



**BEAUMONT-CHERRY VALLEY WATER DISTRICT  
PERSONNEL COMMITTEE MEETING AGENDA  
560 Magnolia Avenue, Beaumont, CA 92223  
Monday, July 22, 2019 - 5:30 p.m.**

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**Call to Order, Chair Covington**

**Roll Call**

**Public Comment**

**PUBLIC COMMENT:** At this time, any person may address the Personnel Committee on matters within its jurisdiction which are not on the agenda. However, any non-agenda matters that require action will be referred to staff for a report and possible action at a subsequent meeting. To provide comments on specific agenda items, please complete a Request to Address the Committee form and provide the completed form to the Committee President prior to the committee meeting. Please limit your comments to three minutes. Sharing or passing time to another speaker is not permitted.

- 1. Adjustments to the Agenda**
- 2. Approval of Personnel Committee Meeting minutes:**
  - a. January 28, 2019 (pages 3 - 6)
  - b. May 20, 2019 (pages (7 - 11)

**ACTION ITEMS**

- 3. Proposed BCVWD Policies and Procedures Manual Updates** (page 12)
  - a. Proposed Employee Performance Evaluation Policy and Procedure (pages 13 - 32)
  - b. Proposed Personnel Action Form (PAF) Policy and Procedure (pages 33 - 38)
  - c. Proposed Recruitment/Selection and On-Boarding Policy and Procedure (pages 39 - 57)
  - d. Proposed Vacation Policy (pages 58 - 61)
  - e. Proposed Sick Leave Donation Policy – Revised Final Draft (pages 62 - 79)
  - f. Proposed Revision of District Policies and Procedures Manual: Part II – Applicable to Board of Directors and District Staff (pages 80 - 106)
- 4. Review and Update on HR consulting project**

5. **Topics Requested by Employee Association**
6. **Action List for Future Meetings**
7. **Next Meeting Date: September 23, 2019**

### **Adjournment**


**AVAILABILITY OF AGENDA MATERIALS** - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Personnel Committee of the Board of Directors are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Office at the same time as they are distributed to Committee Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available from the District Office in the Board Room of the District's Office.

**REVISIONS TO THE AGENDA** - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Committee Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Committee Meeting.

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at [info@bcvwd.org](mailto:info@bcvwd.org) or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

### **CERTIFICATION OF POSTING REGULAR MEETING**

I certify that on or before 5:29 p.m. July 18, 2019, a copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54956(a)).

  
Yolanda Rodriguez  
Director of Finance and Administration



**BEAUMONT-CHERRY VALLEY WATER DISTRICT AGENDA  
DRAFT MINUTES OF THE PERSONNEL COMMITTEE  
Monday, January 28, 2019 at 5:30 p.m.  
560 Magnolia Avenue, Beaumont, CA 92223**

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**CALL TO ORDER**

*Chair Ramirez called the meeting to order at 5:30 p.m. at 560 Magnolia Avenue, Beaumont, California.*

*Present*

<i>Directors present:</i>	<i>Hoffman (alternate), Ramirez</i>
<i>Directors absent:</i>	<i>Covington</i>
<i>Staff present:</i>	<i>General Manager Dan Jagers; Director of Finance and Administrative Services Yolanda Rodriguez, Senior Finance and Administrative Analyst Bill Clayton, Information Systems Manager Robert Rasha, Assistant Director of Operations James Bean, Production Maintenance 1 Dustin Smith, and Administrative Assistant Erica Gonzales. Also present at this meeting were Julian Herrera, Alma Frausto and Eric Dahlstrom representing the Beaumont-Cherry Valley Water District (BCVWD) Employee Association, and HR Dynamics and Performance Management consultant Rhonda Strout-Garcia.</i>

**PUBLIC INPUT:** *None.*

**ACTION ITEMS**

1. Adjustments to the Agenda: *None.*
2. Approval of Nov. 26, 2018 Meeting minutes

*Chair Ramirez tabled the approval of the minutes of the Nov. 26, 2018 Personnel Committee meeting to the March 25, 2019 meeting.*

3. Closed Session

*Chair Ramirez recessed the meeting to Closed Session at 5:32 p.m.*

CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to Government Code Section 54957.6  
District Designated Representative: Dan Jagers, General Manager  
Employee Organization: BCVWD Employee Association

4. Reconvene in Open Session: 7:09 p.m.

Report on Action Taken in Closed Session: *Chair Ramirez announced that there was no reportable action taken.*

5. Review and Update on HR Consulting Project

Director of Finance and Administrative Services Yolanda Rodriguez reported that HR Dynamics and Performance Management has completed the assessment and recommendations are ongoing.

6. Draft Updates: BCVWD Policies and Procedures Manual

a. Vacation Leave Accrual Caps

Ms. Rodriguez advised that during the last audit, the District's auditors recommended adding a cap on vacation and sick leave accruals. For hourly employees, vacation is cashed out at the end of the year, for salaried and contract employees it rolls over. In response to Chair Ramirez, Ms. Rodriguez clarified that depending on years of service, vacation earned of 80 hours to 160 hours are allotted at the beginning of the year, and any hours not taken are cashed out at the end of the year. Mr. Jagers noted that a Personnel Committee member suggested evaluating the potential to roll over up to 80 hours to the following year to allow employees to save some vacation time for use in the next year. Right now, Ms. Rodriguez added, there is no option to roll over time: vacation must be used or cashed out.

Ms. Rodriguez continued, for this example the accrual cap is 80 hours. Mr. Jagers noted that the roll over potential might be an option to discuss with the Employee Association if the Personnel Committee is inclined to consider it. Chair Ramirez clarified that right now, hours cannot roll over. Mr. Jagers explained that employees begin the year with the full accrual of vacation hours due, not accrued over time.

At the last Personnel Committee meeting, exempt employees' accrual was discussed, and President Covington suggested discussion of hourly employees. There was enough interest to bring the matter forward again. Chair Ramirez asked the employees present for feedback.

Julian Herrera advised that feedback from employees was very good, and they felt they were being included and this is a benefit. Ms. Frausto concurred. Mr. Jagers clarified that the current policy in the Policies and Procedures Manual requires cash out. The exposure for the District is that if there is a Cost of Living increase awarded, there may be a minor increased cost if cashed out in a future year. Additionally, if an employee is promoted the hours are carried to the next pay grade.

Mr. Jagers noted that the District is trying to improve the employees' experience and this allows more flexibility than cashing out. The vacation cap was discussed, and 80 hours is a number determined for discussion purposes. Chair Ramirez asked, and Ms. Rodriguez acknowledged that she is comfortable with the 80 hours rollover. Mr. Jagers pointed out this is more parallel with the contract employees who are not currently required to cash out time at the end of the year.

Ms. Rodriguez drew attention to the staff report on vacation time caps with examples from other agencies, as requested at the last meeting, and options for consideration. BCVWD employees surveyed favored Option A or Option C. Mr. Jagers noted that for those employees with large vacation balances, the goal would be to reduce the amount over time.

In response to Chair Ramirez, Mr. Jagers explained the Option A multiplier of maximum of 2 times the rate of accrual. He also pointed out that for recruitment purposes, a contract negotiating point is a third week of vacation to entice potential experienced hires who have earned that third week at the current employer due to years of service. In addition, in a number of positions it may be difficult for a dedicated employee to take all earned vacation time.

Chair Ramirez pointed out this is an added benefit and employees are unified in support of the suggested rollover policy. He said the Committee, and the Board understands there is a human aspect and would like to be as helpful and amicable as possible within reason. He recommended proceeding as indicated with the 80 hours option for hourly employees and suggested looking at Option C for contract employees with adjusted years, then an Option C hybrid focused on employee retention. Member Hoffman concurred. Mr. Jagers indicated he favored a multiplier formula for flexibility.

b. Sick Leave Accrual Caps

Ms. Rodriguez explained this is also a recommendation from the auditor. Currently, there is no cap, Mr. Jagers noted. Per legal counsel, this is something that would have to be renegotiated in the MOU. Chair Ramirez directed staff to have the Employee Association discuss, and requested a fair and balanced approach.

Mr. Jagers explained that the policy indicates that sick leave may not be cashed out unless an employee has had 12 months without taking sick leave. Cash out is at 50 percent of sick leave value; or two days traded for one day's pay. He explained some policy nuances that would require a transition to implement. Jagers also noted that some agencies had converted all time off into a combined "Paid Time Off" (PTO) system, which could be an option for the future.

Ms. Rodriguez explained the current and potential sick leave buyout options and noted that many agencies do not cap sick leave. Chair Ramirez indicated that cities are more inclined to cap sick leave. Mr. Jagers pointed to the CalPERS conversion at retirement or death, which is part of the current policy and a defined benefit.

Chair Ramirez directed staff to return with a cost benefit analysis of a cap. Mr. Jagers noted that the general manager, per contract terms, cannot not cash out sick leave.

c. New Sick Leave Donation Program

Ms. Rodriguez advised the members that at its last meeting, the Committee requested a draft policy with recommendations. Staff looked at policies of different agencies and created a comprehensive sample to fit BCVWD.

The purpose of the proposed policy is to offer an option for employees if the District adopts a sick leave cap. The sample policy is very detailed, and applies only to a catastrophe. Chair Ramirez asked about the minimum leave to retain; Ms. Rodriguez answered it is 40 hours.

Mr. Jagers explained the policy items and staff recommendations to result in a complete policy. Chair Ramirez asked if this has been shared with the Employee Association; Mr. Jagers said such a policy has been discussed in general, but this is the first look and beginning discussion as part of a published agenda.

Chair Ramirez asked staff and the Association to read the proposal and direct any questions to management in order to iron it out for the next meeting. Member Hoffman concurred that feedback should be garnered from the Employee Association to determine whether to move forward with the policy.

Mr. Herrera of the BCVWD Employee Association noted that the group has talked about the policy and it is something the employees view as an added benefit.

Ms. Rodriguez added the Committee expressed concern that there is no abuse of the policy, therefore staff tried to make procedures as clear as possible. Chair Ramirez commended the GM for his approach to staff unity with office and field crews.

7. Topics Requested by Employee Association

Messers Herrera and Dahlstrom indicated that employee representative positions would be opened to a vote. Mr. Jaggars added that at some point, there should be established a vehicle for contract employee representation.

8. Action List for Future Meetings

Vacation and Sick Leave Accrual Caps  
Sick Leave Donation Program

9. Next Meeting Date: *March 25, 2019 at 5:30 p.m.*

**ADJOURNMENT:** *8:08 p.m.*

Attest:

*DRAFT UNTIL APPROVED*

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Andy Ramirez, Chairman  
to the Personnel Committee of the  
Beaumont-Cherry Valley Water District



**BEAUMONT-CHERRY VALLEY WATER DISTRICT AGENDA**  
**DRAFT MINUTES OF THE PERSONNEL COMMITTEE**  
Monday, May 20, 2019 at 5:30 p.m.  
560 Magnolia Avenue, Beaumont, CA 92223

**CALL TO ORDER**

Chair Covington called the meeting to order at 5:33 p.m. at 560 Magnolia Avenue, Beaumont, California.

*Present*

<i>Directors present:</i>	<i>Covington, Ramirez</i>
<i>Directors absent:</i>	<i>None</i>
<i>Staff present:</i>	<i>General Manager Dan Jagers; Director of Finance and Administrative Services Yolanda Rodriguez, Senior Engineer Mark Swanson, Assistant Director of Operations James Bean, Information Systems Manager Robert Rasha, Eric Dahlstrom and Administrative Assistant Erica Gonzales. Also present at this meeting were Dustin Smith, and Julian Herrera Jr. representing the Beaumont-Cherry Valley Water District (BCVWD) Employee Association.</i>

**PUBLIC INPUT:** *None.*

**ACTION ITEMS**

1. Adjustments to the Agenda: *None.*
2. Approval of the Jan. 28, 2019 and March 25, 2019 Meeting minutes

*The Committee approved the minutes of the Personnel Committee meeting of Mar. 25, 2019 by unanimous vote.*

*The Jan. 28, 2019 minutes were NOT approved due to lack of majority vote (Covington abstained).*

3. Proposed BCVWD Policies and Procedures Manual Updates

General Manager Dan Jagers introduced items a, b and c as recommended by consultant Human Resources Dynamics. The items are presented exactly as prepared by the consultant.

- a. Proposed Employee Performance Evaluation Policy and Procedure

Director Ramirez indicated that he appreciates the inclusion of more frequent evaluation periods (in addition to the annual) as needed. Chair Covington concurred and added that it is important to include part time employees. He said he had no objections and is fine with the policy as it stands.

Mr. Jagers pointed out the statement that employees who receive a less than satisfactory score are not eligible for a merit increase. He also reminded that there is an evaluation form which was amended per discussion at the last meeting.

Mr. Jagers also noted the category of unsatisfactory job performance and related performance improvement plan (PIP). This will also trigger generation of a form. Chair Covington requested inclusion of a boilerplate self-evaluation clause.

Mr. Jagers suggested it is not necessary for the General Manager to review each evaluation, as it removes responsibility from the supervisor. Covington concurred, indicating they should be reviewed by the department heads.

Director Ramirez asked how many employees are direct reports to the Director of Operations; Mr. Jagers noted that when the Director of Operations position and all field positions are filled, several positions are under the ultimate supervision of the Director of Operations. Covington pointed out that currently the field staff reports to the Assistant Director of Operations.

Mr. Dustin Smith pointed out that crew leaders are currently excluded from evaluations but should be involved in the process. Director Ramirez and Ms. Rodriguez concurred. Chair Covington suggested including a flow chart for the eval process; Chair Covington offered suggestions for the flow of work and suggested laying out the steps in a different fashion.

Director Ramirez suggested review by HR before finalizing an evaluation.

b. Proposed Personnel Action Form (PAF) Policy and Procedure

Director Ramirez recommended reviewing the Skelly procedure for the organization. Mr. Jagers explained the purpose of the form and suggested some minor changes. Jagers also suggested preparation of a form for Leave of Absence. Chair Covington will send a sample.

Director Ramirez noted the goal is to resolve any issues within the department. An employee should have a process with steps to follow, but the first step should not be the general manager, he said. For example, in contesting an evaluation, he said, the employee should have a way to have their voice heard.

President Covington requested a redline version to come back to the Personnel Committee.

c. Proposed Recruitment/Selection and On-Boarding Policy and Procedure

General Manager Jagers recommended some changes based on actual procedures and positions within BCVWD. He also advocated for the flexibility to offer internal promotion. President Covington indicated the second paragraph under item 4 should be deleted or modified to eliminate the minimum number. GM Jagers indicated additional modification will be necessary to this policy. Discussion ensued.

d. Proposed Revision of District Policies and Procedures Manual: Part II –  
Applicable to Board of Directors and District Staff



Mr. Jagers advised this was brought forward for consideration as part of the update of the Policies and Procedures Manual. Ms. Rodriguez noted that these are based on policies of other districts and have been reviewed by a number of staff.

President Covington drew attention to Section 14 E regarding rental vehicles and indicated reimbursement should include “charges for rental vehicles may be reimbursed when a District official is attending an out-of-County conference.” Mr. Covington stated that many of BCVWD’s current policies appear to be punitive based on bad past practices. Director Ramirez clarified that if three directors are traveling, each may obtain a rental vehicle; President Covington indicated one rental vehicle should be shared when officials are traveling to the same place.

Chair Covington suggested that comparing airfare to the state travel program is an onerous process and the language should be cleaner, he said. He suggested simplifying to the most economical form of transportation.

Regarding lodging, Covington suggested the following revision: “Government rates should be obtained when available. If the average room rate in the area exceeds the IRS per diem rate, lodging shall be reimbursed on the most economical rate at the hotel or motel which provides adequate lodging. No suites or oversize rooms will be permitted.”

Reimbursable meals should be set at the current federal per diem rate, Covington noted. Existing policy provides that incidentals will only be reimbursed for travel time that would have been used; i.e. if an official chooses to drive rather than fly, and driving takes three days, only expenses related to one travel day will be reimbursed.

Chair Covington also noted that using a personal credit card for District business travel is cumbersome, and the District should provide credit cards to Board members. He suggested that cards should be available for employees, officers and directors as deemed necessary. The current policy needs to be loosened, he said. Ms. Rodriguez noted there are internal controls, and Mr. Jagers explained that policies are usually written as a result of bad actors in order to address situations in the future. Chair Covington also pointed out that the policy should be workable for an employee who may not have personal funds available to cover business travel expenses.

Director Ramirez pointed to Section 8A vii: “Act collectively and not individually become involved in the day to day operation of the District.” He suggested language to accommodate action already taken by the Board. He said it could be a potential hinderance when a Board decision has already been made to do something and there are hinderances occurring keeping that operation from happening.

Mr. Jagers indicated he prefers to leave the lead time for public requests for agenda matters at 10 business days. President Covington noted that the policy on public testimony should more closely follow the Brown Act. He said he believed limited discussion is allowable if a question is asked by the public.

e. Proposed Vacation Policy and Discussion regarding Current Liability and Proposed Optional Vacation Limits

Mr. Jagers reminded the Committee members that changes were requested to the draft policy at the last meeting. It went from being very complex to over-simplified, he noted. He pointed to the meeting minutes to refresh memory of the discussion and gave an example of an employee who might be saving hours knowing they were going

to be having a lengthy absence due to a hip replacement or other such issue. Mr. Jagers also investigated establishment of a 401a program into which the value of excess vacation hours could be deposited. Ms. Rodriguez noted there is a required District contribution.

Discussion ensued regarding carry over hours. Covington reiterated that this is not taking anything away from employees and indicated support for Director Ramirez' suggested caps at:

1-5 years of service	260 hours
6-15 years	300
16-20 years	350
21+ years	380

Director of Finance and Administrative Services Yolanda Rodriguez pointed out that regardless of any change in caps, the District's liability remains the same, as hours are not reduced. Anything beyond the caps must still be paid to the employee. The auditors were more concerned with internal controls and ability for budgeting, she explained. Chair Covington pointed out that over time, through salary increases, the value of the hours increases.

Director Ramirez requested this policy return to the Personnel Committee.

Mr. Jagers addressed additional updates to the Vacation Policy. In response to comments about potential exhaustion of sick and/or vacation time, Jagers pointed out that it is possible to request a leave of absence without pay.

GM Jagers suggested the modifications to the tables be made and the policy to move forward. Chair Covington concurred.

f. Proposed Sick Leave Policy – Revised Final Draft

Chair Covington pointed out that this is the Sick Leave Donation component of the Sick Leave Policy. The full Sick Leave Policy will come to the Personnel Committee at a future meeting.

Chair Covington indicated he likes the re-draft compared to the previous iteration of the proposed policy and it includes the items previously discussed. Mr. Ramirez indicated he liked the inclusion of procedures and said this is going in the right direction. Mr. Jagers clarified that the approval process has been streamlined and there must be certification by a doctor of a catastrophic need. An uncomplicated pregnancy is not considered catastrophic, he noted. This is intended to take care of employees who have a real need and allows the organization to support an employee in a time of real need. There is an application process, Jagers noted.

Chair Covington noted this has been a policy that has been problematic in other agencies upon implementation. There will always be those who try to abuse the policy or take advantage of loopholes, he said, and the Sick Leave Donation program has great spirit, but comes with challenges.

GM Jagers explained that HIPAA is the Health Insurance Portability and Accountability Act, which covers privacy standards for employees and is identified in the second paragraph. The draft has been revised to protect the employee from release of unnecessary information.

Chair Covington clarified that once these policies are made as complete as possible, they will be vetted by legal counsel.

Mr. Jagers made a few suggestions which were acceptable to the Committee. Mr. Julian Herrera indicated that the employees liked the policy, as it shows the District becoming more unified.

4. Review and Update on HR Consulting Project

Director of Finance and Administrative Services Yolanda Rodriguez reported that the services of HR Dynamics are still in use. They are currently working on the job description for the HR Coordinator and HR Manager in preparation for the time when space is available to make the hires. Chair Covington asked about the title difference. Ms. Rodriguez explained that both are under consideration to determine which one is more economically feasible for the District. An experienced person is needed, but the position must be affordable, she said.

Chair Covington asked how the ongoing services have been budgeted. Ms. Rodriguez indicated it is charged to the line item for Other Professional Services, which also includes the grant writers. Mr. Jagers added that there was a contract with HR Dynamics and a position budgeted for HR, but there has been no space available for an additional employee. There has been cost savings from the vacant full-time position. The District is moving forward with procurement of additional office space, he explained.

5. Employee Association Election Update

Mr. Herrera advised the Committee that the opportunity was made available to employees to represent the employee group and speak with the Personnel Committee. Mr. Dustin Smith and Ms. Erica Gonzales have stepped up. Chair Covington expressed appreciation for those who stepped forward and said it is great to have the Employee Association at the meetings and helping to get things done.

