the person to whom you are speaking know that you are driving and the call may be suspended at any time.
- 6) Do not take notes or look up phone numbers while driving. Your first responsibility is to pay attention to the road.
- 7) Attempt to dial and place all calls when you are parked. If you are stopped at a traffic signal or stop sign, you are still considered by the law to be driving; you must pull off the roadway and be parked to use a hand-held phone.
- 8) When possible, place your calls before you begin your trip or call when your vehicle is parked. Never dial a number while driving.
- 9) Use the pre-programmed number dial features of your phone. Practice using this feature for commonly dialed numbers before driving so you are familiar with the procedures.
- 10) DO NOT engage in stressful or emotional conversations while driving. A stressful or

emotional phone conversation while driving is distracting and potentially dangerous. If necessary, suspend the phone conversation.

### **Emergencies**

Please do use your cellular phone to call for help or to help others in emergencies. Your cellular phone lets you be a “Good Samaritan” in the community. If you see an emergency where lives are in danger call 9-1-1 and give the exact location and information to the 9-1-1 operator. Employees are not expected to offer additional assistance beyond calling for help. Please keep cell phones turned off or use the “keypad lock function” to avoid misdials. Any button on the keypad that is depressed for longer than 15 seconds will automatically call 9-1-1.

### **Work Sites**

**DO NOT** engage in the use of a cellular phone while at any work site during which the operation of a cellular phone will be a distraction to the user and/or may create an unsafe work environment. Such work sites include, but are not limited to, Road repair, maintenance, and construction, operating or repairing energized equipment such as electrical panels, motors, or energized circuits. Such work sites must be secured or the cell phone used only by an employee while out of harm’s way of such work environments.

### **Off-Road Equipment**

**DO NOT** engage in the use of a cellular phone while operating a moving motorized off-road (maintenance/construction type) equipment. Even hands-free cellular phone will not be authorized while operating this type of equipment unless the equipment has been properly stopped and taken out of gear or turned off.

### **Telephone Use-Employee Personal Cellular Phone Use**

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of District phones. Excessive personal calls and texting during the workday, regardless of the type of phone used, can interfere with employee productivity and be distracting to others.

Employees are asked to make personal calls or do texting on non-work time where possible and to ensure that friends and family members are aware of the District’s policy. Flexibility will be provided in circumstances demanding immediate attention.

### **Computer, Email & Internet Employee Use**

We acknowledge that email communications are usually less formal than other written communications. Please use caution when communicating with fellow employees or others when using District email systems. Please observe common standards of etiquette in connection with all communications over e-mail.

Unfortunately, virtually every internet user today receives unsolicited e-mail from outside parties. Therefore, to further prevent the receipt of undesired outside e-mail, please consider following this advice. Delete unfamiliar or suspicious e-mail without opening it. To assist in the battle against unsolicited emails and viruses, the District uses virus protection software that may block, quarantine, or alter messages.

You should not assume an expectation of privacy or confidentiality in email messages. Do not use any company email for purposes you wish to have remain private. Please keep in mind all electronic messages are permissible as evidence in a court of law. You should expect that all information created, transmitted, downloaded, received, or stored in a District computer may be accessed by the District at any time without prior notice.

Upon leaving employment, no employee shall remove any software or data from District owned computers.

**Violation of the following policies is subject to disciplinary action:**

**Music / Video (MP3, MP4, FLV, AVI, CD, DVD, P2P, Streaming etc.)**

- 1) The downloading of music or video files is limited to that necessary in support of District.
- 2) Streaming of music for the purpose of listening to music while working is allowed on a limited basis and with General Manager approval. Streaming of non-work-related video is not authorized.
- 3) Listening should only be done when not disturbing others or impacting work.
- 4) Audio CDs may only be played on properly equipped systems with a CD/DVD Player.
- 5) District equipment may not be used to compile or burn Audio/Video CDs or DVDs for personal use.

**Security**

It is the responsibility of all users of District technology and information to maintain the highest possible degree of security and confidentiality. Users are expected to log in using the account information provided to them, and not use another user's access to gain entry.

**Ensuring that happens includes the following:**

- 1) The District's Information Technology (IT) Contractor configures accounts with the minimum level of access deemed necessary to permit the user to perform their required functions.
- 2) IT may change employee passwords where the General Manager or authorized agent finds it necessary to conduct business during the user's absence from work. Where possible, the District will notify the user of the access.
- 3) IT may reset the user password and provide that password to an authorized representative such as legal counsel by request of the Board or the General Manager. District Counsel could acquire passwords as part of an investigation or because of pending or anticipated litigation.
- 4) Employees or users should maintain account security; including passwords that are difficult to guess, logging out of applications when not in use, and not leaving data displayed openly for others to see, etc.
- 5) Attempts to forge, spoof or otherwise inappropriately misrepresent and/or impersonate another user and/or account is prohibited and can result in disciplinary action.

**District Resources, Social Media, and Confidentiality**

Only authorized individuals may publish information on behalf of the Rivergrove Water District on social media sites, including websites, Facebook, Twitter, etc. Employees should not use or reference their formal position when writing in a non-official capacity and consider using a

disclaimer such as “this posting is my own and does not represent the Rivergrove Water’s position, strategies, or opinions.” Employees must consider whether personal thoughts they publish, even in clearly personal venues, may be misunderstood as expressing Rivergrove Water’s position.

Employees shall not post any confidential information about Rivergrove Water, its customers, clients, or employees and shall adhere to all confidentiality requirements under local, state, and federal law. Employees who share confidential information do so at the risk of disciplinary action.

Employees shall not use Rivergrove Water’s logo, image, or name on personal social media sites. Whenever posting to the internet, an employee should not identify themselves as a Rivergrove Water employee or use their official title unless they are so authorized.

Employees shall remain focused on customers, commitments and achieving Rivergrove Water’s mission during work hours. Use of the internet, e-mail, social media, etc. should not interfere with employees’ primary work duties. Personal internet posting is not a business-related activity and should be done during personal (non-work) time.

- 1) Employees shall not use Rivergrove Water’s resources for any of the following:**
- a. Political campaigning of any kind (including campaigning for candidates or ballot initiatives).
  - b. Accessing sites or posting material that promotes hatred or threatening or abusive behavior or is obscene, defamatory, profane, or libelous.
  - c. Accessing inappropriate sites including adult content and online gambling.
  - d. Accessing sites that promote illegal activity, copyright violation, or activity that violates Rivergrove’s ethical standards.
  - e. Using the internet or social media sites to obtain or disseminate language or material which would normally be prohibited in the workplace.
  - f. Using encryption technology that has not been approved for use by Rivergrove Water District.

## **6.4 VISITORS AT WORK**

Employees should limit visits from family members or social visitors during work. An exception would be for a “bring your child to work day” when schools permit students to learn about work environments of their parents or guardians. The General Manager will retain the ability to have District employees remove disruptive visitors.

## **6.5 SAFETY IN THE WORKPLACE**

Compliance with all applicable federal, state, and local safety laws, codes, and legislation will set the minimum standard. Employees are expected to use good judgment in work habits and to follow safe work practices.

**Work Environment:** Employees must always refrain from horseplay. Employees need to lift properly and carefully and ask for help when needed. Do not work unsafely; report all unsafe working conditions to the General Manager immediately. Retaliation for reporting unsafe work practices or unsafe working conditions is expressly prohibited.

**Safety Equipment:** Employees must use the safety equipment that has been provided. Safety equipment consists of: hard hats, reflective vests, and hearing protection.

**Vehicles, Tools, and Equipment:** Do not operate equipment while any substances are present in the body that may hinder safe operation. Operate only the equipment on which you have received training. Report all equipment malfunctions to your supervisor immediately.

**Accidents:** All accidents involving the District must be reported immediately to the General Manager.

**Vehicle:** Accidents involving District owned vehicles or personal vehicles being operated on District business must be reported immediately to the General Manager. Any accident resulting in personal injuries or death **MUST** be immediately reported to a police agency for investigation. Call 9-1-1, take photos, and document injuries and damage. Follow accident card procedures in all District vehicles.

**Other Accidents:** Accidents involving damage to equipment or property, or personal injury, must be reported to the General Manager as soon after the occurrence as possible. The General Manager will determine the need for further investigation.

**Workplace Injury:** Report all work related, medically treated, injuries to the General Manager in detail as soon after the incident as possible.