6. Action List for Future Meetings

*Policy updates*

7. Next Meeting Date: *July 22, 2019 at 5:30 p.m.*

**ADJOURNMENT:** *7:40 p.m.*

Attest:

*DRAFT UNTIL APPROVED*

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John Covington, Chairman  
to the Personnel Committee of the  
Beaumont-Cherry Valley Water District



**Beaumont-Cherry Valley Water District  
Personnel Committee Meeting  
July 22, 2019**

Item 3

STAFF REPORT

**TO:** Personnel Committee  
**FROM:** Yolanda Rodriguez, Director of Finance and Administrative Services  
**SUBJECT:** **Proposed BCVWD Policies and Procedures Manual updates**

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**Staff Recommendation**

Consider the proposed revisions and additions to the BCVWD Policies and Procedures Manual and refer policies to the Board of Directors as desired.

- a. Proposed Employee Performance Evaluation Policy and Procedure
- b. Proposed Personnel Action Form (PAF) Policy and Procedure
- c. Proposed Recruitment/Selection and On-Boarding Policy and Procedure
- d. Proposed Vacation Policy
- e. Proposed Sick Leave Donation Policy
- f. Proposed Revision of District Policies and Procedures Manual: Part II – Applicable to Board of Directors and District Staff

**Background**

At meetings of the Personnel Committee, members requested and reviewed various revisions to the District's vacation policy and proposed sick leave donation policy. In addition, the Committee reviewed new policies recommended by consultant HR Dynamics, and an update to Part II of the Policies and Procedures Manual. Based on input from the Committee, staff has prepared the final draft policies for potential recommendation to the Board of Directors.

**Fiscal Impact:** The fiscal impact cannot be determined at this point.

**Attachments**

- a. Final Draft – Employee Performance Evaluation Policy and Procedure
- b. Final Draft – Personnel Action Form (PAF) Policy and Procedure
- c. Final Draft – Recruitment/Selection and On-Boarding Policy and Procedure
- d. Final Draft – Proposed Vacation Policy
- e. Final Draft – Leave Donation Policy
- f. Final Draft – Proposed Revision of District Policies and Procedures Manual: Part II – Applicable to Board of Directors and District Staff

Staff Report prepared by Lynda Kerney, Administrative Assistant

**SUBJECT: EMPLOYEE PERFORMANCE EVALUATION POLICY AND PROCEDURE  
VERSION 2 – ADDITION OF COMMENTS FROM PERSONNEL COM 5/20/19**

**PURPOSE:**

To provide a means for discussing, planning and reviewing the performance of an employee. Regular performance evaluations improve communication and employee engagement; help employees clearly define and understand their duties and responsibilities; document accomplishments during the rating period; suggest areas in which employees can improve performance; provide information for career development and training; help set goals and expectations for the next rating period; and provide a basis for awarding merit or step increases.

**POLICY:**

All full- and part-time regular employees shall have their job performance evaluated on an annual basis. This policy does not preclude the conduct of more frequent evaluations as needed to document significant changes in performance.

**RESPONSIBILITIES:**

Each manager and supervisor is responsible for the timely assessment of the performance and contribution of their employees. Human Resources will coordinate, track and report on the completion of annual performance evaluations; provide annual training to managers and supervisors on conducting effective performance evaluations; and will maintain a copy of each evaluation in the employee's official personnel file. Human Resources will provide a compliance report to the General Manager by January 31<sup>st</sup> for the prior calendar year. The General Manager will share the statistical report (over-all percentage of compliance) with the Board of Directors.

**STANDARDS:**

Each supervisor is responsible for developing a clear description of the duties, responsibilities, goals and expectations for each position to be evaluated. The duties and responsibilities must be consistent with the job description for each position. The goals and expectations should be aligned with the District's strategic goals and mission. The goals and expectations shall be provided to the employee prior to being evaluated against them.

**PREPARATION OF EVALUATIONS:**

All employees shall have their job performance evaluated by their immediate supervisor on an annual basis. Interim evaluations may be completed as necessary to effectively document employee performance.

1. **Annual Evaluation** – All employees will have their performance evaluated at the time of their anniversary date with the District. The supervisor shall indicate on the Performance Evaluation Form when an eligible employee is recommended for a merit increase, and sign the Personnel Action Form. Employees receiving an overall rating of less than Satisfactory are not eligible to receive a merit increase.

2. **Probationary Evaluation** – Probationary evaluations may be completed during the probationary period. Upon completion of the probationary period, employees shall transition to “Regular” status and receive an annual evaluation at the time of the employee’s anniversary date. The probationary evaluation is the tool in which the immediate supervisor determines whether the probationary employee has the skills and other qualifications needed to perform satisfactorily. The immediate supervisor shall indicate on the Performance Evaluation Form if the probationary employee is recommended to pass probation, or if an extension of the probationary period is necessary. The extension of the probationary period must be accompanied by a Performance Improvement Plan (PIP). The PIP should run concurrently with the extension period. An overall rating of Unsatisfactory may result in termination of employment.
3. **Interim Evaluation** – Interim or supplemental evaluations may be initiated by a supervisor whenever the supervisor believes it to be in the best interest of the employee, supervisor, department to do so. This type of evaluations is usually made whenever an employee’s performance and/or work conduct has markedly changed since a previous evaluation or whenever an employee has failed to improve after a previous less than satisfactory evaluation, counseling or training. The Interim evaluation may include a Performance Improvement Plan (PIP). An overall rating of less than Satisfactory may result in disciplinary action, up to and including termination when improvement is not achieved.
4. **Unsatisfactory Job Performance** – When an employee receives an overall rating of less than Satisfactory, the unsatisfactory performance evaluation must include a specific description of the unsatisfactory performance, behavior, conduct, or actions that are found to be below standard. Departments are responsible for developing a Performance Improvement Plan (PIP) to identify the various ways the employee can improve their performance and be successful in achieving their assigned objectives. A Performance Improvement Plan (PIP) should include an understanding of goals, expectations and performances standards. The performance standards should reference the quantity and quality of work, the manner in which service is rendered, and such characteristics as shall measure the employee’s job performance.

#### **THE EVALUATION FORM:**

Beaumont-Cherry Valley Water District utilizes a standardized Performance Evaluation Form. Upon delivery of the evaluation by the supervisor to the employee, the employee shall sign acknowledging receipt, and the supervisor shall provide a copy of the performance evaluation to the employee and submit the original to Human Resources. The original shall be placed in the employee’s official personnel file, and the department may keep a copy in a secured internal file. The employee may provide a written response which will then be filed with the evaluation form.

Staff members are encouraged to complete a Self-Evaluation Form. A Self-Evaluation may be required by the Department Head.

**PROCEDURE/STEPS:**

General Manager

1. Emphasizes the important role of conducting regular and timely performance evaluations in providing employees with feedback related to performance; in establishing effective and measurable goals; and in defining development opportunities to include training. General Manager establishes expectations and holds supervisors accountable in achieving organizational compliance in completing evaluations.

Human Resources

2. Maintains a complete and accurate list of employee anniversary dates for annual performance evaluations.

Supervisor

3. Sends reminder notice to the supervisor via email two months prior to due date, including a PAF if a merit increase is due.

Human Resources

4. Solicits input from lead personnel,  
Prepares draft evaluation, \_\_\_—and submits to Human Resources for review via email.

Supervisor

5. Reviews draft evaluation and provides feedback to supervisor by phone, or arranged meeting.

Human Resources

6. Amends draft evaluation and forwards final evaluation to the Human Resources via email.

7. Reviews, and submits the final evaluation to the ~~General Manager~~Department Head for review and approval.

~~General Manager~~Department Head

8. Signs and approves the evaluation, OR requests further information and/or a meeting with supervisor to discuss further, prior to approval, through the Administrative Services Manager.

Human Resources

9. Coordinates obtaining requested additional information OR schedules meeting to discuss the employee evaluation, to include the supervisor, ~~General Manager~~Department Head, and Human Resources.

Supervisor

10. Makes additional changes to the evaluation, if warranted, consistent with ~~General Manager~~Department Head input, and submits to ~~the~~ Human Resources.

Human Resources

~~General Manager~~Department Head

11. Reviews and submits to the ~~General Manager~~Department Head for final approval.

Human Resources

12. Returns signed/approved evaluation to Human Resources.

Supervisor

13. Returns signed/approved evaluation to supervisor with direction to proceed with the delivery of the evaluation to the employee.

Employee

14. Signs the evaluation and delivers to employee. Delivery consists of a scheduled meeting between employee and supervisor in which feedback is provided by the supervisor to the employee.

Supervisor

15. Signs the evaluation, acknowledging receipt.



16. Provides employee with a copy of the evaluation upon signing.
17. Provides the original copy of the final signed evaluation to the Human Resources for inclusion in the employee's file. Maintains a copy of the final evaluation in a secured departmental file.

Revised 9-7-18

18. Updates tracking spreadsheet to indicate that employee's evaluation was received.
19. Evaluates tracking spreadsheet monthly to identify past-due evaluations, and provides monthly reminder notices to supervisors via email, with the General Manager copied on email.
20. Prepares the annual compliance report for General Manager showing evaluations completed and past due, and over-all percentage of compliance (e.g. 90%).
21. Evaluates compliance report to determine deficiencies, and reflects non-compliance in supervisor's performance evaluation; failure to correct may also result in disciplinary action, as determined by the General Manager.
22. General Manager provides annual report to Personnel Committee sharing the over-all results of the annual compliance report (percentage of compliance by department and/or office/field).

General Manager

**Forms:**

Performance Evaluation Form

[Self Evaluation Form](#)

[Performance Improvement Plan](#)

[Template](#)



# Beaumont-Cherry Valley Water District

Employee Performance Evaluation								
Employee Name:								
Position Title:								
Department:								
Supervisor's/Reviewer's Name:								
Supervisor's/Reviewer's Title:								
Review Period:								
Current Step:								
New Step (if applicable):								
Merit Increase Recommended:								
New Step:		<input type="checkbox"/> Yes: Step # _____ <input type="checkbox"/> No – Employee is at the maximum of the salary range. <input type="checkbox"/> No						
Annual	Introductory				Promotion			
3 Month	6 Month	9 Month	12 Month	Other	3 Month	6 Month	Other	
Enter the type of license or level of certifications as of the evaluation date:								
Driver's License	Distribution	Treatment	Accounting	Engineering	Other	Other		

## SUMMARY OF PERFORMANCE EVALUATION PROCESS

Your Employee Performance Evaluation is a tool designed to provide a systematic approach for appraising your work performance. When applied with confidence and understanding, this tool will strengthen the relationship between you and your supervisor(s) and increase the overall effectiveness of the organization.

When completing this evaluation form, your supervisor will generally use the following guidelines:

- Objectively consider each item and justify each rating. The review should be objective, results-oriented and constructive.
- Cite specific positive and negative examples of performance to justify the rating given within the scale.
- Appropriate corrective action plans should be noted in any area considered "unacceptable" or "partially meets standards".
- Any applicable discussion should be added in any area not identified as "Fully Meets Standards".

The performance factors contained below are not in any specific order of importance, all factors are important and reflective of your overall job performance.

**RATING SCALES**

- Level 5**                                 **Exceptional**  
 This level of performance over a sustained period of time approaches the best Beaumont Cherry Valley Water District can possibly expect of an employee in a given position. The employee at this level should have mastered every essential element of the assigned position and should be performing at a level well beyond that of the job standards.
- Level 4**                                 **Exceeds Standards**  
 An employee at this level is meeting all of the position requirements in a manner indicating a full understanding of all the required duties. The results achieved by the employee are consistently better than would be expected in performing to job standards.
- Level 3**                                 **Fully Meets Standards**  
 An employee at this level is meeting the requirements of the position in a fully acceptable manner according to the job standards.
- Level 2**                                 **Partially Meets Standards**  
 A provisional level for those whose performance is below the standard level. Some elements of the position may still require considerable supervision and learning before performance satisfactorily meets position requirements.
- Level 1**                                 **Unacceptable**  
 An employee at this level is performing at an unacceptable level of the job standards. Continual direction and supervision is necessary to complete a given task, or there is minimal or no effort demonstrated by the employee.

Sample guidelines for each performance level are provided for each rating category.

FOLLOWS DISTRICT POLICIES AND PROCEDURES				
Employee meets expectations in applying District policies and procedures; accomplishes and processes work in accordance with established procedures. Has actively provided input, review and/or prepared Standard Operating Procedures for specific tasks within the department.				
LEVEL OF ATTAINMENT				
1	2	3	4	5
Often interprets District policies and procedures incorrectly; frequently does not follow policies and procedures in processing or performing work.	Occasionally needs to be reminded to follow District policies and procedures; sometimes performs or processes work without regard to established procedures.	Routinely meets expectations in applying District policies and procedures; accomplishes and processes work in accordance with established procedures.	Work consistently meets or exceeds expectations in application of District policies and procedures; consistently provides accurate interpretation of policies and procedures.	Consistently exceeds expectations in application of District policies and procedures; interpretation of policies and procedures demonstrated through understanding and appropriate application.
Justification:				

## KNOWLEDGE OF JOB

Employee demonstrates working knowledge of principles, techniques, practices and procedures necessary to perform job; current on all professional and/or technical aspects of work; acts as a vital resource for competently teaching others about all aspects of the job performed.

### LEVEL OF ATTAINMENT

1	2	3	4	5
<p>Fails to demonstrate working knowledge of basic requirements for job; frequently lacks knowledge of techniques and practices required to perform work; unable or uninterested in mastering required skills; often requires assistance/direction in completing routine work and solving problems.</p>	<p>Demonstrates working knowledge of most principals and procedures necessary to perform job; occasionally requires assistance or direction in completing work assignments for which adequate training has been provided; marginal skills or capability to complete required and assigned work.</p>	<p>Routinely demonstrates working knowledge of principles, techniques, practices, and procedures necessary to perform job; current on all professional and /or technical aspects of work; only occasionally requires assistance or direction.</p>	<p>Demonstrates considerable knowledge of principles, techniques and practices necessary to perform job; seeks and maintains knowledge on all professional and/or technical aspects of work; demonstrates the capability to assume training role.</p>	<p>Exhibits comprehensive knowledge of principles, techniques, and methods required of the job; maintains the highest level of knowledge and capability in the field; applies knowledge to develop innovative alternatives to resolve difficult problems.</p>

Justification:

## PRODUCTIVITY AND GOAL ACHIEVEMENT

Employee meets standards in the amount of work produced; complies with and meets deadlines while maintaining work quality; contributes to team effort to effectively accomplish tasks and projects. Employee maintains the volume of work in relation to the volume required for proficient job performances & goals are completed in a timely manner.

### LEVEL OF ATTAINMENT

1	2	3	4	5
<p>Quantity and quality of work produced falls significantly below standards; deadlines are frequently missed; often needs the help of others to meet deadlines; routine work is always behind; delays in completion of work adversely impacts department efforts.</p>	<p>Quantity and quality of work occasionally fall below standard; occasionally misses deadlines; sometimes falls behind schedule on routine work; does only what is required; requires prodding to complete duties.</p>	<p>Routinely meets standards in quantity and quality of work produced; complies with and meets deadlines while maintaining work quality; contributes to team effort to effectively accomplish tasks and projects.</p>	<p>Above average producer; maximizes quantity and quality of work produced within available resources; deadlines are consistently met with little or no assistance; consistently makes a contribution to team effort to effectively accomplish tasks and projects.</p>	<p>Unusually high producer; routinely does more than is expected; consistently produces a high quality work product thoroughly and before designated deadlines; resourceful in dealing with obstacles; promotes teamwork and significantly impacts team efforts to effectively accomplish tasks and projects.</p>

Justification:

## INITIATIVE AND ACCEPTANCE OF RESPONSIBILITY

Employee is willing to take the first step in seeing that work is completed; motivated to do well; industrious and diligent about completing work responsibilities; goes beyond ones immediate responsibilities and willing to pitch in and help out in other areas.

### LEVEL OF ATTAINMENT

1	2	3	4	5
Frequently does not perceive what is required of a situation; has difficulty organizing and using time effectively; almost never initiates action without instruction; frequently fails to alert supervisor to potential concerns.	Occasionally does not perceive what is required of a situation; has occasional difficulty organizing and using time effectively; occasionally does not inform supervisor of potential concerns; usually relies on others to find solutions to problems.	Routinely perceives what is required of the situation; uses work time effectively; keeps supervisor apprised of potential concerns; generally relied upon to take initiative in task performance; decisions are generally sound and practical.	Consistently knows the correct action to take; consistently makes sound, logical decisions; considers alternatives in addition to the most familiar solution; readily accepts responsibility; often demonstrates resourcefulness and originality.	Quickly evaluates relevant data and considers all alternatives; accurately determines when to make decisions independently and when to refer to higher up; offers alternative strategies when alerting supervisor of potential concerns; self-motivated; makes creative and innovative contributions to work.

Justification:

## FLEXIBILITY AND ADAPTABILITY

Employee adjusts to workplace changes; is positive in approach to change; effectively handles new or stressful situations; adjusts priorities to deal with work objectively with multiple projects and assignments.

### LEVEL OF ATTAINMENT

1	2	3	4	5
Resists work place changes; often negative in approach to change; lacks tact and diplomacy when dealing with stressful situations; inability to adjust priorities appropriately; multiple projects and assignments confuse and inhibit work flow.	Requires some coaching in order to adjust to work place changes; sometimes negative in approach to change; occasionally has difficulty in handling stressful situations; requires some assistance in prioritizing multiple tasks; sometimes needs assistance in handling multiple projects and assignments.	Adjusts to work place changes; generally positive in approach to change; effectively handles new or stressful changes; adjusts priorities to deal with work objectives; deals effectively with multiple and varied projects and assignments.	Frequently demonstrates enthusiasm toward the adoption of work place changes; resourceful in dealing with stressful situations; takes on multiple and varied assignments and easily meets established deadlines.	Open and receptive to new ideas and work place change; maintains a consistently positive approach to change; develops and implements work place changes without prompting; consistently and effectively plans, organizes and completes multiple projects and work assignments.

Justification:

## COMMUNICATION SKILLS – VERBAL, WRITING AND COMPUTER

Employee provides clear and concise written material requiring minimal editing; accurately conveys information and ideas; listens to others courteously; demonstrates proper use of language and terminology; maintains open and honest communications with supervisors and other employees; records and maintains necessary documents and files.

### LEVEL OF ATTAINMENT

1	2	3	4	5
Frequently has difficulty conveying information and ideas; communication often results in a negative impact or impression; poor listening and writing skills; not attentive to record and file management; may make an effort to avoid documentation.	Written material occasionally contains errors, requiring editing, and is often vague or incomplete; occasionally uses poor listening skills; record and file management sometimes unorganized or inadequate; does not make an effort to provide written documentation.	Routinely provides clear and concise written material requiring minimal editing; accurately conveys information and ideas; listens to others courteously; demonstrates proper use of language and terminology; maintains open and honest communication with supervisors and other employees.	All written material is consistently presented in a clear and concise manner and requires no further editing by the supervisor; listens attentively to others; communication with others is consistently well-accepted; consistently uses appropriate language and terminology; assists in the development of record and file keeping.	Written material is exemplary in both content and presentation reflecting a clear and accurate understanding of a given subject; is recognized for an ability to convey information in a manner that is readily understood by others and appropriate for the situation; always effective in dealing with confrontational situations; active in record development.

Justification:

## PUNCTUALITY AND EFFICIENCY

Employee begins work at scheduled time; observes lunch and break time limits; maintains a productive work schedule throughout the day; schedules leave well in advance; hold fraternization and personal business to a minimum.

### LEVEL OF ATTAINMENT

1	2	3	4	5
Wastes time or does not use time efficiently; frequently late in beginning work at the scheduled time; rarely observes lunch break time limits; does not schedule leave in advance; rarely informs supervisor of conflicts and scheduling issues.	Does not always use time wisely; often late in beginning work at scheduled time or returning to work; occasionally does not observe lunch break time limits; gives little advance notice on scheduling leave and time away from work.	Maintains a productive work schedule throughout the day; routinely begins work at scheduled time; observes lunch and break time limits; schedules leaves well in advance; holds fraternization and the conducting of personal business to a minimum.	Consistently begins work at scheduled times; always punctual concerning lunch and break time limits; does not waste or spend excessive time on personal business or fraternization.	Arrives at work with sufficient time to take care of personal needs and to organize for the day's activities; effectively organizes own time and prompts others to keep on schedule; can always be counted on to complete assignments on time without complaint.