**Worker's Compensation Insurance:** If an employee is injured on the job, in most cases that employee will be entitled to benefits under the state workers' compensation law. The District carries workers' compensation coverage and will assist employees in obtaining all benefits to which they are legally entitled.

**Accident Drug Testing:** At District discretion and expense, on a case-by-case basis, a drug test may be required following an accident.

## **6.6 DRUGS AND ALCOHOL**

Employees shall not report to work under the influence of intoxicating liquor or illegal or legal drug use that could adversely affect job performance. This includes consumption of any alcohol or marijuana before reporting to work, during breaks or lunch periods, or on the job. It is each employee's responsibility to notify their supervisor of legal drugs that could adversely affect an employee's job performance or safety.

The legal use of alcohol, marijuana, or medically prescribed controlled substances off duty is **not** controlled by this policy.

**Conduct in violation of this policy may result in disciplinary action up to and including termination, as the District deems appropriate.**

Smoking is not allowed on any District property or in any District vehicle.

**RGWD Assistance:** If an employee has a problem involving the use of alcohol and drugs, the employee may ask the General Manager for confidential assistance. The District will collaborate with an employee to identify District benefits that may be available to help resolve the issue, such as sick leave, and health insurance. Any request for assistance and any treatment program will be kept as confidential as possible under all circumstances.

It is the employee's responsibility to seek such assistance **before** drug or alcohol problems lead to misconduct, accidents, or violations of this policy. After a violation of the District's policy occurs, or after a drug or alcohol-related accident or misconduct, and after that the employee's willingness to seek help or treatment will not "excuse" the violation or reduce the discipline imposed on the employee.

**Testing Procedures:** While the District wants a safe workplace, free from drugs and alcohol, we also have concerns about employee's individual privacy and confidence that test results will be accurate and dependable. The testing guidelines were designed with these concerns in mind.

**Reasonable Suspicion Testing:** At District discretion and expense on a case-by-case basis, an appropriate drug and/or alcohol test may be required where the District has reasonable suspicion of a violation of this policy.

**Accident Drug Testing:** At District discretion and expense on a case-by-case basis, a drug and/or alcohol test may be required following an incident.

**Refusals to Test:** An employee's refusal to test includes failure to cooperate with the testing process in a manner which does not allow the test to be conducted. These actions include an employee's refusal to offer an adequate specimen, failure to immediately report to the collection location when requested, adulterating, substituting, or tampering with a specimen or other behavior that interferes with the testing. Consequences of an employee's refusal to test will result in discipline, up to and including termination.

**Situations not covered by policy:** The District recognizes that situations may arise which are not specifically covered by these guidelines. The District will deal with situations considering such things as the nature of the issue, the employee's overall employment record and job assignment, the potential impact on safety, production, customer service, and other business-related factors.

## **6.7 HARASSMENT**

**District Philosophy:** Rivergrove Water District has a policy of zero tolerance for harassment during work, during District business, or while on District property by an employee or by any non-employee (including customers, visitors, and independent contractors). The Rivergrove Water District will not tolerate harassment in the workplace.

**Policy:** No employee should be subject to unwelcome verbal or physical conduct that is based upon his or her membership in a protected class (e.g., gender, religion, age, disability, marital status, injured worker status, race, national origin, sexual orientation, gender identity or expression, veteran status, or any other category protected by law). Harassment refers to behavior that is not welcome, that is personally offensive, that debilitates morale, and that, therefore, interferes with work effectiveness. Employee violations of this policy may result in disciplinary action up to and including dismissal.

**Management Responsibility:** Management at all levels are responsible for preventing workplace harassment. This responsibility includes immediately reporting conduct by anyone that may constitute harassment, even if the conduct was sanctioned and regardless of how awareness of conduct was gained.

**Response to Reports of Harassment:** The District will investigate and promptly take remedial action if deemed appropriate. Reports concerning harassment will be forwarded to the General Manager unless there is an allegation against that person, and if so, then written reports will be forwarded to the Board Chair or other designees appointed by the Board.

**Protection from Retaliation:** We absolutely prohibit retaliation against employees who bring harassment charges or assist in the investigation of charges in good faith. Retaliation in violation of the policy may result in discipline up to and including termination. Any employee who reports harassment or assists in an investigation in good faith will not be adversely affected in terms and conditions of employment, discriminated against, or discharged because of the complaint, report, or assistance.