Justification:

## INTERPERSONAL SKILLS / OVERALL ATTITUDE

Employee demonstrates consideration and cooperates in a positive manner with supervisors, other employees and the public. Also encourages and maintains effective and harmonious working relationships with others; willingly provides information and assistance; readily addresses citizen or employee concerns with tact and sensitivity.

LEVEL OF ATTAINMENT				
1	2	3	4	5
Works reluctantly with other employees; provides limited assistance and information to citizens or other employees; often demonstrates behavior which intimidates other employees or citizens; does not offer support or assistance.	Occasionally abrasive to co-workers; sometimes reluctant to provide assistance and information to citizens or their employees; sometimes lacks tact and sensitivity in dealing with concerns of citizens or other employees; can contribute to stressful situations and circumstances.	Routinely encourages and maintains effective and harmonious working relationships with other employees; willingly provides information and assistance; readily addresses citizens or employees concerns with tact and sensitivity.	Consistently maintains highly effective and harmonious working relationships; minimizes conflict through personal diplomacy; readily volunteers information and assistance to citizens or other employees.	Promotes cooperation and harmonious working relationships throughout the workplace; goes out of the way to assist citizens or other employees with work related problems; resolves stressful situations and conflicts with unusual effectiveness; always sensitive and responsive to the needs of others.

Justification:

## PROBLEM SOLVING ABILITY

Employee anticipates problems and takes action to solve them; routinely knows what is required of the situation; makes required decisions in a timely manner; knows when to appropriately refer problems to a higher authority.

LEVEL OF ATTAINMENT				
1	2	3	4	5
Frequently fails to anticipate problems; will not attempt to solve problems without assistance from supervisor; frequently does not perceive what is required of the situation; has difficulty appropriately referring matters to a higher authority.	Occasionally fails to anticipate problems; hesitates to take initiative to solve problems; occasionally does not perceive what is required of the situation; occasionally fails to appropriately refer decisions to a higher authority.	Routinely anticipates problems and takes action to solve them; routinely knows what is required of the situation; makes required decisions in a timely manner; knows when to appropriately refer decisions to a higher authority.	Consistently anticipates problems in advance of occurrences; takes an active role in solving problems; provides prompt and effective evaluation and/or selection of alternatives.	Consistently meets the above standard and is seen in the work place as a resource to others in solving problems; provides and evaluates alternatives to resolve problems; almost always selects the most appropriate course of action to solve problems.

Justification:



## WORK PLACE SAFETY

Employee follows established safety rules; uses safe work habits; takes necessary precautions associated with hazards; operates equipment in a safe manner; routinely wears recommended or approved safety equipment; reports safety concerns to supervisor in a prompt and timely manner. Includes: personal safety record; team safety; and safety policy adherence.

### LEVEL OF ATTAINMENT

1	2	3	4	5
<p>Fails to show regard for established safety rules; frequently demonstrates unsafe work habits; continually needs to be reminded to wear or use required or recommended protective equipment; often overlooks precautions associated with hazards; neglects to report safety concerns to supervisor.</p>	<p>Occasionally does not follow established safety rules; needs occasional reminder to operate equipment in a safe manner and to wear or use required or recommended protective equipment.</p>	<p>Follows established safety rules; uses safe work habits; takes necessary precautions associated with hazards; operates equipment in a safe manner; routinely wears recommended or approved safety equipment; reports safety concerns to supervisors in a prompt and timely manner.</p>	<p>Thoroughly knowledgeable in safety conditions and practices; capable of training others; frequently identifies and corrects potential safety hazards; makes recommendations to improve safety policies and procedures.</p>	<p>Always thinks and acts in a "safety first" manner; seeks and develops ways to work better and safer; promotes safety among co-workers; used as a resource to terrain or orient other employees in safe working practices; resourceful in solving safety hazards.</p>

Justification:

## SUPERVISORY SKILLS (IF APPLICABLE)

Employee assumes the role as a confident leader, seeks available resources to solve problems to achieve desired results; provides clear instruction to staff; polite and courteous treatment of staff that encourages the spirit and fosters professional growth; measures results, not tasks to promote the values of others.

### LEVEL OF ATTAINMENT

1	2	3	4	5
<p>Supervisor fails to communicate with staff; offers little guidance or direction; changes deadlines and expectations frequently; does not provide personal communication techniques to correct the problem; does not give clear direction to staff; does not provide employee goals; does not follow through with completion of tasks.</p>	<p>Supervisor occasionally fails to communicate with staff; staff does not understand the direction given to them at times; has some difficulty balancing his/her needs with the needs of the employees and needs of the organization; does not provide goals and recommendations for improvements</p>	<p>Supervisor is a good communicator; gives clear direction to staff; properly delegates workload in an efficient manner; conducts employee improvement measures in an appropriate manner; provides reasonable and specific goals with time schedules; offers improvements rather than maintaining the status quo; provides regular stretch goals to employees.</p>	<p>Supervisor is a great communicator; supervisor and employees meet goal deadlines the majority of the time; evokes enthusiasm among staff; provides reasonable stretch goals and departmental goals; continues to improve staff members and the overall function of the department; provides suitable mentoring qualities for other staff members.</p>	<p>Supervisor is an exceptional communicator with staff; acknowledges and/or rewards their employees for their efforts in a timely and public manner; has the ability to attract, select, and retain a diverse staff; has the ability to empower their employees and delegate; encourages and supports the personal and professional development of their employees; motivates others to pull together to meet goals and objectives</p>

Justification:

## OVERALL EVALUATION OF PERFORMANCE

Check the box that is most descriptive of the employee's overall job performance.

Level 1 Unsatisfactory	Level 2 Needs Improvement	Level 3 Satisfactory	Level 4 Very Good	Level 5 Outstanding
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## GOALS AND OBJECTIVES FOR NEXT PERFORMANE EVALUATION REVIEW PERIOD

List specific goals and objectives to be accomplished and plans for career development in the next evaluation period. They should be measurable and results-oriented to permit an accurate evaluation:

**EMPLOYEE'S COMMENTS AND SIGNATURE**

The contents of this form have been reviewed by me. My comments are shown below, as applicable, regarding career goals, agreement or disagreement with this evaluation. I understand that I may choose to comment on any section of the evaluation, and/or attach a statement to this evaluation for my personnel file.

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Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Signature does not necessarily indicate agreement with evaluation, but does acknowledge that the evaluation was conducted, and that employee has received and reviewed the evaluation.*

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

General Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# BEAUMONT-CHERRY VALLEY WATER DISTRICT

## EMPLOYEE SELF EVALUATION FORM

Date: \_\_\_\_\_  
Employee Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Job Title: \_\_\_\_\_  
Supervisor's Name: \_\_\_\_\_  
Performance Review  
Period \_\_\_\_\_

### Employee Instructions:

***Please complete and return this self-evaluation to your supervisor by [date].***

Your thorough and timely participation in the appraisal process will help facilitate a fair and comprehensive review of your progress and accomplishments since the last performance review. If you have been employed by the company less than a year, substitute references to "since the last performance appraisal/review" with "since you were hired" and answer the questions accordingly.

1. List your most significant accomplishments or contributions since last year. How do these achievements align with the goals/objectives outlined in your last review?
2. Since the last appraisal period, have you successfully performed any new tasks or additional duties outside the scope of your regular responsibilities? If so, please specify.
3. What activities have you initiated, or actively participated in, to encourage camaraderie and teamwork within your group and/or office? What was the result?
4. Describe your professional development activities since last year, such as offsite seminars/classes (specify if self-directed or required by your supervisor), onsite training, peer training, management coaching or mentoring, on-the-job experience, exposure to challenging projects, other—please describe.

# BEAUMONT-CHERRY VALLEY WATER DISTRICT

## EMPLOYEE SELF EVALUATION FORM

5. Describe areas you feel require improvement in terms of your professional capabilities. List the steps you plan to take and/or the resources you need to accomplish this.
  
6. Identify two career goals for the coming year and indicate how you plan to accomplish them.
  
7. Evaluate yourself on all factors that apply to you since your last performance appraisal, or date of hire if employed here less than one year. If a category does not apply to you, indicate N/A.

**Rating Scale:**    **4-** Outstanding/Role Model            **3-** Very Competent  
                                  **2 -** Satisfactory    **1 -** Inexperienced or Improvement Needed

Category	Self-Rating
a. Technical Skills related to your specific job	_____
b. Technical Knowledge (up-to-date on industry/discipline news, articles and best practices)	_____
c. Quality of Work Product (comprehensive, accurate, timely, etc.)	_____
d. Utilization or Productivity	_____
e. Business Development	_____
f. Project Management Skills	_____
g. Technology Skills	_____
h. Time Management & Organizational Skills	_____
i. Interpersonal Skills (positive attitude; ability to get along well with co-workers/clients/vendors)	_____
j. Communication Skills—Verbal/Written (proposals/reports, letters, e-mails, etc.)	_____

**BEAUMONT-CHERRY VALLEY WATER DISTRICT  
EMPLOYEE SELF EVALUATION FORM**

k. Innovation or Creativity \_\_\_\_\_

l. Collaboration/Teamwork \_\_\_\_\_

m. Mentoring Skills \_\_\_\_\_

n. Employee Policies (knowledgeable of and compliant with company policies and procedures) \_\_\_\_\_

Brief Explanation: (add brief explanation here)

o. Leadership Skills (applies to anyone—not restricted to supervisory level employees) \_\_\_\_\_

p. Professionalism (punctuality, attendance; conduct; responsiveness and follow through) \_\_\_\_\_

q. **Overall** \_\_\_\_\_

8 Name any other management personnel, besides your current supervisor, that you feel should provide input toward your performance appraisal.

***Thank you for taking the time to complete the Employee Self-Assessment.***

**Supervisors: Attach completed Self-Assessments to the Employee's Performance Appraisal and return to HR.**

Employee Evaluation Form - 2018

**BEAUMONT-CHERRY VALLEY WATER DISTRICT**

**PERFORMANCE IMPROVEMENT PLAN (PIP)**

(Note: PIPs shall be prepared in conjunction with Department Head and Human Resources prior to issuance to Employee).

**Participants:**

Employee Name:	
Job Title:	
Department:	
Supervisor's Name:	
Supervisor's Title:	

**Review Period:**

Performance Improvement Period (From/To):	
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**Specific Area(s) Which Need Improvement:**

This is to provide you with a formal Performance Improvement Plan (PIP) in order to correct performance in area(s) that need improvement. To meet the expectations established for your position, you must improve in the specific area(s) noted below consistent with the defined expected outcome, and continue successful performance in all other areas.	
Area(s) Needing Improvement: (Specific operational or behavioral skills)	Expected Outcome: (Metrics or other success indicator i.e. how will we know improvement has been attained)
1. Quality of work/errors 2.	1. Quality of work/errors must not exceed 3% each month 2.

**Corrective Action(s) to Be Taken:**

<p>This PIP is to provide you with specific corrective action(s) to be taken relative to the areas identified above requiring performance improvement, including specific actions, activities, training and due dates that will facilitate improvement in each area, including guidance on what management will do or provide to assist you in achieving these goals.</p>		
Action	Responsible: (Employee, Supervisor, Manager)	Time Frame/Due Date: (Show specific dates in addition to periods of time)
1. Improve quality of work in which errors must not exceed 3% each month	Employee	3 Months
2. Schedule employee for refresher training	Supervisor	1 Month
3. Attend refresher training	Employee	1 Month
4. Conduct weekly feedback and coaching meetings and provide employee with feedback	Supervisor and Employee	Weekly
5. Demonstrate sustainability of quality of work standards	Employee	6 Months

**Agreement:**

Beaumont-Cherry Valley Water District is committed to making all reasonable and necessary efforts to ensure your success including training, coaching, and regular feedback. However, the consequences of failing to meet performance standards and the objectives of the Performance Improvement Plan may result in disciplinary action, up to and including termination.

The above plan has been explained to me and I understand the expectations of my job.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Cc: Human Resources/Personnel File



## BEAUMONT-CHERRY VALLEY WATER DISTRICT

**SUBJECT:** **PERSONNEL ACTION FORM (PAF) POLICY AND PROCEDURE**  
**VERSION 2 – INCL. COMMENTS FROM 5/20/19 PERSONNEL COM MTG**

**PURPOSE:**

To define procedures for approving Personnel Action Forms (PAFs) and to ensure that all actions are consistent with District policy.

**POLICY:**

The Personnel Action Form (PAF) is the official form that the District uses to initiate, document, approve and process actions related to an employee's employment history. PAFs are used for the following types of actions:

- a. Appointment
- b. Promotion
- c. Transfer
- d. Merit Increases/Denial of Merit Increases
- e. Leave of Absence
- f. Disciplinary Action Involving Suspension or Reduction in Pay
- g. Status
- h. Separation
- i. Other/Miscellaneous

PAFs shall be prepared by the Ddepartment Hhead, and submitted to Human Resources. Department managers-Heads shall ensure that all fields are filled out necessary for identifying the proposed changes to an employee's status and/or compensation. It is further the responsibility of the department manager-head to ensure that proposed actions are consistent with District policy. All proposed actions effecting an employee's status or compensation should first be discussed with Human Resources to ensure that the action is consistent with policy, past practices, and that non-routine items are discussed with the General Manager prior to initiating the action with an employee.

**Appointments and Promotions**

PAFs involving an Appointment or Promotion shall be as a result of a recruitment/selection process, consistent with the District's Recruitment/Selection and On-Boarding Policy and Procedure. Compensation offers shall be first discussed with Human Resources and approved by the General Manager in advance of initiating the PAF.

**Transfers**

PAFs involving a Transfer shall be as a result of a recruitment/selection process, or an accommodation as a result of an employee injury following an Interactive Process in

accordance with the American's with Disabilities Act. Transfers shall be first discussed with Human Resources and approved by the General Manager in advance of initiating the PAF.

### **Merit Increases**

PAFs involving a Merit Increase shall be as a result of a satisfactory or higher performance evaluation. The completed performance evaluation shall be submitted along with the PAF. The PAF shall provide for a merit increase in an amount consistent with District policy. A PAF shall be submitted for the denial of a merit increase to make formal record within the employee's employment history of the action.

### **Leave of Absence**

PAFs involving a Leave of Absence shall be as a result of any leave requested by an employee to document the start and end date of such leave. These dates assist with tracking leave entitlements in accordance with policy and various State and Federal laws. Leaves of Absence without pay must be approved in accordance with District policy. Leaves with Pay are most often associated with protected leaves such as Family and Medical Leave and require coordination with Human Resources to ensure that additional leave forms are completed. Other leave types requiring a PAF include Military Leave. Leaves which are of short duration such as Jury Duty or Witness Appearance do not require a PAF.

### **Disciplinary Action**

PAFs involving a disciplinary action shall be as a result of a formal disciplinary process involving a **Skelly hearing and post-Skelly determination**. The PAF form shall indicate the type of discipline E.g. Reduction in Pay, or Demotion and the length of the action, which can be for an established period of time or indeterminate. PAFs involving disciplinary action must be coordinated with Human Resources.

### **Status**

PAFs involving a status change shall be as a result of a change from temporary to regular status, or a change from part-time to full-time. Such changes should be discussed with, and approved by Human Resources and the General Manager prior to initiating the action.

### **Other/Miscellaneous**

PAFs involving other miscellaneous actions may include the initiation of various pay types such as certificate pay, educational incentive pay, etc. PAFs should be submitted with appropriate documentation to justify the proposed action.

### **Separation**

PAFs involving separation from employment shall be as a result of a voluntary resignation, termination, retirement, or death of an employee. PAFs shall be submitted reflecting the effective date as the last day worked. The PAF should be submitted along with the employee's resignation if the separation is voluntary. Any proposed separation of an employee as a result of discipline must be approved by Human Resources and the General Manager in advance of any action taken, and be the **result of a Skelly hearing and post-Skelly determination**.

**PERSONNEL ACTION FORM PROCESSING PROCEDURE/STEPS:**

- |   |   |
|---|---|
| <del>Manager</del> <u>Department Head</u> | 1. Coordinates with Human Resources on non-routine PAFs impacting an employee's work history including denial of merit increase, disciplinary action, leave of absence, or transfer.  |
| Human Resources                           | 2. Initiates routine PAFs related to an employee's work history including merit increase and promotions following a District recruitment and selection process.   |
|   | 3. Coordinates with <del>Manager</del> <u>Department Head</u> on proposed non-routine PAFs impacting an employee's work history.  |
|   | 4. Provides guidance related to District Personnel Rules and Regulations, Memorandum of Understanding, and in consideration of past practices   |
|   | 5. Discusses non-routine actions with General Manager; makes recommendation and obtains approval to proceed.  |
|   | 6. Communicates with <del>Manager</del> <u>Department Head</u> and shares the direction from General Manager.   |
| <del>Manager</del> <u>Department Head</u> | 7. Prepares PAF and attaches all additional required documentation; submits to Human Resources for approvals and processing.  |
| Human Resources                           | 8. Reviews PAF for compliance with District Personnel Rules and Regulations, Memorandum of Understanding, and in consideration of past practices. <u>Assures compliance with budget.</u> Approves all routine PAFs for further processing; recommends approval to General Manager for non-routine processing. |
| General Manager                           | 9. Approves non-routine PAFs.   |
| Human Resources                           | 10. Enters data from PAFs into the Personnel/Finance system to effectuate any changes to compensation and to record dates of various actions.   |

Finance/Payroll

11. Receives PAF and reviews/verifies data entered into Personnel Finance system; identifies any inconsistencies to be addressed and resolved with Human Resources; processes PAF in accordance with approvals.

**Forms:**

Personnel Action Form  
Leave of Absence Form



# BEAUMONT-CHERRY VALLEY WATER DISTRICT PERSONNEL ACTION FORM

NAME – LAST		FIRST	MIDDLE	SOCIAL SECURITY NUMBER XXX-XX-	DATE OF BIRTH
ADDRESS – STREET		CITY	ZIP CODE		DATE OF HIRE
EMPLOYEE ID No.			EFFECTIVE DATE OF ACTION		DATE OF LAST MERIT INCREASE

## TYPE OF ACTION TAKEN

(Check all that apply)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Add Concurrent Assignment  | <input type="checkbox"/> Layoff  | <input type="checkbox"/> Rehire                       |
| <input type="checkbox"/> Adjustment to Anniversary Date                                       | <input type="checkbox"/> Leave of Absence up to 90 days                  | <input type="checkbox"/> Relieving from Duty with Pay |
| <input type="checkbox"/> Appointment  | <input type="checkbox"/> Leave of Absence greater than 90 days           | <input type="checkbox"/> Resignation                  |
| <input type="checkbox"/> Change Budget Allocation Number                                      | <input type="checkbox"/> Long Term Disability                            | <input type="checkbox"/> Retirement                   |
| <input type="checkbox"/> Change of Status   | <input type="checkbox"/> Merit Increase/Completed Performance Evaluation | <input type="checkbox"/> Return from Leave of Absence |
| <input type="checkbox"/> Employee Information Change:   | <input type="checkbox"/> Promotion                                       | <input type="checkbox"/> Sick Leave Accrual/Part Time |
| <input type="checkbox"/> Name <input type="checkbox"/> Address <input type="checkbox"/> Phone | <input type="checkbox"/> Provisional Appointment                         | <input type="checkbox"/> Suspension                   |
| <input type="checkbox"/> End of Concurrent Assignment   | <input type="checkbox"/> Reclassification                                | <input type="checkbox"/> Termination                  |
| <input type="checkbox"/> End of Probation (6 mths)  | <input type="checkbox"/> Reduction in Salary                             | <input type="checkbox"/> Other _____                  |
| <input type="checkbox"/> End of Temporary Work  | <input type="checkbox"/> Rejection of Probationary Appointment           | <input type="checkbox"/> New Hire                     |

Remarks:

\*Please indicate who employee is replacing: \_\_\_\_\_

DESCRIPTION	PRESENT	PROPOSED
DEPARTMENT/DIVISION		
POSITION TITLE		
**STATUS		
COMPENSATION	\$	\$
% / STEP		
BUDGET No.		