**Privacy and Confidentiality:** Should the issue of harassment be raised; all related matters will be kept confidential to the extent possible for the circumstance.

**Sexual Harassment Defined:** Sexual harassment prohibited by law and by this policy includes the following conduct:

- Unwelcome verbal or physical conduct of a sexual nature when submission to the conduct is made either an explicit or implicit term or condition of employment or;
- Unwelcome verbal or physical conduct of a sexual nature when submission to or rejection of the conduct is used as a basis for making employment decisions; or
- Unwelcome verbal or physical conduct of a sexual nature when the conduct has the purpose or effect of interfering with a person's work performance, or creating an intimidating, hostile, or offensive work environment; or
- Unwelcome verbal or physical nonsexual conduct that denigrates or shows hostility toward a person because of his or her gender when the conduct has the purpose or effect of interfering with a person's work performance, or creating an intimidating, hostile, or offensive work environment.

Note that similar behavior based on any other protected category is similarly prohibited. Sexual harassment is set out here, because it more often involves a physical component, although offensive gestures, symbols, or touch may characterize any form of illegal harassment.

**Examples of Prohibited Conduct:**

- Offering or implying an employment-related reward in exchange for sexual favors or submission to sexual conduct.
- Threatening or taking of a negative employment action if sexual conduct or some other action tied to a protected category is rejected.
- Unwelcome sexual advances or repeated flirtations. Unwelcome gestures or symbols related to any protected class.
- Unwelcome intentional touching of another person or other unwanted intentional physical contact.
- Asking unwelcome questions or making unwelcome comments about another person's sexual activities, dating, personal or intimate relationships, appearance, race, religion, age, or any other category protected by law.
- Unwelcome whistling, staring, or leering at another person.
- Unwelcome sexually suggestive or flirtatious gifts, letters, notes, email, or voice mail.
- Conduct or remarks that are sexually suggestive or that demean or show hostility to a person because of the person's gender, age, race, disability, or any other category protected by law.
- Displaying or circulating pictures, objects, or written materials, which are sexually suggestive or that demean or show hostility to a person because of the person's gender, race, age, religion, disability, marital status, or any other category protected by law.

If you have any questions about what constitutes harassing behavior, ask your General Manager or Board Chair.

## **6.8 COMPLAINT PROCEDURE/OREGON WORKPLACE FAIRNESS ACT**

The District complies with all relevant provisions of the Oregon Workplace Fairness Act. Any employee who feels that he or she has been the subject of a violation of the District's policies prohibiting discrimination, requiring accommodation, prohibiting harassment, and prohibiting retaliation, or who has observed a violation of any of these important policies, should promptly report any such violation to the General Manager or the Board Chair. All employees should also document, in writing, any incidents or conduct potentially violating these policies.

Any employee who feels that he or she has been the subject of a violation of the District's policies prohibiting discrimination, requiring accommodation, prohibiting harassment, and prohibiting retaliation, or who has observed a violation of any of these important policies, should promptly take the following steps:

- a. Only if you are comfortable doing so, politely but firmly confront whoever is engaged in the policy violation. State how you feel about his or her actions and request that the person cease the violation immediately.
- b. If the violation continues or if you do not feel comfortable confronting the person, report the matter to your immediate supervisor. Note: Incidents involving violence



- or threats of violence should always be reported immediately to any supervisor or the General Manager. If you are not comfortable reporting the conduct to your supervisor, the report may be given to any member of the Board. Employees may report to any of the persons listed above and need not observe any chain of command.
- c. Orally or in writing, state specific details of the behavior constituting the violation. It is helpful if complaints are filed with the District within 30 calendar days of the alleged act. It is also helpful if details of dates, times, places, and witnesses, if any, of the violation can be provided. Complaints should include the name of the complainant, the name of persons alleged to have engaged in the conduct violating the District's policies, a specific and detailed description of the conduct that the employee believes violates the District' policies, and a description of the relief the employee desires.

All complaints will be investigated promptly and impartially. The recipient of the complaint shall promptly forward it to the General Manager or the Board chair for investigation. Complaints will also be kept confidential to the extent possible, consistent with the District's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, the District will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the complaint-reporting procedure to ensure a timely, thorough investigation and handling of the situation. Employees may, however, contact the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or seek relief in a court under any other available law, whether criminal or civil. Although the District cannot provide employees with legal advice, Oregon state law requires that any legal action taken on alleged discriminatory conduct (specifically that prohibited by ORS 659A.030, 659A.082 or 659A.112) commence no later than five years after the occurrence of the violation. Other applicable laws may have a shorter time limitation on filing.