Department Manager \_\_\_\_\_ Date \_\_\_\_\_

Director of Administrative Svcs/Risk Management \_\_\_\_\_ Date \_\_\_\_\_

Department Director \_\_\_\_\_ Date \_\_\_\_\_

General Manager \_\_\_\_\_ Date \_\_\_\_\_

Employee File Updated \_\_\_\_\_ Date \_\_\_\_\_



BEAUMONT-CHERRY VALLEY WATER DISTRICT

# ABSENCE REQUEST FORM

Employee Name \_\_\_\_\_

Employee Number \_\_\_\_\_ Department \_\_\_\_\_

Supervisor \_\_\_\_\_

**TYPE OF ABSENCE:**

- Sick     Vacation     Bereavement (Family member relationship \_\_\_\_\_)
- Administrative     Jury Duty     FMLA / CRFA / Baby Bonding     Other
- Time Off Without Pay     Request for Leave of Absence

Absent from (WORK DATE FIRST ABSENT) \_\_\_\_\_

To (DATE RETURNING TO WORK) \_\_\_\_\_

Total number of hours off work: \_\_\_\_\_

Explanation / Reason for absence:

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Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

**MANAGER APPROVAL**

- APPROVED**     **REJECTED**

COMMENTS:

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Manager Signature \_\_\_\_\_

Date \_\_\_\_\_

**BEAUMONT-CHERRY VALLEY WATER DISTRICT**

**SUBJECT:** RECRUITMENT/SELECTION AND ON-BOARDING POLICY AND PROCEDURE  
VERSION 2 – INCL. COMMENTS FROM 5/20/19 PERSONNEL COM

**PURPOSE:**

To provide a fair and impartial system that will attract a diverse and highly qualified applicant pool for position vacancies, and to ensure that all positions are filled in a fair and equitable manner consistent with merit principles.

**POLICY:**

**1. Recruiting for Personnel**

The District is an "Equal Opportunity Employer" and all aspects of the recruitment and selection process shall occur without regard to race, religion, color, national origin, ancestry, age, disability, medical condition, marital status, sex, gender including gender identity, or sexual orientation. Recruitments shall be carried out in accordance with merit principles. The District encourages promotion from within and recommends consideration of internal candidates first. All tests shall be carried out in accordance with merit principles and in compliance with applicable State and Federal laws/regulations.

The District shall make every effort to provide the means by which interested and qualified candidates shall be made aware of employment opportunities. Job opportunities shall be posted on the District's website and shall specify pertinent data such as a brief description of the essential job functions, the minimum and/or special requirements, compensation, and any recruiting deadlines. Completed on-line applications must be received by Human Resources no later than the time and date indicated on the job announcement.

The ~~Hiring Manager~~Department Head shall assist Human Resources by developing and maintaining effective recruitment sources to ensure a successful recruitment outreach approach. Other means of communicating the opening to the public may be used, such as the use of professional or trade journal advertising, local and regional association newsletters, special mailing lists, professional websites, social media websites, online job listings, and/or personalized letters and phone calls as well as on-site recruiting at career fairs and other identified venues. All advertising will be placed by Human Resources with costs funded by the ~~hiring~~-department making the hire.

**2. Selection**

Human Resources shall, after consulting with the ~~Hiring Manager~~Department Head, determine the appropriate means of examining applicants and shall administer and/or coordinate the process. All parts of any testing procedure shall be conducted in accordance with accepted merit principles, EEOC guidelines and employee selection, and applicable Federal and State law, and only as authorized by ~~the~~ Human Resources. Human Resources shall determine the

content and combinations of tests ~~is~~ also be used, the weights assigned each test, and the passing point or qualifying score.

Steps in the selection process may include any of the following:

- a. Screening of employment applications for minimum qualifications.
- b. Further screening of applications and/or supplemental questionnaires or documents for “highly desirable” job-related qualifications to further screen down the candidate pool.
- c. Administration of a job related written examination.
- d. Administration of a job related oral examination.
- e. Administration of a job related performance examination.
- f. Interview of candidates.
- g. Coordination of an appropriate medical screening or examination after a job offer has been made.
- h. Investigation of reference checks of individual candidates.
- i. Investigation of criminal background information of individual candidates after a job offer has been made.

Human Resources may call upon subject matter experts from within or outside District employment for assistance in developing and/or administering any of the testing procedures and in serving as raters. Consideration in determining the appropriate selection device shall include cost to the District and candidates, time restraints, legality of the process and practicality.

### **3. Eligibility**

Human Resources shall determine, based upon the results of the selection process, which candidates shall be placed on the eligibility list. These lists shall also include 1) the names of candidates qualifying for reinstatement rights; and 2) candidates placed on the list by Human Resources for purposes of alternate work due to disability. Eligibility lists may be established for a predetermined period of time; however the ~~Director of Finance and Administrative Services~~ Human Resources and Department Head may terminate or extend the list when circumstances dictate. Typically, lists remain active for six (6) months.

### **4. CertificationCandidate Eligibility**

~~Certification of e~~Eligible candidates shall be identified from the top candidates based on a review of rankings from the eligibility list. A screening of the training and experience qualification-s of the affected candidates may be conducted by Human Resources to determine the best qualified. The candidates possessing the most suitable job qualifications and characteristics shall be referred. The ~~names of~~ candidates placed on the ~~edibility-eligibility~~ list as a result of reinstatement rights, or alternate work due to disability, shall also be ~~certified~~eligible.

The District encourages promotion from within and recommends consideration of internal candidates first. ~~For internal promotions, the list of candidates shall be a least three (3) who meet minimum qualifications. The Director of Finance and Administrative Services may recommend to the General Manager an exception to this rule, when less than three candidates are eligible.~~

Candidates shall be ranked on the eligibility list according to examination score. If no test has been administered, the eligibility list will be provided to the ~~Hiring Manager~~Department Head in alphabetical order.



In the event that a ~~Hiring Manager~~Department Head rejects ~~a certification~~an eligible candidate, a formal written request for additional ~~certification~~qualification must be made and reason provided for the rejection of each ~~certified~~ candidate. Human Resources reserves the right to accept or reject this request.

Names shall be removed from the eligible list after appointment, or at the end of the eligibility period. Names shall be removed from the promotional eligible lists upon termination of the employee's services from District.

Human Resources may remove names of any person who:

- a. Fails to appear without prior notice for any job interview for which they have been appropriately notified.
- b. Who has refused to be interviewed twice; who has not responded to Human Resources inquiries via email or current address.
- c. Who is unable to produce or obtain the required license or related special requirement.
- d. Who has falsified their application; or other job related reasons determined appropriate by Human Resources in conjunction with the ~~Director of Finance and Administrative Services.~~Department Head.

## 5. On-Boarding

Upon completion of the selection process and approval by the General Manager to proceed with the finalist candidate, Human Resources shall prepare the conditional offer letter in coordination with the ~~Hiring Manager~~Department Head. Upon acceptance from the finalist candidate, Human Resources shall schedule the candidate (s) for a regular, full-time position for an appropriate medical exam to include drug screening for safety-sensitive <sup>[KL(1)]</sup> positions; and for a live scan. Human Resources shall coordinate the on-boarding process using the prescribed On-Boarding Checklist and ensure that all documents are received and processed. The ~~Hiring Manager~~Department Head shall complete the departmental orientation/on-boarding process.

## RECRUITMENT/SELECTION PROCEDURE/STEPS: <sup>[GE(2)]</sup>

- |  |  |
|--|--|
| <del>Hiring Manager</del> <u>Department Head</u> | 1. Submits a Personnel Requisition Form to Human Resources specifying whether the recruitment will be internal (promotional) or open to both internal and external applicants and specifies any special conditions of employment, consistent with the job description. |
| Human Resources                                  | 2. Checks position control and verifies position vacancy, budgeting and authorization.   |
|  | 3. Obtains approval from the General Manager to proceed with filling the vacancy.  |

4. Communicates with ~~Hiring Manager~~Department Head upon approval or denial of the requisition.

Human Resources

5. Determines if a current eligibility list exists for the position requested; contacts the ~~Hiring Manager~~Department Head to review applications from the existing list.

**OR**

6. Administers and coordinates the recruitment process working closely with the ~~Hiring Manager~~Department Head, if a current eligibility list does not exist.

7. Initiates meeting with ~~Hiring Manager~~Department Head to develop a comprehensive recruitment plan to include the outreach strategy, exam plan to assess competencies, and timeline.

~~Hiring Manager~~Department Head

8. Maintains and provides recommendations on effective recruitment sources to ensure a successful recruitment outreach approach.

Human Resources

9. Develops the job announcement and advertising; provides to ~~Hiring Manager~~Department Head for review and approval.

~~Hiring Manager~~Department Head

10. Reviews job announcement and advertising, and provides feedback to Human Resources.

Human Resources

11. Finalizes job announcement and advertising; proceeds with opening the job opportunity and submitting advertising to agreed upon sources, and any other means of outreach.

12. Posts the opportunity on the District's website; announces the employment opportunity internally via email to all

employees; posts the announcement on internal bulletin boards for both Office and Field.

13. Receives employment applications, supplemental questionnaires, and related materials from candidates through the closing date.

Human Resources/  
~~Hiring Manager~~Department Head

14. Reviews employment applications to determine whether the applicant meets the minimum qualifications of the position.

Human Resources

15. Notifies unsuccessful applicants at each step of the pre-certification selection process.

Human Resources/  
~~Hiring Manager~~Department Head

16. Determines appropriate means of testing candidates and consistent with recruitment plan.

Human Resources/  
~~Hiring Manager~~Department Head

17. Develops or procures appropriate exams as needed.

~~Hiring Manager~~Department Head

18. Assists Human Resources in identifying subject matter experts from other agencies to participate in the testing process, as needed.

Human Resources/  
~~Hiring Manager~~Department Head

19. Administers and scores exams as needed.

Human Resources

20. Determines final cut-off scores for examination process.

21. Establishes an eligibility list and notifies candidates accordingly.

22. Certifies list of most highly qualified candidates to ~~Hiring Manager~~Department Head.

23. Coordinates with ~~Hiring Manager~~Department Head in scheduling interviews, and interviewing candidates.

~~Hiring Manager~~Department Head

24. Assists Human Resources in identifying subject matter experts from other agencies to participate in the evaluation of candidates in the interview process.

25. Recommends final selection and proposed salary placement in writing to the Director of Finance and Administrative Services, and General Manager for approval.

Human Resources

26. Obtains General Manager and Director of Finance and Administrative Services approval for the recommended candidate.

27. Communicates approval or denial to the ~~Hiring Manager~~Department Head.

~~Hiring Manager~~Department Head

28. Conducts reference checking on finalist candidate contacting prior employers to verify employment, length of service, duties, and performance, and using established Reference Checking Form for each employer contacted. Obtains copy of driving record, for driving positions.

29. Obtains copies of educational diplomas, degrees, and/or certificates consistent with the requirements of the position from finalist candidate.

30. Submits all interview materials and Reference Check Forms to the Director of Finance and Administrative Services for the finalist.

Human Resources

31. Notifies candidates not selected.

32. Proceeds with Pre-employment Processing.

**ON-BOARDING PROCEDURE/STEPS:**

~~Hiring Manager~~Department Head

1. Coordinates the details of the job offer with Human Resources.

- |  |  |
|--|--|
| Human Resources                                  | 2. Prepares the Offer Letter and sends to the finalist candidate. [GE(3)]  |
| <del>Hiring Manager</del> <u>Department Head</u> | 3. Submits the Personnel Action Form (PAF) along with the Employment Application, Reference Checking Forms, and copies of the driving record (if required), diplomas, degrees and/or certifications to Human Resources.  |
| Human Resources                                  | <p>4. Contacts the finalist candidate to schedule 1) a Pre-Employment Physical and 2) Criminal Background Check.</p> <p>5. Receives Medical Clearance and retains in Confidential Medical File; initiates the Interactive Process to determine whether accommodations can be made based upon any limitations found in the medical report.</p> <p>6. Receives the Criminal Background Check results and evaluates any potential conflicts found in the criminal history with potential employment with the District, and reviews any such conflicts with legal counsel.</p> <p>7. Contacts the finalist candidate to schedule the On-Boarding Appointment and to advise candidate to bring the following items to the appointment:</p> <ul style="list-style-type: none"> <li>• SS Card or Passport, and Driver's License (Identity for I-9)</li> <li>• Bank Account Information/Check with Routing Info for Direct Deposit</li> <li>• Beneficiaries Name, Address, Phone # and SS#</li> <li>• Primary Physician and Chiropractor Information (Optional) for Pre-designation</li> <li>• Dependent Verification e.g. Marriage Certificate, Birth Certificates for Children</li> <li>• Work Permit (for minors under age 18)</li> </ul> <p>8. Establishes the start date, in coordination with the finalist candidate and the <del>Hiring Manager</del> <u>Department Head</u>.</p> |

- |  |     |  |
|--|-----|--|
|  | 9.  | Assembles the On-Boarding packet of materials.   |
|  | 10. | Conducts the On-Boarding appointment and provides all mandated forms and policies in accordance with the On-Boarding Checklist.  |
|  | 11. | Provides a copy of the New Hire Checklist to the <del>Hiring Manager</del> <u>Department Head</u> to complete the departmental orientation.  |
| <del>Hiring Manager</del> <u>Department Head</u> | 12. | Conducts the departmental orientation and submits signed On-Boarding Checklist to Human Resources upon completion, within the first two-days of the start date.  |
| Human Resources                                  | 13. | Establishes the new employee files to include a General File, and Confidential Medical File.   |
| <del>Hiring Manager</del> <u>Department Head</u> | 14. | Establishes a departmental file to include only copies of documents maintained in the official personnel file maintained by Human Resources. No other documents may be stored in the departmental file that are not maintained by Human Resources. |
| Human Resources                                  | 15. | Enrolls the new employee in all elected and mandatory benefits.  |
| <del>Hiring Manager</del> <u>Department Head</u> | 16. | Contacts IT to set up the employee's email, computer access, phone accounts, and all other system access and levels.   |
| Information Technology                           | 17. | Sets up the new employee's technology access as defined by the <del>Hiring Manager</del> <u>Department Head</u> .  |
| Human Resources                                  | 18. | Reports the hiring of a new employee to EDD online (DE 34).  |
|  | 19. | Performs the initial set-up of the new employee into the District's personnel/payroll system (employee's name to match Social Security card exactly), including enrollment in CalPERS.   |
| <del>Hiring Manager</del> <u>Department Head</u> | 20. | Issues all supplies, keys, uniforms, technology assets, and documents items issued on the District's approved form.  |

Human Resources

21. Schedules the new employee for Sexual Harassment Prevention Training on-line. New supervisory employees shall be scheduled for a minimum of a two-hour session, and non-supervisory employees shall be scheduled for a one-hour session, to be repeated once every two years thereafter.
22. Enrolls the new employee in the random drug testing program, if hired into a safety sensitive position.
23. Enrolls the new employee in the DMV pull notice program.
24. Ensures the Form 700- Entry into Office - is completed by the new employee, if new employee is hired into a designated position and submits to Administration for processing.

Administration

25. Processes the Form 700-Entry into Office.

Payroll

26. Verifies and processes all payroll and benefit enrollment forms for the new employee and sets up deduction codes, contribution codes, and accruals as required.

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**Forms:**

Personnel Requisition (Future Development)

New Hire On-Boarding Process/Checklist (Included)

Reference Checking Form (Future Development)

Conditional Offer Letter Template (Future Development)

Position Analysis for Drug Testing Form (Future Development)

Personnel Action Form

Revised 1-7-19

**BEAUMONT-CHERRY VALLEY WATER DISTRICT  
NEW HIRE ON-BOARDING PROCESS/CHECKLIST**

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

Job Classification: \_\_\_\_\_

- At-Will Status
- Probationary/Regular Status

**ON-BOARDING CHECKLIST – HUMAN RESOURCES**

**PERSONNEL DOCUMENTS SUBMITTED BY DEPARTMENT**

- Personnel Action Form for New Hire
- Employment Application/Resume
- Copies of Degrees, Diplomas, Certifications
- Reference Checking Documents
- Driving Record (for driving positions)
- Criminal Background Check

**PERSONNEL DOCUMENTS**

- Pre-Employment Physical
- Loyalty Oath
- Employee Emergency Information Form
- At-Will Acknowledgement Form
- Employment Agreement (for At-Will positions)
- Ethnic & Gender Designation (Voluntary)
- I-9 Documentation
- DMV Authorization for Release (EPN)
- Form 700 (if applicable)
- Work Permit (if a minor)
- Nepotism Disclosure
- HIPPA/Confidentiality Agreement (if applicable)
- ID Badge



## **PAYROLL DOCUMENTS**

- [ ] W-4 (Federal)
- [ ] DE4 (State)
- [ ] Direct Deposit & Electronic Funds Transfer
- [ ] Payroll Schedule, Pay Periods, and Pay Days
- [ ] Social Security – Windfall Elimination/Government Pension Offset Notice
- [ ] Final Payroll Check Beneficiary

## **BENEFIT DOCUMENTS**

- [ ] Over-all Benefit Summary Sheet
- [ ] CalPERS Retirement Information Booklet
- [ ] CalPERS Member Reciprocal Self-Certification Form
- [ ] CalPERS Notification of Military Service Credit Purchase – A Guide to Your CalPERS Military Service Credit Option
- [ ] CalPERS AESD-59 Form for Elected Officials (Optional Enrollment)
- [ ] CalPERS Health Insurance Enrollment Form and Rate Information
- [ ] Health Insurance Opt Out Option and Waiver
- [ ] Notice to Employees Re: Covered California (ACA Requirement)
- [ ] Dental Insurance Enrollment Form, Brochure and Rate Sheet (MetLife and Western Dental)
- [ ] Life Insurance Enrollment Form, Brochure and Rate Sheet (Standard Life)
- [ ] AFLAC Supplemental Insurance Enrollment Form, Brochure and Rate Sheet
- [ ] Employee Assistance Program Brochure
- [ ] Flexible Benefit Plan Brochure and Enrollment Form
- [ ] Deferred Compensation Brochure and Enrollment Form
- [ ] Deferred Compensation Plan Rollover Contribution Form (Optional)
- [ ] Deferred Compensation Plan Beneficiary Form (Optional)
- [ ] Workers' Compensation Brochure (Facts about Workers' Compensation)
- [ ] Workers' Compensation Pre-Designation Form for Personal Physician
- [ ] Workers' Compensation Pre-Designation Form for Personal Chiropractor or Acupuncturist
- [ ] EDD State Disability Brochure
- [ ] EDD State Paid Family Leave Brochure
- [ ] COBRA Initial Notice
- [ ] Unemployment Insurance Information (EDD Fact Sheet)
- [ ] Notice of Sick Leave (Healthy Families Healthy Workplace Act 2014)
- [ ] Notice to Employees Pursuant to AB 2337 Regarding the Rights of Victims of Domestic Violence, Sexual Assault or Stalking in the Workplace

## **POLICIES AND PROCEDURES**

- [ ] Policies and Procedures Manual and Signed Acknowledgement
- [ ] Information Technology Policy and Signed Acknowledgement
- [ ] Smoking Policy & Government Code Section
- [ ] Random Drug Testing Policy and Signed Acknowledgement (Safety Sensitive Positions)
- [ ] Drug Free Workplace Policy and Signed Acknowledgement
- [ ] Ethics Policy and Signed Acknowledgement

- FMLA Policy and Signed Acknowledgement
- Fraud Policy and Signed Acknowledgement
- Harassment in Employment Policy and Signed Acknowledgement
- Injury and Illness Prevention Plan and Signed Acknowledgement
- Violence in the Workplace Policy and Signed Acknowledgement
- Memorandum of Understanding/~~Agency Shop Agreement~~ (if applicable)
- District Calendar
- District Holidays

I verify that all of the above have been discussed with the employee:

\_\_\_\_\_  
**Human Resources Representative**

\_\_\_\_\_  
**Date**

I verify that all of the above has been discussed with me, and that the above policies and procedures were received.

\_\_\_\_\_  
**Employee**

\_\_\_\_\_  
**Date**

**ON-BOARDING CHECKLIST – DEPARTMENTAL**

**Note: Bold items are mandatory. Mark “N/A” on any non-applicable items.**

- Safety Rules/Injury or Accident Reporting**
  - Issuance of Keys, Uniforms, Tools and/or Equipment and Completion of Form
  - ID Badge – (Department to inform IT of access level)
  - Email Address and Systems Access – (Department to inform IT)
  - Hours of work and Overtime
  - Reporting of hours, tardiness, absences, lunch and breaks
  - Uniforms and clothing/dress standards
  - Facilities (restrooms, supplies, lockers, lounges)
  - Fire Evacuation/Disaster Plan**
  - Organization of the District/Department and over-view of functions
  - Employees Job – Class Specification (provide copy to employee and attach copy)
  - Departmental Rules/Regulations
  - Use and care of equipment
  - Department policy regarding personal use of telephones/computers/equipment
  - Confidentiality of department information
  - Other
- 
- 
- 

I verify that all of the above have been discussed with the employee:

\_\_\_\_\_  
**Supervisor/Manager**

\_\_\_\_\_  
**Date**

I verify that all of the above has been discussed with me, and that the above policies and procedures were received.