Retaliation against any employee who initiates a complaint under this section or participates in an investigation is strictly prohibited. Please report any retaliatory conduct immediately to the General Manager or the Board Chair.

Violations of the District's policy prohibiting discrimination, accommodation policy, policy prohibiting harassment, and policy prohibiting retaliation are serious offenses and any employee found to have engaged in such conduct is subject to severe discipline, including termination. Offenses by vendors, clients, or customers should be reported through this complaint procedure and corrective action, if appropriate, will be handled through the offender and his or her company.

Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing his/her experience.

If an employee who has been aggrieved by workplace harassment, discrimination or sexual assault wants to enter a settlement, separation or severance agreement with the District, the employee should contact the General Manager or Board Chair. An employee's request to enter into such an agreement must be in writing (email or text is acceptable). The District may not require an employee to enter into a nondisclosure agreement (which would prohibit the employee from discussing or communicating about his/her experiences in the workplace or the terms of the agreement) or a non-disparagement agreement (which would prohibit the employee from speaking poorly about the District or making comments that would lower the District in rank or reputation). If, however, an employee initiates the request for the agreement, nondisclosure and non-disparagement are terms that may be agreed upon. Under such circumstances, the employee will have seven days to revoke the agreement after signing it.

## **6.9 NON-VIOLENCE**

No type of workplace violence is tolerated. Examples of violent behavior that will not be tolerated include, but are not limited to, causing physical injury to another person, intentionally damaging property, commission of any violent crime on District property, threats, aggressive or hostile behavior that creates a reasonable fear of injury. Employees engaging in acts of workplace violence will be subject to discipline, up to and including termination. Non-employees engaged in violent acts will be reported to the proper authorities.

**Reporting:** All workplace violence incidents must be reported immediately to the General Manager. If the employee is not comfortable reporting to the General Manager for any reason, the Board Chair may be contacted.

If you applied for or obtained a protective or restraining order that lists company locations as protected areas, you must provide a copy of the petition or declarations used to seek the order and a copy of any temporary or permanent protective or restraining order that is granted.

**Customer Issues:** If during the course of employee customer interactions, District staff or agents reasonably feel threatened or subjected to unreasonable and abusive behavior, then District staff or agents may direct that the customer or member of the public to leave the District's premises, and that any future contact initiated from that person will be in writing addressed to the Board of Commissioners. The Board shall give District staff or agents appropriate instructions as to the next course of action with respect to that customer or member of the public.

## **6.10 PUBLIC RELATIONS POLICY**

District employees and agents are required to be always courteous and respectful when interacting with customers and the public, either by telephone, person-to-person, or by written correspondence. In the event the District is contacted by a member of the press or otherwise asked to provide an official statement of any kind, only the General Manager has the authority to speak on behalf of the District.

## **6.11 DISTRICT CREDIT CARD AND ACCOUNT USE**

If you are provided a credit card by the District or access to its accounts, you are responsible to maintain possession of the card and any access information, and to make only proper and legitimate use of such information/card. The General Manager will have final approval authority on credit card or account authority issuance. The Finance Specialist will be responsible for verifying reconciliation of all credit card usage and charges pursuant to this policy and the District's travel policy.

Use of the credit card to purchase meals for District business associates while doing official business is recognized to be a legitimate expense of the District, whether used locally or while traveling. The credit card is to be used for official business only. No alcoholic beverages may be charged to any District credit card.

**Reconciliation:** Credit card activity must be reconciled as established below: The Cardholder will submit receipts and/or documentation to the Finance Specialist no later than fourteen (14) days after use. In the event of a lost or missing receipt, the District employee must complete a statement explaining the absence of the documentation and confirming that the expenses were legitimately incurred in the course of conducting business.

**Monthly Credit Card Expense Approval:** Approval of the credit card payment check will be done by the General Manager at the end of each billing cycle. The District Commissioner signing checks and reviewing autopay transactions for the month will also review all charges as well as supporting documentation and invoices. If there are any questions about a charge, the General Manager will be notified and the Board will discuss the charge at the next monthly meeting. Any charges that are found to be non-District business transactions will be reimbursed by the employee card holder immediately and the employee's ability to use District credit cards will be reviewed by the Board.