\_\_\_\_\_  
**Employee**

\_\_\_\_\_  
**Date**

**Please return to Human Resources when completed.**

File: Personnel File



**BEAUMONT-CHERRY VALLEY WATER DISTRICT  
CONDITIONAL OFFER OF EMPLOYMENT LETTER  
NON-EXEMPT REGULAR EMPLOYEE**

RE: CONDITIONAL OFFER OF EMPLOYMENT LETTER  
EMPLOYMENT FOR:  
**APPLICANT NAME – POSITION TITLE**

Dear Luz:

Congratulations! This letter serves to confirm Beaumont-Cherry Valley Water District's conditional offer of employment made to you for the position of **Name of Position**.

The **Name of Position** position being offered to you is a full-time, regular status, non-exempt (hourly) position. Salary placement will be at Step 1 of the Salary Range which is \$XX.XX per hour (\$X,XXX.XX per month, \$XX,XXX.XX annually).

Our conditional offer of employment is contingent upon your successful completion of the following requirements:

1. Completion of a satisfactory background check.
2. You must pass a Drug test.
3. Satisfactory reference checks.
4. You must pass a pre-employment medical examination.

Once the above contingencies are successfully completed, this job offer may also be contingent upon receipt of results of a satisfactory physical examination designed solely to determine your physical ability to perform the duties of the position being offered to you.

On your first day, you will be given an orientation by Human Resources. This orientation will include completing employment forms, reviewing fringe benefits, policies review (both Regular Policy and Information Technology), introduction to management and touring the premises. Please bring appropriate documentation for the completion of your new-hire forms, including proof that you are presently eligible to work in the United States for I-9 Form purposes. Failure to provide appropriate documentation within three days of hire will result in immediate

termination of employment in accordance with the terms of the Immigration Reform and Control Act.

Your regular employment starting date will be [Month Day, Year](#). To achieve "regular" status with Beaumont-Cherry Valley Water District, you must successfully complete a one-year (12 month) introductory period from date of hire.

You will be starting a (4/10) work schedule working the hours of 7:00 a.m. to 5:30 p.m. Monday through Thursday, with a 30-minute unpaid meal break. This work schedule is based on the operational needs of the Beaumont-Cherry Valley Water District and may be subject to change at any time as determined by the General Manager.

Regular employee benefits will become effective on the first of the month following your hire date. You and your family will be covered for health and it is mandatory to enroll in health coverage, unless proof of other health insurance coverage is provided. Employee life insurance is also provided. The District will review your entire benefit package with you during the on-boarding appointment.

The District participates in the CalPERS Retirement Plan. Please inform Human Resources during your upcoming appointment whether you have previously been enrolled in the CalPERS system.

I am glad to welcome you as a new employee of Beaumont-Cherry Valley Water District and look forward to your contributions to our District! Please sign and return the acknowledgement form below. For additional information, or to discuss additional details of the position or this letter, please contact Human Resource or the [Name Title of Supervisor](#) at (951) 845-9581, ext. #XXX.

*(Please take note this is a Conditional Offer of Employment based on the above contingencies, consideration should be taken before giving termination notice to your current employment).*

Sincerely,

---

Dan Jagers  
General Manager

cc: Human Resources

Attachments:

Job Announcement  
Job Description

**CONDITIONAL OFFER OF EMPLOYMENT  
ACKNOWLEDGEMENT FORM**

I, [Applicant Name](#), acknowledge that I have received, read, and understood, Beaumont-Cherry Valley Water District's Conditional Offer of Employment letter dated [Month Day, Year](#) and agree to the terms and conditions contained therein and that there are no other terms expressed or implied.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

All new employees must successfully complete an introductory period of one year from date of hire. This time frame allows both the District and the employee to determine whether continuing employment with the District is appropriate. During this period, your supervisor will evaluate your ability to perform the job and also schedule opportunities to meet with you as needed to discuss your overall performance. Employees successfully completing their introductory period become regular full-time employees of the District.

Employment with the District is at the mutual consent of the employee and the District and reflects the at-will nature of the employment relationship. Accordingly, the employee or the District can terminate the employment relationship at will, with or without cause at any time.

As a condition of continuing employment, you must maintain a valid California Driver's License and if necessary, you must acquire all necessary certifications within the allotted time-period, as designated on your job description, and discussed during your interview.

**PLEASE NOTE THAT THIS LETTER IS NOT INTENDED AS A CONTRACT AND SHOULD NOT BE VIEWED AS THE BASIS OF ANY CONTRACTUAL OBLIGATION OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT.**

All new employees are provided an orientation that will include meetings with their immediate supervisor and a tour of the District's facilities. There will also be a meeting with Human Resources to complete the necessary new-hire paperwork.

Since this is a formal confirmation of our conditional job offer for a regular full-time position [Title Name of Position](#), we would like you to give us a formal acceptance by countersigning and returning one of the original letters enclosed. The other letter is for your records.

It is a pleasure to have you join our team. Beaumont-Cherry Valley Water District is dedicated to excellence in customer service.

Sincerely,

General Manager

cc: Personnel File

## Pre-Employment Drug Screening - Analysis of Special Needs

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Date: \_\_\_\_\_ Completed by: \_\_\_\_\_

**The following “Special Needs” are identified that would require pre-employment drug testing for the above named candidate based on the position that the candidate will occupy and related duties and responsibilities:**

1. \_\_\_\_\_ Access to confidential information
2. \_\_\_\_\_ Access to financial information
3. \_\_\_\_\_ Prepare financial statements
4. \_\_\_\_\_ Authority to make expenditures
5. \_\_\_\_\_ Required to possess a commercial driver’s license
6. \_\_\_\_\_ Direct responsibility in loco parentis over children
7. \_\_\_\_\_ Performance of safety sensitive duties
8. \_\_\_\_\_ Performance of high risk duties
9. \_\_\_\_\_ Access to district-wide information systems
10. \_\_\_\_\_ Performance of fee collection duties
11. \_\_\_\_\_ Supervisory responsibility
12. \_\_\_\_\_ Represents the district in public meetings
13. \_\_\_\_\_ Enforcement of district codes and regulations
14. \_\_\_\_\_ Responsibility and maintenance of district’s surveillance systems
15. \_\_\_\_\_ Responsibility and key participant in district’s emergency operations center
16. \_\_\_\_\_ Responds to citizen requests for assistance
17. \_\_\_\_\_ Solicits and applies for grant funding on behalf of district
18. \_\_\_\_\_ Works with or serves as liaison to community groups and/or outside agencies
19. \_\_\_\_\_ Makes home visitations on behalf of district
20. \_\_\_\_\_ Makes presentations to schools on behalf of district
21. \_\_\_\_\_ Access to district’s computer network and server
22. \_\_\_\_\_ Responsible for identifying and/or reporting construction safety violations
23. \_\_\_\_\_ Responsibility for public safety
24. \_\_\_\_\_ Job requires the use of tools in a public area
25. \_\_\_\_\_ Works with chemicals



26. \_\_\_\_\_ Works around extremely valuable objects owned by or on loan to the district
27. \_\_\_\_\_ Required to testify in court
28. \_\_\_\_\_ Plans and/or coordinates civic engagements, as well as special events for district
29. \_\_\_\_\_ Responsible for the issuance of district permits
30. \_\_\_\_\_ Responsible for negotiating terms with vendors
31. \_\_\_\_\_ Serves as a district contact for news and media
32. \_\_\_\_\_ Performance of public relations activities
33. \_\_\_\_\_ Performance of design and construction of municipal facilities
34. \_\_\_\_\_ Performs preventative maintenance inspections and repairs mechanical defects on any district vehicles and machinery
35. \_\_\_\_\_ Performance related to dispensing of gasoline, diesel, and compressed natural gas.
36. \_\_\_\_\_ Performance of duties related to district water quality control and district wastewater systems
37. \_\_\_\_\_ Prepares compliance reports to governmental regulatory agencies
38. \_\_\_\_\_ Handles hazardous waste materials
39. \_\_\_\_\_ Handles criminal evidence
40. \_\_\_\_\_ Performance of sewer system maintenance
41. \_\_\_\_\_ Performs traffic control
42. \_\_\_\_\_ Operates forklifts and cranes
43. \_\_\_\_\_ Maintains and operates laboratory equipment
44. \_\_\_\_\_ Prepares documents that are considered public records
45. \_\_\_\_\_ Ensures contractors comply with district standards and the law
46. \_\_\_\_\_ Performance of first aid, CPR, and lifesaving duties
47. \_\_\_\_\_ Uses power tools and powder-actuated tools
48. \_\_\_\_\_ Handles mail
49. \_\_\_\_\_ Opens and closes district facilities, activates and deactivates facility alarm systems
50. \_\_\_\_\_ Serve as support staff to Boards and Commissions
51. \_\_\_\_\_ Distribute and reconcile petty cash
52. \_\_\_\_\_ Operates an aerial man lift vehicle and/or drives a truck and boom
53. \_\_\_\_\_ Administers written examinations to employment applicants
54. \_\_\_\_\_ Instructs/teaches specialized educational/recreational courses to the general public

22. VACATION

- A. **Application.** This policy shall apply to regular and introductory employees in all classifications.
- B. **Accrual.** Vacation shall be earned from date of hire. Paid vacations shall be accrued according to the following schedule on an annual basis:
  - i. One (1) through four (4) years of service, ~~ten (10) days~~ eighty (80) hours;
  - ii. Five (5) through fourteen (14) years of service, ~~fifteen (15) days~~ one hundred twenty (120) hours; ~~or~~
  - iii. Fifteen (15) years and more, ~~twenty (20) days~~ one hundred sixty (160) hours.
- C. **First Year.** An employee with less than five years seniority would receive ~~10 days~~ 80 hours vacation per year. The first year shall be prorated and accrued ~~at a rate of 5/6 of a day~~ per month commencing with the first full month of employment, and awarded after January 1 of the following year.
- D. **Non-accumulation Use of Vacation.** Employee shall be eligible to use vacation after it is accrued. If there is sufficient time in the remainder of the calendar year to take or reschedule a vacation, and an employee elects not to take or schedule his/her vacation, the District shall have the option of requiring the employee to take a vacation or purchase unused vacation at an employee's regular hourly rate of compensation. An employee is allowed to accrue vacation hours up to the maximum allowed explained below. Vacation buy-backs are scheduled on the first pay period in the month of December. Employees are allowed one (1) additional buy-back during the calendar year. Request is submitted to Payroll and will be reviewed and prepared by Human Resource. The purchase shall occur at the first pay period in the month of December.
  - i. Upon termination, employee shall be compensated for accrued unused vacation at their current pay rate.
  - ii. The District will not allow for accrual of vacation in excess of:
    - a. Non-Exempt Employees: one hundred twenty (120).  
The General Manger reserves the right to allow overages in special circumstances.
    - b. Exempt Employees:
      - (1) 1 – 5 service years                    260320 hrs.
      - (2) 6 – 15 service year                300360 hrs.
      - (3) 16 – 20 service years            350400 hrs.
      - (4) 21 + service years                380440 hrs.
- E. **Vacation Buy-Back.** For the additional buy-back during the year, employees who have been employed with the District for a minimum of one (1) year may elect to buy-back accrued, but unused, vacation hours. An employee may request to buy-

back a minimum of ten (10) hours. To purchase vacation hours, an employee must have a minimum remaining balance of forty (40) hours of vacation leave accrual after the purchase of said vacation hours for the calendar year. The employee will be compensated for such purchased vacation hours at the salary rate in effect for that employee at the time the hours are paid.

i. Vacation accruals for which the employee receives compensation will be deducted from the employee's accumulated total.

ii. All additional vacation buy-back requests during the year will be processed in the payroll cycle following the date the requests was approved.

~~D.~~

~~E.F.~~ **Sick Leave.** The District will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used. The District will not consider granting a leave of absence for medical reasons until all accumulated sick leave and vacation time have been used.

~~F.~~ **G. Scheduling.** Employee shall request use of vacation in a reasonable time in advance, preferably thirty (30) days, of the proposed vacation. Same day requests are discouraged, and will be considered on a case-by-case basis provided that District operations are not interrupted, and in emergency situations. Vacations shall be scheduled prior to March 15 and approved by April 1, or scheduled and approved thirty (30) days in advance of desired time provided that District operations are not interrupted, vacation will be scheduled in a first come first serve basis.

## PROPOSED VACATION POLICY

### 22. VACATION

- A. **Application.** This policy shall apply to regular and introductory employees in all classifications.
- B. **Accrual.** Vacation shall be earned from date of hire. Paid vacations shall be accrued according to the following schedule on an annual basis:
- i. One (1) through four (4) years of service, eighty (80) hours
  - ii. Five (5) through fourteen (14) years of service, one hundred twenty (120) hours
  - iii. Fifteen (15) years and more, one hundred sixty (160) hours.
- C. **First Year.** An employee with less than five years seniority would receive 80 hours vacation per year. The first year shall be prorated and accrued per month commencing with the first full month of employment, and awarded after January 1 of the following year.
- D. **Use of Vacation.** Employee shall be eligible to use vacation after it is accrued. If there is sufficient time in the remainder of the calendar year to take or reschedule a vacation, and an employee elects not to take or schedule his/her vacation, the District shall have the option of requiring the employee to take a vacation or purchase unused vacation at an employee's regular hourly rate of compensation. An employee is allowed to accrue vacation hours up to the maximum allowed explained below. Vacation buy-backs are scheduled on the first pay period in the month of December. Employees are allowed one (1) additional buy-back during the calendar year. Request is submitted to Payroll and will be reviewed and prepared by Human Resource.
- i. Upon termination, employee shall be compensated for accrued unused vacation at their current pay rate.
  - ii. The District will not allow for accrual of vacation in excess of:
    - a. Non-Exempt Employees: one hundred twenty (120).  
The General Manger reserves the right to allow overages in special circumstances.
    - b. Exempt Employees:

(1) 1 – 5 service years	260 hrs.
(2) 6 – 15 service year	300 hrs.
(3) 16 – 20 service years	350 hrs.
(4) 21 + service years	380 hrs.
- E. **Vacation Buy-Back.** For the additional buy-back during the year, employees who have been employed with the District for a minimum of one (1) year may elect to buy-back accrued, but unused, vacation hours. An employee may request to buy-back a minimum of ten (10) hours. To purchase vacation hours, an employee must have a minimum remaining balance of forty (40) hours of vacation leave accrual

after the purchase of said vacation hours for the calendar year. The employee will be compensated for such purchased vacation hours at the salary rate in effect for that employee at the time the hours are paid.

- i. Vacation accruals for which the employee receives compensation will be deducted from the employee's accumulated total.
  - ii. All additional vacation buy-back requests during the year will be processed in the payroll cycle following the date the request was approved.
- F. **Sick Leave.** The District will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used. The District will not consider granting a leave of absence for medical reasons until all accumulated sick leave and vacation time have been used.
- G. **Scheduling.** Employee shall request use of vacation in a reasonable time in advance, preferably thirty (30) days, of the proposed vacation. Same day requests are discouraged, and will be considered on a case-by-case basis provided that District operations are not interrupted, and in emergency situations.

**SUBJECT: EMPLOYEE LEAVE DONATION PROGRAM AND POLICY****PURPOSE:**

To establish a program to assist Beaumont-Cherry Valley Water District ("District") employees who have exhausted all earned paid time off caused by a catastrophic illness or injury, and a procedure in which employees may donate their own accrued sick and vacation leave to an eligible employee in need.

**POLICY:****A. Eligibility:**

1. Leave Donation Program hours are available to a full time, regular employee regular employee (working 30 or more hours per week) who has experienced a FMLA-qualifying personal (or eligible family member) "catastrophic catastrophic medical condition, illness or injury", which totally incapacitates the employee from work, and forces the employee to exhaust all leave time earned by that employee, resulting in a loss of compensation from the District and financial hardship for that employee.
2. "Eligible Family" members as defined by the Healthy Workplaces, Healthy Families Act of 2014 (HWHFA):
  - a. Child. A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
  - b. Parent. A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
  - c. Spouse. The term "spouse" is not defined in the legislation mandating kin care, but presumably applies only to an individual to whom the employee is legally married.
  - d. Registered domestic partner. A registered domestic partnership shall be established in California when both persons file a Declaration of Domestic Partnership and are registered with the Secretary of State.
3. Determination of a "catastrophic medical condition" shall be consistent with eligibility for leave under the Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA) and the California Pregnancy Disability Leave Act (CPDL). Conditions that are short-term in nature including, but not limited to, common illnesses such as influenza, measles, common injuries, broken bones, strained ligaments, uncomplicated pregnancy, and the like are not catastrophic. Chronic illnesses or injuries such as cancer, major surgery, unresponsive syndromes and the like, which result in intermittent absences from work and which are long-term in nature and require long recuperation periods may be considered catastrophic.
4. Recipient Employee must be on an approved Family, Medical and/or Pregnancy Disability leave including a medical certification from the treating medical provider that the catastrophic medical condition, illness or injury exists.

1. ~~that is expected to last a minimum of two (2) weeks (80 hours) and would not be fully covered by the employee's available sick leave and/or other vacation/paid time off.~~
5. ~~The Recipient Employee must have exhausted all earned paid leave including sick leave, vacation, and other available accrued time banks, before the employee may accept leave donations.~~  
~~In the instance where an illness or injury qualifies or may qualify an employee for State Workers' Compensation, the employee shall first make an application for Workers' Compensation benefits and then the employee's access to the Sick Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by the State Workers' Compensation benefits.~~
- 2.
6. ~~Recipient Employee must have passed his-/her introductory-probationary period.~~
7. ~~Before an employee is eligible to receive donated leave after having received donated leave from a previous occasion, he or she must have returned to work with the District and have worked a minimum of 12 consecutive months and minimum of 1250 hours during the months preceding the request.~~
- 3.
4. ~~At the time of request, there is no monitoring or disciplinary action for sick leave abuse.~~
5. ~~Recipient employee must be on approved FMLA leave including written verification that the catastrophic medical condition, illness or injury exists.~~
6. ~~Pregnancy is not considered a "catastrophic medical condition, illness or injury" and is not covered under this Sick Leave Donation Program.~~

B. Requesting Leave time dDonations:

1. ~~An Eligible employees, meeting the requirements stated above, must submit a request in writing- using the form provided by the District.~~

~~NOTE: If an employee's request for catastrophic time is approved, the notice announcing such approval shall not identify the medical condition necessitating the need for the time. Examples of acceptable statements include: "The employee is scheduled for surgery and will be absent from work approximately...", "The employee is undergoing medical treatments which are anticipated to last approximately..." "The employee has been excused from work for medical reasons and is anticipated to be absent for ..."~~

~~Examples of unacceptable statements include but are not limited to: "The employee was diagnosed with cancer and is undergoing treatments...", "The employee is suffering from kidney disease/ heart disease and will be absent...", "The employee is scheduled for gall bladder surgery, for prostate surgery," etc.~~

~~No employee may solicit donation of sick leave or vacation time from co-workers.~~

2. ~~Recipient employee shall agrees to accept the donated leave under the terms of this policy.~~
7. ~~Sick Leave Donation will not be approved if, based on the physician's certification and consideration of the employee's condition, the employee is not expected to return to District employment.~~

B. Definitions:

- i. "Catastrophic medical condition, illness or injury"  
A physician certified death eminent case or a medical condition, illness, or injury which is of an extraordinary or severe nature, which requires a physician's ongoing care, and which has caused, or is likely to cause, the employee to: (i) be incapacitated and unable to work in excess of five working days; or (ii) otherwise be required to terminate District employment due solely to the absence of any available leave. Pregnancy is not considered catastrophic.
- ii. Regular employee: An employee working more than 30 hours per week who is eligible to receive and use Sick Leave as defined in Personnel Policies and Procedures Manual Section 24.
- iii. Qualified Family Member: Includes the following qualified family members as defined by the Healthy Workplaces, Healthy Families Act of 2014 (HWHFA):
  - a. Child. A child, which for purposes of this article means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
  - b. Parent. A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
  - c. Spouse. The term "spouse" is not defined in the legislation mandating kin care, but presumably applies only to an individual to whom the employee is legally married.
  - d. Registered domestic partner. A registered domestic partnership shall be established in California when both persons file a Declaration of Domestic Partnership and are registered with the Secretary of State.
- iv. Family and Medical Leave Act of 1993: The FMLA was intended "to balance the demands of the workplace with the needs of families."<sup>[2]</sup> The Act allows eligible employees to take up to 12 workweeks of unpaid leave during any 12-month period to attend to the serious health condition of the employee. In order to be eligible for FMLA leave, an employee must have been at the place of employment at least 12 months, and worked at least 1,250 hours over the past 12 months. The FMLA covers both public and private sector employees, but certain categories of employees are excluded, including elected officials and their personal staff members." (Wikipedia)

C. Authorization

C.

1. Upon verification In the event that the an eligible employee meets the eligibility requirements as set forth in this policy, the Director of Finance and Administrative Services or his or her designee shall recommend may require the use of more sick leave than the sum of his/her accumulated sick leave and vacation time combined, thereby entering into a "no pay" status because of the extended illness or injury, then the General Manager that the request for Leave Donation be is authorized approved; similarly requests that are found to not meet eligibility requirements shall be recommended for denial.
  - i. to accept and consider a Request for Sick Leave Donation.
    - ii. The General Manager shall serve as the final may appoint a committee of three (3) members to evaluate the request for Sick Leave Donation, but retains final decision-making authority.
- 2.



- iii. ~~The following may be considered when determining whether to approve a catastrophic time bank request:~~
  - a. ~~The nature of the medical condition, illness or injury;~~
  - b. ~~Any history of excessive use of sick leave by the employee requesting leave or a pattern of abuse of sick leave;~~
  - c. ~~The likelihood that the employee will be medically able to return to work;~~
  - d. ~~Such other factors as may be relevant to evaluation of the request.~~
- iv. ~~As with all sick leave, abuse and misuse of donated sick leave is grounds for disciplinary action, up to and including discharge. The employee is required to keep the employer informed of any changes in medical status and/or limitations. The employer has the right at any time to require the employee to provide certification from a physician attesting to such medical condition, illness or injury.~~
- 3. ~~A decision on approval or denial of the Sick Leave Donation request shall~~ will be made within eight (8) working days of receipt of a complete request.
- v. ~~If the reviewing authority denies the Sick Leave Donation Request, the Recipient Employee shall~~ must be notified in writing of approval. If the Leave Donation request is denied, Recipient Employee shall also be notified in writing ~~such denial in writing~~ including the ~~The denial notification must include the reason for denial.~~
- 4. Denial cannot be appealed or grieved.

D. Notice to Recipient Employee

- 1. Upon approval of the Leave Donation request, a notice to all District employees shall be prepared by the Director of Finance and Administrative Services, or designee, using the District's prescribed form, and distributed via email and on District bulletin boards using the District's standardized form for this purpose.
- 2. Personal medical information shall not be disclosed including the requesting Recipient Employee's condition, diagnosis, and/or prognosis. The notice shall include the employee's name, department, and the process in which to donate.

E. Donations to Recipient Employee

- 1. Once a Leave Donation request has been approved, the Director of Finance and Administrative Services, or designee, shall establish a leave donation account for Recipient Employee and tracking system for the receipt and usage of donations.
- 2. All employee donations made to the Recipient Employee shall remain confidential.
- 3. Employees shall solely determine whether to voluntarily participate in making leave donations, without influence from the District, or its employees, supervisors or managers on whether or not to participate.
- 4. Donations may be made in increments of one (1) hour.
- 5. Employees who wish to donate to Recipient Employee may choose to donate time from their sick leave or vacation leave bank, and must maintain a minimum balance of 40 hours in the leave bank(s) selected.

6. Employees are limited to donating a maximum of 40 hours per calendar year per Recipient Employee, and may donate to more than one Recipient Employee in the same calendar year, provided that the donating employee retains the minimum required leave balance as stated above.

vi. The value of donated leave time shall be determined based on the donor's regular pay rate, and then converted to the Recipient Employee's regular pay rate to the nearest half (0.5) hour to determine the number of leave hours donated.

7. Value. All donations will be based on the hourly dollar value of the donation. This will be based on the hourly pay rate of the employee donating.

vii. Example:

Paul earns \$40 per hour and wants to donate 8 hours of sick time to Jane, who earns \$20 per hour. The value of Paul's 8 hours is \$320, which would equate to 16 hours of sick leave donation for Jane. Similarly, if Jane donated to Paul, the value of her 8 hours is \$160, which would equate to 4 hours of sick leave donation for Paul.

viii.

D. State Worker's Compensation / Sick Leave

~~In the instance where an illness or injury qualifies or may qualify an employee for State Workers' Compensation, the employee shall first make an application for Workers' Compensation benefits and then the employee's access to the Sick Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by the State Workers' Compensation benefits.~~

F. Use of Sick Leave Donation

E. Only the approved Recipient Employee may receive donated hours, and such donated hours may not be transferred by Recipient Employee or by donors to other employees.

1.

2. The Recipient Employee's account shall be administered so that hours will be used only as needed and in the order donated. Donated hours shall reflect as a negative adjustment to the donor's accrual balance during the pay period in which they are utilized and not immediately upon submittal of the leave donation form.

3. Recipient Employee must follow all District required Family and Medical FMLA Leave procedures including keeping the District informed of any changes in medical status and/or limitations consistent with District Policy and FMLA/CFRA/CPDL regulations.

i.

4. Recipient Employee must apply for any paid leave or benefit programs for which he/she is eligible, including State Disability Insurance (SDI), Paid Family Leave (PFL) and/or other benefit programs, and then the employee's access to the Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by such programs. Recipient Employee shall present official documentation of such compensation received to the Director of Finance and Administrative Services, or designee, during the catastrophic illness, and while receiving donated leave.

5. In the instance where a catastrophic illness or injury qualifies or may qualify an employee for State Workers' Compensation, the employee shall first make an application for Workers' Compensation benefits and then the employee's access to the Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by the State Workers' Compensation benefits.

~~ii. Recipient Employee is limited to a maximum total~~

~~iii. Recipient Employee must keep the Human Resources Coordinator regularly informed including written certification from a physician.~~

~~6. The maximum total lifetime/ life-time donation of sick leave is the greater of 680 hours or 68 sick days).~~

~~iv.~~

~~1. If the Recipient Employee separates from BCVWD employment due to termination, retirement, disability, etc. any remaining donated sick leave will be returned to the donor per the policy outlined below.~~

~~7. As with all sick leave, abuse and misuse of donated sick leave is grounds for disciplinary action, up to and including discharge/termination.~~

~~✖~~

~~F.A. Requesting time donations.~~

~~i. Eligible employees must submit a request in writing using the form provided by the District.~~

~~ii.i. NOTE: If an employee's request for catastrophic time is approved, the notice announcing such approval shall not identify the medical condition necessitating the need for the time. Examples of acceptable statements include: "The employee is scheduled for surgery and will be absent from work approximately...", "The employee is undergoing medical treatments which are anticipated to last approximately...", "The employee has been excused from work for medical reasons and is anticipated to be absent for..."~~

~~iii.i. Examples of **unacceptable** statements include but are not limited to: "The employee was diagnosed with cancer and is undergoing treatments...", "The employee is suffering from kidney disease/ heart disease and will be absent...", "The employee is scheduled for gall bladder surgery, for prostate surgery," etc.~~

~~iv.i. No employee may solicit donation of sick leave or vacation time from co workers.~~

~~v. Recipient employee agrees to accept the donated leave under the terms of this policy.~~

~~G. Notice. Upon approval of the Sick Leave Donation Request, a notice to all District employees will be promulgated via email and on District bulletin boards.~~

~~i. A Catastrophic Time Bank (CTB) notice must contain the following information:~~

~~a. Employee name and classification.~~

~~b. A general statement regarding the need for leave donations.~~

~~i. Examples of acceptable statements include: "The employee is scheduled for surgery and will be absent from work approximately...", "The employee is undergoing medical treatments which are anticipated to last approximately...", "The employee has been excused from work for medical reasons and is anticipated to be absent for..."~~

~~ii. Examples of **unacceptable** statements include but are not limited to: "The employee was diagnosed with cancer and is undergoing treatments...", "The employee is suffering from kidney disease/ heart disease and will be absent...", "The employee is scheduled for gall bladder surgery, for prostate surgery," etc.~~

~~c. Dates of absence and date when leave credits will be exhausted.~~

- d. ~~Anticipated length of absence.~~
- e. ~~From whom the Recipient Employee can receive leave credits.~~
- f. ~~Brief description regarding how to donate leave credits, e.g. what form to use and where it can be found; where to send the form.~~
- g. ~~Name of the staff person to receive all donation forms.~~
- h. ~~Name and phone number of person employees may contact for questions.~~
- i. ~~The following statement: *The approval of the Sick Leave Donation Request is in no way to be construed as departmental acceptance or agreement that the illness/injury is work related.*~~

H. ~~Denial:~~

- i. ~~If the reviewing authority denies the Sick Leave Donation Request, the employee must be notified of such denial in writing. The denial notification must include the reason for denial.~~
- ii. ~~Denial cannot be appealed or grieved.~~

I. ~~Donations to the impacted employee:~~

- i. ~~Once a Sick Leave Donation Request has been approved, the Director of Finance and Administrative Services shall take action to begin the donation process and ensure individual employee decisions to donate or not to donate to the program are kept confidential and employees are not pressured to participate.~~
- ii. ~~The donation program will be established on behalf of the Recipient Employee and will be administered through the Payroll Department.~~
- iii. ~~Donations may be made in increments of one (1) hour.~~
- iv. ~~Employees who wish to donate must maintain a minimum balance of 40 hours in their own sick leave bank.~~
- v. ~~The maximum donation is 40 hours per calendar year, per employee.~~
- vi. ~~Donations may be made of sick leave or vacation hours.~~

G. Residual Sick Leave Donations Credits

~~J.~~

1. ~~The donation of Sick Leave is not intended to result in the Recipient Employee having a residual leave balance credits after the catastrophic event is over.~~

~~i.~~ ~~Any leave donations not used by the credited to the Recipient Employee's leave record will shall be returned to the donor(s) based on the order in which the hours were donated and used.~~

~~ii.~~ ~~This includes leave credits that are later determined to be unnecessary because a Workers' Compensation claim was approved for the employee.~~

~~iii.~~ ~~In such cases, all leave credits restored because of the approved workers' compensation claim are to be returned to the donor(s) based on the order in which they were donated and used.~~

2. ~~Donors shall will be notified that the time they pledged was not needed by the Recipient Employee and is being credited back to their own leave bank.~~

~~iv.~~ ~~ance record.~~

3. ~~Donated and unused sick leave has no cash value.~~

4. ~~If the Recipient Employee separates from District employment due to termination, retirement, disability, etc. any remaining donated leave shall be returned to the donor.~~

~~v.~~

H. Benefits:

~~K.~~

~~1. Health Insurance: Employees on leave who were previously covered by the District's health benefits shall continue to be covered at the level and under the condition that the coverage would have been provided if the employee were continuing to work, consistent with FMLA/CFRA, and CPDL -and existing benefits and leave policy.-~~

~~i.~~

~~2. Sick and Vacation Accruals: Sick leave, vacation time, and other time off benefits do not accrue during the use of leave donated under the Employee Leave Donation program, or Catastrophic Leave or Family and Medical FMLA-LLeave.~~

~~ii.~~

~~I. Return to Work-~~

~~i.~~

~~i.1. Employee's return to work may require a physician's release and shall follow District policy and procedures related to Family and Medical leave.~~

~~ii. Upon recipient employee's return to work, all unused donated time will be returned to the donor(s) based on the order in which the hours were donated and used.~~

**RESPONSIBILITIES:**

~~Each manager and supervisor is responsible for the timely assessment of the performance and contribution of their employees. Human Resources will coordinate, track and report on the completion of annual performance evaluations; provide annual training to managers and supervisors on conducting effective performance evaluations; and will maintain a copy of each evaluation in the employee's official personnel file. Human Resources will provide a compliance report to the General Manager by January 31<sup>st</sup> for the prior calendar year. The General Manager will share the statistical report (over all percentage of compliance) with the Board of Directors.~~

**STANDARDS:**

~~Each supervisor is responsible for developing a clear description of the duties, responsibilities, goals and expectations for each position to be evaluated. The duties and responsibilities must be consistent with the job description for each position. The goals and expectations should be aligned with the District's strategic goals and mission. The goals and expectations shall be provided to the employee prior to being evaluated against them.~~

**PROCEDURE/STEPS:**

Requesting Employee

1. Initiates a request for Leave Donation using the District's prescribed form and submits to the Director of Finance and Administrative Services.

Director of Finance and Administrative Services

2. Verifies eligibility of the requesting employee, and makes recommendation to the General Manager.

General Manager

3. Renders a decision within eight (8) working days of receipt of request.

Director of Finance and Administrative Services, or Designee

4. Informs requesting employee of decision and if approved, prepares and distributes a notice to District employees informing of the opportunity for employees to donate leave.

5. Establishes a leave donation account for Recipient Employee; tracks donations and usage.

Donor Employee

6. Completes a leave donation form and submits to the Director of Finance and Administrative Services, or designee.

Director of Finance and Administrative Services, or Designee

7. Manages leave donations, converts hours, and allocates donations to Recipient Employee in the order received.

8. Deducts leave donations from donor employee accounts at the time of use, and in the order received.

Recipient Employee

9. Adheres to all provisions of the policy in order to become and remain eligible to receive leave donations, including the District's Family and Medical Leave procedures, and keeping the District informed of leave status.

10. Applies for any State (or other) paid leave programs for which he/she is eligible and provides documentation to the District.

11. Submits Workers' Compensation claim, if the catastrophic injury or illness is perceived to be work related.

12. Coordinates return to work with the District.

Director of Finance and Administrative Services, or Designee

13. Returns residual donations to donors.

Forms:

1. Employee Request for Leave Donation
2. Authorization to Donate Leave
3. Physician's Certification (Employee to use District's FMLA/CFRA Medical Certification Form)

July 18~~May 2~~, 2019

**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
**EMPLOYEE REQUEST FOR LEAVE DONATIONS**

Employee (Recipient) Name: \_\_\_\_\_

Position: \_\_\_\_\_ Department: \_\_\_\_\_

I, \_\_\_\_\_, request that Beaumont-Cherry Valley Water District ("District") establish a leave donation account on my behalf. I acknowledge and authorize the District to release my name and department in the process of informing employees of the opportunity to provide donations.

I further certify, by my signature below, that I have met all eligibility requirements of the District's Employee Leave Donation Program and Policy, and further state that I have exhausted all earned vacation leave, sick leave, personal leave, and compensatory time, which has accrued to my benefit. I also state that this request is made due to a catastrophic injury or illness affecting my health or one of my immediate family members, which will require medical care for an extended period of time, and a physician's statement is attached certifying thereto.

Employee's (Recipient's) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Please attached supporting Medical Certification from medical provider. Note: Current Medical Certification obtained for Family and Medical Leave may submitted)

---

Recommendation of Director of Finance and Administrative Services:

Approve                       Deny

General Manager Determination:

Approve                       Deny

---

Copy of approval/denial to be sent to requesting employee.



General Manager

Human Resources

Supervisor

Human Resources

Supervisor

Human Resources

- ~~1. Emphasizes the important role of conducting regular and timely performance evaluations in providing employees with feedback related to performance; in establishing effective and~~

~~measurable goals; and in defining development opportunities to include training. General Manager establishes expectations and holds supervisors accountable in achieving organizational compliance in completing evaluations.~~

- ~~2. Maintains a complete and accurate list of employee anniversary dates for annual performance evaluations.~~
- ~~3. Sends reminder notice to the supervisor via email two months prior to due date, including a PAF if a merit increase is due.~~
- ~~4. Prepares draft evaluation and submits to Human Resources for review via email.~~
- ~~5. Reviews draft evaluation and provides feedback to supervisor by phone, or arranged meeting.~~
- ~~6. Amends draft evaluation and forwards final evaluation to the Human Resources via email.~~
- ~~7. Reviews, and submits the final evaluation to the General Manager for review and approval.~~

~~General Manager~~

~~Human Resources~~

~~Supervisor~~

~~Human Resources~~

~~General Manager~~

Human Resources

Supervisor

Employee

Supervisor

- ~~8. Signs and approves the evaluation, OR requests further information and/or a meeting with supervisor to discuss further, prior to approval, through the Administrative Services Manager.~~
- ~~9. Coordinates obtaining requested additional information OR schedules meeting to discuss the employee evaluation, to include the supervisor, General Manager, and Human Resources.~~
- ~~10. Makes additional changes to the evaluation, if warranted, consistent with General Manager input, and submits to the Human Resources.~~
- ~~11. Reviews and submits to the General Manager for final approval.~~
- ~~12. Returns signed/approved evaluation to Human Resources.~~
- ~~13. Returns signed/approved evaluation to supervisor with direction to proceed with the delivery of the evaluation to the employee.~~

- ~~14. Signs the evaluation and delivers to employee. Delivery consists of a scheduled meeting between employee and supervisor in which feedback is provided by the supervisor to the employee.~~
- ~~15. Signs the evaluation, acknowledging receipt.~~
- ~~16. Provides employee with a copy of the evaluation upon signing.~~
- ~~17. Provides the original copy of the final signed evaluation to the Human Resources for inclusion in the employee's file. Maintains a copy of the final evaluation in a secured departmental file.~~

**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
**REQUEST FOR LEAVE DONATIONS**

Date: \_\_\_\_\_

Beaumont-Cherry Valley Water District ("District") has established a Leave Donation Account on behalf of \_\_\_\_\_ ("Recipient Employee") of the \_\_\_\_\_ Department.

The employee is requesting that you consider donating vacation, or sick leave hours to assist the employee with a catastrophic illness or injury for the employee or the employee's family member, to avoid a financial hardship.

Please fill out the form below and return the form to Payroll. All donations will remain anonymous.

---

**AUTHORIZATION TO DONATE LEAVE TO AN EMPLOYEE**

Donating Employee Name: \_\_\_\_\_

Position: \_\_\_\_\_ Department: \_\_\_\_\_

I, \_\_\_\_\_, authorize the District to transfer leave hours (1 hour minimum, and in 1 hour increments), from my own accrued leave balance in the following amounts for the Recipient Employee named above:

\_\_\_\_\_ Hours from my Vacation Balance

\_\_\_\_\_ Hours from my Sick Leave Balance

I understand that the decision to donate may not be withdrawn after it is submitted. Donated vacation leave, or sick leave will be utilized in order of the date donated. The above donated hours shall be used in the order received, and only deducted at the time of use. Unused leave donations shall be returned to the donor.

I hereby make this voluntary donation of accrued leave from my leave balance(s) of my own free will.

Employee (Donor) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

General Manager

**Forms:**

—— Performance Evaluation Form

Revised ~~9-7-18~~

18. —— Updates tracking spreadsheet to indicate that employee's evaluation was received.

~~19. — Evaluates tracking spreadsheet monthly to identify past due evaluations, and provides monthly reminder notices to supervisors via email, with the General Manager copied on email.~~

~~20. — Prepares the annual compliance report for General Manager showing evaluations completed and past due, and over all percentage of compliance (e.g. 90%).~~

~~21. — Evaluates compliance report to determine deficiencies, and reflects non-compliance in supervisor's performance evaluation; failure to correct may also result in disciplinary action, as determined by the General Manager.~~

~~22. — General Manager provides annual report to Personnel Committee sharing the over all results of the annual compliance report (percentage of compliance by department and/or office/field).~~

*Note: This version for content only. Formatting will be completed after all verbiage is settled.*

**1. BASIS OF AUTHORITY**

- A. **Authority.** The Board of Directors is the legislative body and unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole. Routine matters concerning the operational aspects of the District are delegated to District staff members.

**2. MEMBERS OF THE BOARD OF DIRECTORS**

- A. **Information.** Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.
  - i. Information exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.
  - ii. Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request.
- B. **Conduct.** Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.
- C. **Comments.** Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.
- D. **Pertinence.** Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).
- E. **Conflict of Interest.** Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.
- F. **Information.** Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.



### 3. COMMITTEES OF THE BOARD OF DIRECTORS

- A. **Ad Hoc Committees.** The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.
- B. **Standing Committees.** The following shall be standing committees of the Board:
- i. Personnel Committee; and
  - ii. Finance and Audit Committee.
- C. **Appointment.** The Board President shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's regular meeting in ~~December~~January January.
- D. **Oversight.** The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board President, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board in writing.
- i. All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.
- E. **Personnel.** The Board's standing Personnel Committee shall be concerned with the functions, activities, operations, compensation and welfare of District staff.
- F. **Finance and Audit.** The Board's standing Finance and Audit Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

### 4. BOARD PRESIDENT

- A. **Rights.** The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.
- B. **Responsibilities.** Responsibilities of the President include:
- i. Sign all instruments, act, and carry out stated requirements and the will of the Board;
  - ii. Sign the minutes of the Board meeting following their approval;
  - iii. Appoint and disband all committees, subject to Board ratification;
  - iv. Call such meetings of the Board as deemed necessary and giving proper notice;
  - v. Coordinate the preparation of meeting agendas with the General Manager
  - vi. Confer with the General Manager or designee on crucial matters which may

- occur between Board of Directors meetings;
- vii. The orderly conduct of all Board meetings;
- viii. Serve as spokesperson for the Board; and
- A.ix. Perform other duties as authorized by the Board.