**Personal Use Prohibited:** Personal use of credit cards is strictly prohibited. In the event that personal charges cannot be conveniently separated from appropriate District charges and are placed on a District credit card, such charges, not to exceed \$300, must be reported to the District during the monthly approval process and reimbursed to the District immediately.

**Personal Guarantor:** At no time will the District require or expect the General Manager or any employee to bear the financial responsibility of personally guaranteeing any District credit card.

**Cancellation of Cards:** The General Manager and/or Board may immediately cancel or order the surrender of any card which is misused or abused. The Board will take the appropriate disciplinary action for misuse of credit cards and additionally may then take any action authorized by the Oregon Revised Statutes.

## 7.1 DISCIPLINARY ACTION GUIDELINES

Occasionally it is necessary to use corrective action when other actions are inappropriate or where informal guidance has failed. We will use progressive discipline when appropriate. This does not constitute the creation of a contractual right to retain employment. The employee and the District maintain at will employment.

## **Outline of Progressive Discipline**

- Verbal counseling
- Written counseling or warning
- Termination

Any or all of these steps may be utilized, depending upon individual circumstances and the nature of the infraction. Exceptions or deviations from the normal procedure may occur whenever the District deems it appropriate, case by case.

Each option, other than termination, is designed to explore, on a case-by-case basis, a performance or behavior problem and determine what needs to be done to correct it. Termination may result in serious misconduct or failure to improve performance. This does not limit the District's right to end the employment relationship with or without cause, at any time, subject to any due process notice requirements that may be imposed by law.

## **7.2 SEPARATION**

The District follows all Federal and State regulations, if any policy is not in compliance, it will be void and the applicable regulation will be followed.

**Giving Notice:** If a District employee finds it necessary to resign, that employee should provide a signed resignation letter to the General Manager and in the case of the General Manager, to the Board of Commissioners at least 2 weeks in advance to remain in good standing and preserve the possibility of rehiring. The resignation letter should include the date of the employee's last workday, and if appropriate, a reason for the employee's resignation is appreciated.

**Final Paycheck:** The District will make every effort to process the employee's final paycheck within the time limits provided by Oregon law. The final paycheck will include any earned and unpaid wages due for hours worked, earned vacation, and unused compensation time. A separate check will be issued for mileage and other reimbursable expenses.

**Insurance:** Insurance coverage will terminate at the end of the month following separation from employment, or sooner in the event that your hours-of-service fall below the threshold amount required to maintain coverage. As provided by applicable law, employees may be eligible for continuation of health care thereafter, but continuation coverage will be at the employee's own expense.

The Finance Specialist will provide the employee with the forms and information on continuing medical healthcare. Dental, Vision, Life and any supplemental insurance coverage are not eligible for continuation and will terminate as provided in the applicable plan documents.

**District Property:** The employee separating from the District will be required to return all District items to the General Manager, such as keys, cell phone, District issued credit card, card lock, passwords, business cards, hard hat, reflective vest, hats, t-shirts, and jackets no later than the end of their final day.



## **Employee Acknowledgement and Agreement**

I certify that I have received a copy of the Rivergrove Water District Employee Handbook provided to me on \_\_\_\_\_. I understand that it is my responsibility to read and ask questions if necessary regarding personnel policies. I accept responsibility for understanding and complying with the District policies.

I also understand and acknowledge that:

- The District has the right to modify, add to or delete any of the policies, guidelines and programs included in the handbook at any time without prior notice by distributing an update to this handbook and/or posting the changes in company common areas. I accept responsibility for staying informed of these changes.
- My employment is “at-will,” and both District and I have the right to terminate my employment at any time for any lawful reason, with or without cause or notice.
- I acknowledge that I have no guarantee of employment for a particular time or on terms different than those reflect in this Handbook, unless such terms are reflected in a written agreement signed by both me and the General Manager and approved by the Board of Commissioners.
- I understand that this Handbook and the policies contained herein are not intended to limit or prevent me from exercising any rights I may have under the National Labor Relations Act (NLRA) and/or equivalent Oregon law.

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Signature

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Print Name

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Date