~~B.C.~~ **Absence.** In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

## 5. BOARD MEETINGS

~~A.~~ **Regular Meetings.** Regular meetings of the Board of Directors shall be held on the second Wednesday ~~and fourth Thursday~~ of each calendar month at ~~67~~:00 p.m. in the meeting room at 560 Magnolia Avenue, Beaumont, California, 92223-2258. The date, time and place of regular Board meetings may be reconsidered annually at the annual organizational meeting of the Board.

~~A.B.~~ **Special Meetings and Workshops.** Special Meetings and Workshops of the Board of Directors may be called by the Board President or by a majority of the Board.

- i. All Directors shall be notified of a Special Board Meeting and/or Workshop and the purpose or purposes for which it is called. Said notification shall be in writing, received by them at least twenty-four (24) hours prior to the meeting.

~~B.C.~~ **Adjourned Meetings.** A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in the subparagraph above.

~~C.D.~~ **Annual Organizational Meeting.** The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President, Vice President, ~~and~~ Secretary ~~and~~ Treasurer from among its members to serve during the coming calendar year, and will appoint a staff member recommended by the General Manager as the Board's Recording Secretary.

~~D.E.~~ **Agenda Order.** The Chairperson of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

~~E.F.~~ **Public Involvement.** The Chairperson and the General Manager shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

## 6. BOARD MEETING AGENDAS

A. **Agenda.** The General Manager, in cooperation with the Board President ~~and Vice President~~,

shall prepare an agenda for each regular and special meeting of the Board of Directors in accordance with the Ralph M. Brown Act.

**B. Public Requests.** Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

- i. The request must be in writing and be submitted to the General Manager together with supporting documents and information, if any, at least ~~ten~~eight (~~10~~8) business days prior to the date of the meeting;
- ii. No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy; and
- iii. The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

**C. Testimony.** This policy does not prevent the Board from taking public testimony at regular and special meetings of the Board on matters which are within the jurisdiction of the Board but not on the agenda, ~~which a member of the public may wish to bring before the Board.~~ ~~However, t~~

- i. The Board shall not discuss or take action on such matters at that meeting.
- ii. The Board may:
  - a. Respond briefly to statements / questions from the public
  - b. Ask a question for clarification
  - c. Make a brief announcement
  - d. Make a brief report on his / her activities
  - e. Provide a reference to staff or other sources for information
  - f. Request staff report back at a later meeting, or
  - ~~g.~~ Direct staff to place the matter on a future agenda (subject to Section 000)

**D. Notice.** At least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review at the District office. If the District maintains a website, the agenda shall be posted on the website for public information at the same time.

- i. The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting.

~~E.~~ The deadline for submission of an agenda matter is ~~the Monday two weekseightten~~ (10) working days prior to the ~~(second Wednesday)~~ meeting.

## 7. BOARD MEETING CONDUCT

**A. Policy.** Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Section 11 "Rules of Order for Board and Committee Meetings," shall be used as a general guideline for meeting protocol.

B. **Timing.** All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

C. **Conduct.** The conduct of meetings shall, to the fullest possible extent, enable Directors to:

i. Consider problems to be solved, weigh evidence related thereto, and ~~make wise decisions intended to solve the problems~~ exercise sound judgment in the business efforts of the District; and,

ii. Receive, consider and take any needed action with respect to reports of accomplishment of District operations; and-

~~iii.~~ Deal always in an ethical, honest, straightforward, open and above board manner with the community, the General Manager, and District staff.

D. **Public Comment.** Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as follows:

i. Three (3) minutes may be allotted to each speaker and a maximum of twenty (20) minutes to each subject matter. Attendees may not assign their allowed time to another speaker.

ii. No disruptive conduct shall be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

E. **Disruption.** Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is in fact willful disruption of any meeting of the Board, he/she may order the disrupting parties out of the room and subsequently conduct the Board's business without them present.

After clearing the room of disruptive individuals, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room.

## 8. BOARD ACTIONS AND DECISIONS

A. **Actions.** Actions by the Board of Directors include but are not limited to the following:

i. Adoption or rejection of regulations or policies;

ii. Adoption or rejection of a resolution;

iii. Adoption or rejection of an ordinance;

iv. Approval or rejection of any contract or expenditure;

- v. Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of ~~personnel~~the General Manager, and the classification and compensation plan; and,
- vi. Approval or disapproval of matters that require or may require the District or its employees to take action and / or provide services ~~;~~ and
- ~~vi.~~ Act collectively and not individually become involved in the day-to-day operation of the District.

**B. Majority.** Action can only be taken by the vote of the majority of the Board of Directors.

**B-C.i. Quorum.** Three (3) Directors represent a quorum for the conduct of business.

~~i.~~ ii. Abstention. A member abstaining in a vote is considered as absent for that vote. A member abstaining due to a conflict of interest does not count towards a quorum.

- a. **Example.** If three (3) of five (5) Directors are present at a meeting, a quorum exists and business can be conducted unless the abstention is due to a conflict of interest. However, if one (1) Director abstains on a particular action and the other two (2) cast “aye” votes, no action is taken because a majority of the Board” did not vote in favor of the action.
- b. **Example.** If an action is proposed requiring a two-thirds (2/3) vote and two (2) Directors abstain, the proposed action cannot be approved because four (4) of the five (5) Directors would have to vote in favor of the action.
- c. **Example.** If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three (3) Directors must vote in favor of the appointment for it to be approved. If two (2) of the three (3) Directors present abstain, the appointment is not approved.

**C-D. Directions.** The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

- i. The President shall determine by consensus a Board directive and shall state it for clarification. Should any two (2) Directors challenge the statement of the President, a voice vote may be requested.
- ii. A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

iii. Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda.

iv. The Board shall act collectively and not individually become involved in the day-to-day operation of the District.

iii-v. The Board may follow up on direction given to the General Manager.

## 9. ATTENDANCE AT MEETINGS

- A. Attendance. Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.
- B. Punctuality. Each member shall be in his or her respective seat at the hour set for each regular meeting and at the time set for any special or adjourned meeting. Any member not present within 10 minutes of the ~~when the Board is called~~ to order shall be designated in the minutes as absent. If a member arrives after a meeting convenes, the recording secretary shall note his or her arrival in the minutes.
- A.C. Absences. If any member of the Board is unable to attend a meeting, the Board member shall, if possible, notify the Board President or the Board Secretary prior to the meeting.

## 10. MINUTES OF BOARD MEETINGS

- A. **Minutes.** Staff acting in his/her capacity as "Recording Secretary" shall keep minutes of all regular and special meetings of the Board.
- i. Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept on archival paper in a fire resistant room.
  - ii. Unless directed otherwise, an audio ~~tape~~ recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept indefinitely for a minimum of 10030 days in electronic format, or in a fireproof vault or in fire-resistant room or locked cabinet. Members of the public may inspect recordings of Board meetings without charge on a playback machine device that will be made available by the District.
  - iii. Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:
    - a. Date, place and type of each meeting;
    - b. Directors present and absent by name;
    - c. Administrative staff present by name;
    - d. Call to order;
    - e. Time and name of late arriving Directors;
    - f. Time and name of early departing Directors;
    - g. Names of Directors absent during any agenda item upon which action was taken;
    - h. Summary record of staff reports;
    - i. Summary record of public comment regarding matters not on the agenda, including names of commentators;
    - j. Approval of the minutes or modified minutes of preceding meetings;
    - k. Approval of financial reports;

- ~~l.~~ Record by number (a sequential range is acceptable) of all warrants approved for payment;
- ~~m.~~ Complete information as to each subject of the Board's deliberation;
- ~~n.~~ Record of the vote of each Director on every action item ~~for which the vote was not unanimous;~~
- ~~o.~~ Resolutions and ordinances described as to their substantive content and sequential numbering;
- ~~p.~~ Record of all contracts and agreements, and their amendment, approved by the Board;
- ~~q.~~ Approval of the annual budget;
- ~~r.~~ Approval of all polices, rules and/or regulations;
- ~~s.~~ Approval of all dispositions of District assets;
- ~~t.~~ Approval of all purchases of District assets; and
- ~~u.~~ Time of meeting's adjournment.

## 11. RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS

- A. **Policy.** Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules -Robert's Rules of Order.
- B. **Point of Order.** If a Director believes order is not being maintained or procedures are not adequate, then he/she should raise a point of order - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.
- C. **Obtaining the Floor.** Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.
- D. **Motions.** Any Director, including the President, may make or second a motion. A motion shall be brought and considered as follows:
  - i. A Director makes a motion; another Director seconds the motion; and the President states the motion.
  - ii. Once the motion has been stated by the President, it is open to discussion and debate. After the public in attendance has had an opportunity to comment, and after the matter has been fully debated, the President will call for the vote.
  - iii. Any Director may move to immediately bring the question being debated to a vote (following public input), thus suspending any further debate. The motion must be made, seconded, and approved by a majority vote of the Board.
- E. **Secondary Motions.** Ordinarily, only one (1) motion can be considered at a time and a motion must be disposed of before any other motions or business is considered. There are a few exceptions to this general rule, though, where a secondary motion concerning the main motion may be made and considered before voting on the main motion.

- i. **Motion to Amend.** A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.
- ii. **Motion to Table.** A main motion may be indefinitely tabled before it is voted on by motion made to table, which is then seconded and approved by a majority vote of the Board.
- iii. **Motion to Postpone.** A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.
- iv. **Motion to Refer to Committee.** A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.
- v. **Motion to Close Debate and Vote Immediately.** As provided above, any Director may move to close debate and immediately vote on a main motion.
- vi. **Motion to Adjourn.** A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

F. **Decorum.**

- i. The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings.
- ii. The President may also declare a short recess during any meeting.

G. **Amendment of Rules of Order.** By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting:

- a. Temporarily suspend these rules in whole or in part;
- iii. Amend these rules in whole or in part; or,
- iii. Both.

12. **TRAINING, EDUCATION AND CONFERENCES**

A. Policy. The Beaumont-Cherry Valley Water District takes its stewardship over the use of limited public resources seriously. Public resources should only be used when there is a substantial benefit to the District.

- i. Educational conferences and professional meetings are considered to provide substantial benefit. Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to



the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District. Such benefits ~~benefits~~ include:

- a. The opportunity to discuss the community's concerns with state and federal officials;
- b. Participating in regional, state and national organizations whose activities affect the District;
- c. Attending educational seminars designed to improve officials' skill and information levels;
- ~~A-d.~~ Promoting public service and morale by recognizing such service.

~~i.~~ ii. "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

B. Expenses. It is the policy of the District to encourage Board development and excellence of performance by reimbursing actual expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. ~~Cash advances or use by Directors of District credit cards for these purposes is not permitted unless approved by Article 14E.~~

~~i.~~ i. Staff as assigned by the General Manager is responsible for making arrangements for Directors for conference and registration expenses, ~~and may help as requested for per diem. Per diem, when appropriate,~~

~~ii.~~ ii. Reimbursement shall include ~~reimbursement of~~ expenses for meals, lodging, authorized incidentals (see section 14.GCC.G) and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted ~~to the assigned staff member~~ within 30 days of the incurred expense on a District-supplied Expense Form, together with ~~validated-original, valid~~ receipts in accordance with State law.

~~iii.~~ iii. Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.

~~iv.~~ iv. Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth, if any, by the event sponsor and by:

- a. Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates or using other less expensive nearby lodging.
- b. Directors traveling together whenever feasible and economically beneficial.
- c. Requesting reservations sufficiently in advance, when possible, to obtain discounted air-fares and hotel rates.

C. Notice. A Director shall not attend a conference or training event for which there is an

expense to the District, if it occurs after the Director has announced his/her pending resignation, or if it occurs after an election in which it has been determined that the Director will not retain his/her seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

~~C. \_\_\_\_\_~~

- D. Reimbursement. Upon returning from seminars, workshops, conferences, etc., where expenses are paid and / or reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

### 13. REMUNERATION / DIRECTOR PER DIEM FEES

A. Remuneration. Members of the Board of Directors shall be ~~entitled-eligible~~ to receive a "per diem" for each day of service ~~rendered as an officer of the Board. to the District.~~ The "per diem" amount shall be established by the Board and be consistent with applicable state law.

B. Limit. Per diem compensation is limited to no more than 10 days per month.

C. Attendance. For purposes of this section, attendance includes:

- i. Physical presence at the majority of a meeting, event, conference or occurrence listed in subdivision D (below), unless presence for a lesser period is authorized by the Board President, or, for a committee meeting, by the committee chair;
- ii. Participation by teleconference at the majority of a meeting pursuant to California Government Code 54953;
- iii. Participation in an approved home study or online Ethics course to meet the requirements of Government Code Sections 53234-53235.5 when participation has been authorized by the Board President.

D. Eligibility. Matters of District Business eligible for per diem shall include, but not be limited to:

1. General Board Member Preapproved Activities/Events

The following activities/events are preapproved for all Board members:

- a. Board and Committee Meetings

All regular and special board meetings and committee meetings for appointed members

- b. Conferences

(1) ACWA and ACWA-JPIA ~~c~~onferences, trainings and webinars and ACWA Region 9 meetings

(2) CSDA Conferences, trainings and webinars

c. Other Agencies

- (1) San Gorgonio Pass Water Agency Board or Committee meetings ~~if there is an item on the agenda pertaining to the District.~~ The Board may appoint one of its members as liaison to attend any such meetings on a regular basis, ~~subject to a limitation of two such meetings per month.~~

~~(2) San Timoteo Watershed Management Authority~~

~~STWMA, Project Committee No. 1 — all meetings~~

~~STWMA Board Meetings and Standing Committee Meetings, if there is an item on the agenda pertaining to the District~~

(3) Beaumont Basin Watermaster

(4) City of Beaumont

Any official city meeting, ~~if there is an item on the agenda pertaining to the District.~~

(5) City of Banning

Any official city meeting, ~~if there is an item on the agenda pertaining to the District.~~

- i. (6) LAFCO meetings in which District business is discussed or affected as part of the LAFCO agenda,

d. Training Seminars

(1) ~~(1)~~ State mandated ethics training

a. The entire two-hour course counts as ONE day of service, even if the coursework is completed over more than one 24-hour period.

(2) State mandated sexual harassment training

a. The entire course counts as ONE day of service, even if the coursework is completed over more than one 24-hour period.

(3) Brown Act training

2. Specific Board Member Authorization

The following activities/events are preapproved for Board members designated to represent the District by the Board President.

a. ACWA Committees

b. Meetings of a legislative body of another government agency, or an official event

sponsored by another government agency, when attendance has been authorized by the President,

c. Meetings with members of the legislative executive or judicial branch of the state or federal government when attendance is directed by the President,

d. Meetings with the General Manager, District Counsel, or Board President on matters of District business

b. Other meetings or events for Board members appointed by the ~~Chairman~~President to attend such meeting or event on behalf of the District

### 3. Other Activities/Events, Authorization

Board members may seek authorization to attend other functions that constitute the performance of official duties, including, but not limited to, tours of Beaumont-Cherry Valley Water District facilities, tours of other agency facilities, dedication ceremonies, open houses, groundbreaking ceremonies, receptions for officials, retirement celebrations for other agency officials, anniversary celebrations, ribbon-cutting ceremonies, legislative roundtables, public hearings, project update meetings, meetings of ACWA Regions 1 through 10, and association dinners and lunches. Board members desiring to attend events of this nature should obtain approval from the Board in order to receive a per diem and expense reimbursement

### 4. New Board Members Orientation

New Board members may receive one (1) per diem and expense reimbursement for an orientation program that meets the following criteria:

a. Is part of a planned orientation schedule

b. The orientation meeting is at least two (2) hours in duration

c. The per diems for this purpose must be claimed during the first two (2) ~~six (6)~~ months of service on the Board

d. New Board members may also attend a formal harassment awareness training seminar for District employees

### E. Non-authorized Activities/Events

The following activities/events are not eligible for per diem or expense claims:

a. Attending other districts' Board meetings other than listed under Eligible Matters of District Business above, unless authorized by the Board

b. Retirement receptions for Beaumont-Cherry Valley Water District employees/Board members

c. Beaumont-Cherry Valley Water District picnics or other social functions

d. Harassment awareness training for Beaumont-Cherry Valley Water District employees (except the first training for new Board members)

- e. Chamber of Commerce meetings or mixers.
- F. Travel. Per diem shall include travel days to and from business meetings as appropriate. Board members shall not count travel to meetings within the Counties of Riverside or San Bernardino as a reimbursable per diem travel day.
- G. Requests. In the event that circumstances prevent the per diem request from being considered in the manner described herein, a Director may submit a request to the Board for a per diem for having attended a meeting or conference with the understanding that the Board may or may not approve the request.
- H. Reports. A Director who requests compensation (“per diem”) for attendance at a meeting other than a regular, special, or committee meeting of the Board shall provide a brief report of the meeting to the Board at a regular meeting of the Board of Directors following the meeting that was attended. If multiple Board members attended, a joint report may be made.
- I. Review. Directors’ per diem fees shall be reviewed by the Board annually in October of each year with said increase (if any) to be effective January 1 of the next calendar year.
  - A.

**14. PAYMENT OF EXPENSES INCURRED ON DISTRICT BUSINESS**

- A. General. Directors may be allowed actual and necessary travel, meals, lodging and other actual and necessary incidental expenses incurred in the performance of official business of the District as approved by the Board.
 

Whenever a Director or employee is attending any such business may include: a meeting at which the interest of the District is the major purpose of the meeting, or attending a conference of an organization as authorized in this Manual, or by Board action, or otherwise representing the District at an approved civic or community function, the expenses incurred by reason of attendance at such meeting, conference, or other function shall may be reimbursed by the District in accordance with the rules set forth in this Section. In the event that circumstances prevent an expense reimbursement request from being considered in the manner described herein, a Director or employee may submit an expense reimbursement request to the Board for having attended a meeting or conference with the understanding that the Board may or may not approve the request.
- B. Non-reimbursables. The following expenses are not reimbursable: alcoholic beverages, tips greater than 15 percent, parking or traffic violation fines, in-room movies, laundry service, and personal telephone calls. Rental car expenses are not reimbursable unless use of a rental car is authorized prior to travel.
  - A.
- C. Cost Control. To conserve District resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. In the event that expenses are incurred which exceed these guidelines, the cost borne or reimbursed by the District will be limited to the costs that fall within the guidelines.
- D. Spousal Expenses. Under no circumstances shall the District prepay or reimburse expenses for a spouse.

**E. Transportation.** ~~If the distance to the function is five hundred (500) miles or less, air or automotive travel may be used, at the option of the traveler. The most economical mode of transportation reasonably consistent with scheduling needs and cargo space requirements must be used, using the most direct and time-efficient route.~~

- ~~i. **i. Automobile.** If travel is by automobile, a District vehicle shall be used if available. If the General Manager determines that a District vehicle is not available, the rate of reimbursement for mileage shall be the Internal Revenue Service standard mileage rate permitted at the time by the Internal Revenue Service in computing a deduction for business mileage. Parking, bridge and road tolls are also reimbursable. If the distance to the function is greater than five hundred (500) miles, air travel shall be used, unless accepted due to physical or other reason approved by the General Manager, and by the Board of Directors. If automobile travel is used in lieu of air travel, the transportation expense to be paid by the District will be limited to the total related costs, for duration of travel and ground transportation at the destination, that would have resulted had air travel been used, including, but not limited to, air-fare, transportation to and from airports, and airport parking.~~
- ~~ii. **Rental car.** Charges for rental vehicles may be reimbursed when a District official is attending an out of county conference. If more than one District official is attending, the rental vehicle shall be shared if reasonable. Only receipted fuel expenses for rental cars will be reimbursed. Rental car. Charges for rental vehicles may be reimbursed if of more than one District official is attending an out of county conference, and it is determined that sharing a rental vehicle is more economical than other forms of transportation. In making such a determination, the cost of the rental vehicle, parking and gasoline will be compared to the combined costs of such other transportation. Government and group rates must be used when available. Only receipted fuel expenses for rental cars will be reimbursed.~~
- ~~iii. **Taxis / shuttles.** Taxi or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when such transportation is required for time efficiency.~~
- ~~iv. **Airfare.** Airfares booked should be the most economical and reasonable available for purposes of reimbursement under this policy. Airfares that are equal or less than those available through the State of California Department of General Services statewide travel program are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.~~

**B.F. Lodging.** ~~When traveling outside of Riverside County or San Bernardino County, and ever required to spend the night away from home an overnight stay is reasonably required, District personnel shall engage a room at a good commercial hotel or motel. Government rates should be requested obtained when available. If the average room rate exceeds the U.S. General Services Administration per diem rate, lodging shall be reimbursed on the most economical rate at the hotel or motel which provides adequate lodging. No suites, oversized rooms, or upgraded rooms will be permitted. Lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable. If accompanied on the trip by another person who is not District personnel, and the room is shared, the District shall be charged only for that portion of the room charge, which would have been made for single occupancy. A receipted bill stating occupants and length of stay shall be submitted with the claim for expense reimbursement. If a room is occupied by more than one person, the rate for single occupancy shall be noted on the receipted~~

statement.

**Meals.** Reimbursable meal expenses and associated gratuities (not-to-exceed 15 percent) will not exceed the U.S. Department of General Services per diem rates. Meals included with conferences, seminars and/or business meetings are not reimbursable. Sixty Dollars (\$60.00) per day, including a limit of Forty Dollars (\$40.00) for the dinner meal, with the remainder reimbursable for other meals during the same day will be prepaid or reimbursed when traveling at District expense for conferences, seminars and/or business meetings.

**G. ~~and~~ Incidental Expenses.** Expense allowance while attending authorized functions shall include, in addition to transportation, ~~and~~ lodging, ~~and~~ meals, ~~tips at 15 percent, business telephone expense, stenographic expense, auto parking, taxi internet access, baggage fees,~~ and other disbursements on behalf of the District. No reimbursement shall be made of expenditures for personal services or needs. ~~District shall not pay for any alcohol expenses incurred.~~ If an automobile is used for transportation, ~~when air transportation would be is~~ required, expenditures for meals and incidental expenses chargeable to the District shall be those which would have resulted had air transportation been used.

**H. Lodging payment.** Lodging expenses for employees or Board members may be reserved and paid in one of the following manners:

- i. By individual Director's District-issued credit card or employee's District-issued credit card
- ii. In advance by Finance Department staff using a District credit card,
- iii. Via submission of a check request for prepayment to the hotel.
- ~~iv.~~ Any charges made to an employee's or director's personal credit card. Such charges shall be reimbursed upon submission of an approved expense report form (See Section 12 B) which shall include itemized original receipts and a copy of the applicable credit card statement.

**~~D.I.~~ Travel Advance.** A travel advance, equal to the estimated expenditures chargeable to the District, may be made upon a written detailed estimate of the amount needed, submitted to and approved by the General Manager and by the Board of Directors.

**J. Use of District Credit Cards.**

~~The District does not make credit cards available to Board members. Payment for Board expenses will be made through departmental credit cards, purchase orders, checks, or reimbursement through accounts payable or payroll.~~

~~E.~~ The District shall make credit cards available to Board members, employees, and officers, as deemed necessary for payment for District-related expenses. Board member credit cards shall be retained by the District until such time as they are needed. All Board member credit cards shall be used primarily for travel expenses. Board member credit cards will have have a cap of \$2,500. District credit cards are issued to members of the Board of Directors and to certain District employees for use in connection with District related business. The following rules shall apply to the use of District credit cards:

- a. District credit cards will be used only for actual and necessary expenses incurred in the performance of work-related duties and District business. Under no circumstances may a District credit card be used for personal expenses. Any

personal charges appearing on a District credit card must be immediately reimbursed to the District.

b. The charge of personal expenses to a District credit card will result in revocation of card privileges, and disciplinary action up to and including termination.

~~ii.~~

~~iii.~~ District credit cards will be used only by duly authorized District employees.

~~iii.~~iv. Purchases and expenditures will be charged and reconciled to the proper account on each monthly statement.

v. ~~Detailed Itemized original~~ receipts must be presented to the District business office for each expenditure made by credit card. Each expenditure must document the purpose of said expenditure, the person(s) involved and the business conducted.

~~iv.~~vi. If an employee or officer loses a District-issued credit card or has a District-issued card stolen, the employee or officer must immediately report the loss or theft to the card issuing bank and to the Finance Department.

~~F. District Expenditures for the Convenience of Others. On occasion, the District may make expenditure or incur a charge in connection with District business, for the convenience of persons other than District personnel. Such expenditures or charges are made with the understanding that the District shall be credited against reimbursable expenses, or~~



~~reimbursed directly as a balance owing the District on the "Report of Expenses", as provided in the next section.~~

~~G.K. Report of Expenses for Reimbursement.~~ District ~~directors and~~ personnel shall submit ~~aa~~ District-provided form, "Record of Expenses / Claim for Reimbursement (Conferences, Meetings, Travels) which must include ~~"Report of Expenses"~~ of all expenses incurred by ~~them~~ while acting in the interest of the District, to which will be attached the associated vouchers and/ or ~~original itemized~~ receipts. ~~The form shall be submitted within fifteen~~ (15~~10~~) days of the conclusion of the transaction. Each expenditure item shall include a detailed description of the function and the nature of the District business conducted. The statement shall also indicate the travel advance, if any, credits for expenses apportioned to personal needs, services, or expenses incurred to the District. Balances- owing the District shall be paid on submission of the expenses statement. Amounts due to District personnel shall be paid after the expense statement is reviewed ~~and approved~~ by the General Manager ~~and approved by the Board of Directors.~~

## 15. EXPENDITURE REIMBURSEMENT

- A. **Purpose.** The purpose of this policy is to prescribe the manner in which District employees and directors may be reimbursed for expenditures related to District business.
- B. **Scope.** This policy applies to all employees and members of the Board of Directors and is intended to result in no personal gain or loss to an employee or director.
- C. **Implementation.** Whenever District employees or directors desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to District business, they shall submit their requests on a reimbursement form approved by the General Manager and the Board of Directors ~~respectively~~. Included on the reimbursement form will be an explanation of the District-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.
  - i. The Treasurer and/or the General Manager will review and approve reimbursement requests. Reimbursement requests by the Treasurer and General Manager will be reviewed and approved by the Finance and Audit Committee and/or the Board of Directors.
  - ii. All expenses must be reasonable and necessary, and employees and directors are encouraged to exercise prudence in all expenditures.
  - iii. The most economical mode and class of transportation reasonably consistent with scheduling requirements will be used. In the event a more expensive class of transportation is used, the reimbursable amount will be limited to the cost of the most economical class of transportation available. Reimbursement for use of personal vehicles will be at the applicable IRS-approved rate.
  - iv. Expenditures for food and lodging will be moderate and reasonable.

## ~~16.~~ **PAYMENT OF DIRECTORS' FEES**

- ~~A. **Availability.** Directors shall be eligible to collect per diem fees as provided by the resolutions and ordinances of the District, and in accordance with State law for attendance to Board business. Board business eligible for per diem shall include, but not be limited to, Board meetings, Board Committee meetings, LAFCO meetings in which District business is discussed or affected as part of the LAFCO agenda, meetings of associations of which the District is a member, special meetings concerning District matters and those organizations for which attendance is authorized for meetings and conferences as listed. Per diem shall include travel days to and from business meetings as appropriate. Board members shall not count travel to meetings within the County as a reimbursable per diem travel day. In the event that circumstances prevent the per diem request from being considered in the manner described herein, a Director may submit a request to the Board for a per diem for having attended a meeting or conference with the understanding that the Board may or may not approve the request.~~
- ~~B. **Review.** Directors' per diem fees shall be reviewed by the Board annually in October of each year with said increase (if any) to be effective January 1 of the next calendar year.~~

## ~~17.~~16. **MEMBERSHIP IN ASSOCIATIONS**

- A. **Policy.** The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such memberships as an opportunity for in-service training.

## ~~18.~~17. **ETHICS TRAINING**

- A. **Policy.** All directors and designated executive staff of the District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within ~~one~~ six (6) months of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2.
- B. **Application.** This policy shall also apply to all staff members that the board of directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.
- C. **Provider.** All ethics training shall be provided by entities whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.
- D. **Participation.** Directors shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training will be reimbursed by the District.

- i. **Records.** District staff shall maintain records indicating both the dates that directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after directors receive the training, and are public records subject to disclosure under the California Public Records Act.
- E. **Training Information.** District staff shall provide the board of directors with information on available training that meets the requirements of this policy at least once every year.
- F. **Training Options.** Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.
- G. **Requirements.** Any director of the District that serves on the board of another agency is only required to take the training once every two (2) years.

**19.18. CODE OF ETHICS**

- A. **Policy.** The Board of Directors of the District is committed to providing excellence in legislative leadership that results in the provision of the highest quality services to its constituents and to comply with State laws including AB 1234 (Salinas) ~~approved in 2006~~ (copy attached as reference).

In order to assist in the governance of the behavior between and among members of the Board of Directors and District staff, the following rules shall be observed:

- i. The dignity, style, values and opinions of each Director shall be respected.
- ii. Responsiveness and attentive listening in communication is encouraged.
- ~~iii.~~ iii. The needs of the District's constituents should be the priority of the Board of Directors. Directors are accountable to the ratepayers who use the District's services.
- ~~iii-iv.~~ iv. Directors should learn and recognize the various economic interests from which conflict can arise. When a Director believes he/she may have a conflict of interest, the District's legal counsel shall be requested to make a determination if one exists or not.
- ~~iv-v.~~ v. The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.
- ~~v-vi.~~ vi. Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.
- ~~vi-vii.~~ vii. Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.

~~vii~~.viii. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

~~viii~~.ix. Directors should practice the following procedures:

- a. In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
- b. In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.
- c. In presenting items for discussion at Board meetings, See Board Meeting Agenda.
- d. In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager and/or the District's legal counsel.

~~ix~~.x. If approached by District personnel concerning specific District policy, Directors should direct inquiries to the ~~appropriate staff supervisor or~~ General Manager. The chain of command should be followed.

**B. Team Effort.** The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

- i. When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.
- ii. Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.
- iii. Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.
- iv. Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

## 20-19. ETHICS POLICY

The policy of the Beaumont-Cherry Valley Water District/Agency is to maintain the highest ethical standards for its Directors and staff. The proper operation of the District requires that

decisions and policy be made within the proper channels of governmental structure, that public office not be used for personal gain, and that Directors and staff remain objective and responsive to the needs of the public they serve. Accordingly, it is the policy of the District that Directors and District staff will maintain the highest standard of personal honesty and fairness in carrying out their duties.

This policy sets forth the basic ethical standards to be followed by the Board of Directors of the Beaumont-Cherry Valley Water District. The objectives of this policy are to (i) provide guidance for dealing with ethical issues, (ii) heighten awareness of ethics and values as critical elements in Directors' conduct, and (iii) improve ethical decision-making and values-based management.

- A. **Responsibilities of Public Office.** Directors are obligated to uphold the Constitution of the United States and the Constitution of the State of California. Directors will comply with applicable laws regulating their conduct, including conflict of interest, financial disclosure and open government laws. Directors will strive to work in cooperation with other public officials unless prohibited from so doing by law or officially recognized confidentiality of their work. (Cal. Const., art. XX, § 3; Gov. Code, § 1360.)
  
- B. **Fair and Equal Treatment.** Directors, in the performance of their official duties and responsibilities, will not discriminate against or harass any person on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, gender, sexual orientation, medical condition or disability. A Director will not grant any special consideration, treatment or advantage to any person or group beyond that which is available to every other person or group in similar circumstances.
  
- C. **Proper Use and Safeguarding of District Property and Resources.** Except as specifically authorized, the California Constitution prohibits a Director from making a "gift of public funds" by utilizing or permitting the use of District -owned vehicles, equipment, telephones, materials or property for his or her personal benefit or profit of third parties. A Director will not ask or require a District employee to perform services for the personal benefit or profit of a Director. Each Director must protect and properly use any District asset within his or her control, including information recorded on paper or in electronic form. Directors will safeguard District property, equipment, moneys, and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust. (Cal. Const., art. XVI, § 6; Gov. Code, §§ 8314 and 53234 et seq.; Pen. Code, § 424; see *People v. Battin* (1978) 77 Cal.App.3d 635.)
  
- D. **Use of Confidential Information.** A Director is not authorized, without approval of the Board of Directors, to disclose information that qualifies as confidential information to a person not authorized to receive it. Under applicable provisions of law, information qualifies as confidential if it
  - i. Has been received for, or during, a closed session meeting of the Board,
  
  - ii. Is protected from disclosure under the attorney/client or other evidentiary privilege, or

- iii. Is not required to be disclosed under the California Public Records

Act. This Section does not prohibit a Director from taking any of the following actions:

- i. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the alleged illegality of an action taken by the District, an elected official or employee,
- ii. Expressing an opinion concerning the propriety or legality of actions taken by the District in closed session, including disclosure of the nature and extent of the allegedly illegal action, or
- iii. Disclosing information acquired during a closed session that is not confidential information. Prior to disclosing confidential information pursuant to (i) or (ii), above, however, a Director will first bring the matter to the attention of either the President of the Board or the full Board, to provide the Board an opportunity to cure an alleged violation.

**E. Conflict of Interest.**

i The Political Reform Act, Government Code Section 81000, et. seq., requires local government agencies to adopt a Conflict of Interest Code which is hereby incorporated by reference.

ii Statement of Economic Interests (Form 700) – (See District’s Conflict of Interest Policy, a separate document, incorporated herein by reference). A Director will file an annual Statement of Economic Interests as required by the [FPPCFair Political Practices Commission \(FPPC\)](#). A new Director will file an Assuming Office Statement of Economic Interests, and an outgoing Director will file a Leaving Office Statement of Economic Interests before the deadline as set by the FPPC.

E.i. A Director will not have a financial interest in a contract with the District/Agency, or be a purchaser at a sale by the District or a vendor ~~of a~~ a purchase made by the District, unless the Director’s participation was authorized under Government Code sections 1091 or 1091.5, or other provisions of law. A Director will not participate in the discussion, deliberation or vote on a matter before the Board of Directors, or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter, as defined in the Political Reform Act, Government Code sections 81000 et seq., relating to conflicts of interest. Generally, a Director has a financial interest in a matter if it is reasonably foreseeable that the Board decision would have a material financial effect (as defined by Fair Political Practices Commission [FPPC] regulations found at Cal. Code Regs., tit. 2, §§ 18100 et seq.) that is distinguishable from the effect on the public generally on:

i.a. A business entity in which the Director has a direct or indirect investment in the amount specified in FPPC regulations;

- ~~ii~~.b. Real property in which the Director has a direct or indirect investment interest, with a value in the amount specified in FPPC regulations;
- ~~iii~~.c. A source of income for the Director in the amount specified in FPPC regulations, within twelve (12) months before the Board decision;
- ~~iv~~.d. \_\_\_\_\_ A source of gifts to the Director in an amount specified in FPPC regulations within twelve (12) months before the Board decision; or
- ~~v~~.e. A business entity in which the Director holds a position as a director, trustee, officer, partner, manager or employee.

An “indirect interest” means any investment or interest owned by the spouse or dependent child of the Director, by an agent on behalf of the Director, or by a business entity or trust in which the Director, or the Director’s spouse, dependent child or agent, owns directly, indirectly or beneficially a ten percent (10%) interest or greater.

An elected official will not accept honoraria or gifts that exceed the limitations specified in the Fair Political Practices Act or FPPC regulations. Directors will report all gifts, campaign contributions, income and financial information as required under the District’s Conflict of Interest Code and the provisions of the Fair Political Practices Act and FPPC regulations. (Gov. Code, §§ 87100 et seq.)

If a member of the Board believes that he or she may be disqualified from participation in the discussion, deliberations or vote on a particular matter due to a conflict of interest, the following procedure will be followed:

- i. If the Director becomes aware of the potential conflict of interest before the Board meeting at which the matter will be discussed or acted on, the Director will notify the District’s General Manager and the District’s legal counsel of the potential conflict of interest, so that a determination can be made whether it is a disqualifying conflict of interest;
- ii. If it is not possible for the Director to discuss the potential conflict with the General Manager and the District’s legal counsel before the meeting, or if the Director does not become aware of the potential conflict until during the meeting, the Director will immediately disclose the potential conflict during the Board meeting, so that there can be a determination whether it is a disqualifying conflict of interest; and
- iii. Upon a determination that there is a disqualifying conflict of interest, the Director
  - a. Will not participate in the discussion, deliberation or vote on the matter for which a conflict of interest exists, which will be so noted in the Board minutes, and
  - b. Will leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters or the Director has been advised

that specific FPPC exemption applies.

- F. **Nepotism.** A Director will not recommend the employment of a relative by the District. A Director will not recommend the employment of a relative to any person known by the Director to be bidding for or negotiating a contract with the District.
- G. **Soliciting Political Contributions.** Directors are prohibited from soliciting political funds or contributions at District facilities, or from District employees. A Director will not accept, solicit or direct a political contribution from (a) District employees, officers, consultants or contractors, or (b) vendors or consultants who have a material financial interest in a contract or other matter while that contract or other matter is pending before the District. A Director will not use the District's seal, trademark, stationery or other indicia of the District's identity, or facsimile thereof, in any solicitation for political contributions contrary to state or federal law. (Gov. Code, § 3205.)

~~H. **Incompatible Offices.** Directors are Another aspect of prohibited conflicts of interest isfrom simultaneous holding of two incompatible public offices, unless simultaneous holding of the offices is compelled or expressly authorized by law, per Government Code Section 1099. ~~When public offices are incompatible, the public officer forfeits the first office upon taking the second.~~~~

~~Government Code section 1099 codifies the common law rule against holding incompatible public offices. Under section 1099, offices are incompatible under any of the following circumstances unless the simultaneous holding of the office is compelled or expressly authorized by law:~~

- ~~i. Either office may audit, overrule, remove members of, dismiss employees of, or supervise the other office or body;~~
- ~~ii. Based on the powers and jurisdictions of the offices, there is a possibility of a significant clash of duties or loyalties between the offices;~~
- ~~iii.i. Public policy considerations make it improper for one person to hold both offices. The doctrine of incompatible offices does not apply to positions on government bodies that are solely advisory, or to positions of employment. (Gov. Code, § 1099; 83 Ops.Cal.Atty.Gen 153 (2000); 58 Ops.Cal.Atty.Gen. 109 (1975).) However, the Attorney General has repeatedly held that certain positions, such as general manager of a water district and city manager, are public offices. (E.g., 82 Ops.Cal.Atty.Gen. 201 (1999); 67 Ops.Cal.Atty.Gen 409 (1984).) Government Code section 53227 prohibits an employee of a special district from taking office as an elected or appointed member of the Board of the same special district unless he or she resigns as an employee.~~

#### I.H. Director-General Manager Financial Officer Relationship.

**General Manager.** The Board sets the policy for the District. The General Manager is an employee of the District and is the administrative head under the direction of the Board. The General Manager:



- i. Has charge and control of the construction, maintenance and operation of the water system and other facilities of the District upon approval of the Board of Directors,
- ii. Has power and authority to employ and discharge employees and assistants, consistent with District policy and other provisions of law,
- iii. Prescribes the duties of employees and assistants, consistent with District policy, and
- iv. Fixes and alters the compensation of employees and assistants, subject to approval by the Board.

The District's General Manager serves at the pleasure of the Board. The Board will provide policy direction and instructions to the General Manager on matters within the authority of the Board by majority vote of the Board during duly convened Board and Board committee meetings. Members of the Board will deal with matters within the authority of the General Manager through the General Manager, and not through other District employees, except as it pertains to the functions of the Financial Officer. Members of the Board will refrain from making requests directly to District employees (rather than to the General Manager) to undertake analyses, perform other work assignments or change the priority of work assignments. Members of the Board may request non-confidential, factual information regarding District operations from District employees.

**General Manager Duty.** The General Manager has primary responsibility for:

- i. Ensuring compliance with the District's Personnel Manual, and ensuring that District employees do not engage in improper activities,
- ii. Investigating allegations of improper activities, and
- iii. Taking appropriate corrective and disciplinary actions.

**Board Duty.** The Board has a duty to ensure that the General Manager is operating the District according to law and the policies approved by the Board. Directors are encouraged to fulfill their obligation to the public and the District by disclosing to the General Manager, to the extent not expressly prohibited by law, improper activities within their knowledge. Directors will not interfere with the General Manager's responsibilities in identifying, investigating and correcting improper activities, unless the Board determines that the General Manager is not properly carrying out these responsibilities.

**Financial Officer.** The Financial Officer will report to the General Manager and will be available to respond to financial questions concerning the District when called upon by board members.

The Financial office will install and maintain a system of auditing and accounting that will completely and at all times show the financial condition of the District in accordance with generally accepted accounting principles and legal requirements. The Board will retain and

periodically review the work of an auditor as an independent contractor of the District (other than the Financial Officer), who will report to the Board, to conduct an annual audit of the District's books, records and financial affairs.