



BEAUMONT-CHERRY VALLEY WATER DISTRICT
560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA
MEETING OF THE PERSONNEL COMMITTEE**

*This meeting is hereby noticed pursuant to
California Government Code Section 54950 et. seq., and
under the provisions of Assembly Bill 361 and BCVWD Resolution 2022-13*

Tuesday, May 17, 2022 - 5:30 p.m.
560 Magnolia Avenue, Beaumont, CA 92223

COVID-19 NOTICE

This meeting of the Personnel Committee is open to the public who would like to attend in person. COVID-19 safety guidelines are in effect pursuant to the Cal/OSHA COVID-19 Prevention Emergency Temporary Standards and the California Department of Public Health Recommendations

- **Face coverings are recommended for vaccinated and unvaccinated persons and must be properly worn over the nose and mouth at all times**
- **Maintain 6 feet of physical distancing from others in the building who are not in your party**
- **There will be no access to restrooms in the building**

TELECONFERENCE NOTICE

*The Members of the Personnel Committee will attend via
Zoom Video Conference and/or in person in the Board Room*

To access the Zoom conference, use the link below:

<https://us02web.zoom.us/j/85792068838?pwd=cFArZHZ4aHRSumJLeTBCZVpnUGRmdz09>

To telephone in, please dial: (669) 900-9128
Enter Meeting ID: 857 9206 8838 • Enter Passcode: 457586

*For Public Comment, use the “**Raise Hand**” feature if on the video call when prompted. If dialing in, please **dial *9 to “Raise Hand”** when prompted*

Meeting materials will be available on the BCVWD’s website:

<https://bcvwd.org/document-category/personnel-committee-agendas/>

PERSONNEL COMMITTEE MEETING – MAY 17, 2022

Call to Order: Chair Covington

Teleconference Verification

Roll Call

	John Covington
	Andy Ramirez

	David Hoffman (alternate)
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Public Comment

PUBLIC COMMENT: RAISE HAND OR PRESS *9 to request to speak when prompted. At this time, any person may address the Personnel Committee on matters within its jurisdiction which are not on the agenda. However, non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

1. **Adjustments to the Agenda:** In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
 - a. Item(s) to be removed or continued from the Agenda
 - b. Emergency Item(s) to be added to the Agenda
 - c. Changes to the order of the agenda

2. **Acceptance of Personnel Committee Meeting minutes:**
 - a. April 19, 2022 (pages 4 - 9)

ACTION ITEMS

3. **Report from Human Resources Department** (pages 10 - 14)

4. **Report / Update from BCVWD Employees Association** (no staff report)

5. **Update: 2021 Performance Evaluation Compliance** (pages 15 - 16)

6. **Update: BCVWD Employment Agreements** (pages 17 - 29)

7. **Policies and Procedures Manual Updates / Revisions** (pages 30 - 38)
 - a. Policy 3003 Employment Agreements
 - b. Policy 3020 Health and Welfare Benefits
 - c. Policy 3100 Bereavement Leave

8. **Action List for Future Meetings**
 - *Employee Association topics*
 - *Policy manual updates*
 - *Standardized employment contracts*

9. **Next Meeting Date: June 21, 2022**

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 will be made available on the District website: www.bcvwd.org.

REVISIONS TO THE AGENDA - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Regular Meeting 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 24 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 or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

CERTIFICATION OF POSTING

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)).



BEAUMONT-CHERRY VALLEY WATER DISTRICT AGENDA
560 Magnolia Avenue, Beaumont, CA 92223

MINUTES OF THE PERSONNEL COMMITTEE MEETING
Tuesday, April 19, 2022 at 5:30 p.m.

***Meeting held via teleconference pursuant to
California Government Code Section 54950 et. seq. and
BCVWD Resolution 2022-09***

CALL TO ORDER

Chair Covington called the meeting to order at 5:30 p.m.

Announcement of Teleconference Participation

Director of Finance and Administrative Services Kirene Manini, PhD, clarified that this meeting is conducted pursuant to BCVWD Resolution 2022-09.

Due to the danger of COVID-19, the teleconference locations are not publicly accessible. The public's right to comment and participate in the meeting is being assured via teleconference capabilities.

Attendance

<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 Administration Kirene Manini, PhD Director of Information Technology Robert Rasha Human Resources Coordinator Sabrina Foley Administrative Assistant Cenica Smith</i>
<i>BCVWD Employee Association reps:</i>	<i>Julian Herrera Erica Gonzales</i>

PUBLIC INPUT: *None.*

ACTION ITEMS

1. Adjustments to the Agenda: None
2. Acceptance of the Meeting minutes
 - a. December 20, 2021
 - b. February 15, 2022

The Committee accepted the minutes of the Personnel Committee meetings by unanimous roll-call vote.

3. Report from Human Resources Department

Human Resources Coordinator Sabrina Foley presented the report. She advised of two voluntary separations and a five-year service anniversary.

Chair Covington asked about total number of current employees. Less the two separations, and including the part time and temporary employees, the total of FTEs is 38.

4. Annual Workplace Demographics vs. Community Demographics Report

Human Resources Coordinator Sabrina Foley presented the report. She pointed to the BCVWD demographics in comparison to the area population demographics and said that ideally, as a public agency, the District would represent the community it serves.

5. Update on the status of the Memorandum of Understanding (MOU) with the Employee Association

Human Resources Coordinator Sabrina Foley provided background on the current activity related to the MOU. The classification study has concluded, and HR staff is working with management to finalize job descriptions, which will be effective as of the date of the compensation study when adopted.

MOU bargaining and analysis have concluded, and the document is being drafted, Foley reported. The budget amendment will be presented to the Board for adoption. Director Covington asked about the retroactive provision, and Foley confirmed it will be effective after MOU approval.

General Manager Jagers added that the MOU will go to the Board for approval in open session. Covington opined that the final draft should first be presented to the Board in closed session, then adopted in open session with the document available to the public, preferably at one meeting. Director Ramirez recommended a special meeting. Jagers suggested a special meeting on Thursday, April 21 at 6:30 p.m.

6. Report / Update from BCVWD Employees Association

Erica Gonzales and Julian Herrera indicated employees are appreciative of the work on the MOU and look forward to its approval.

7. Update: 2021 Performance Evaluation Compliance

Human Resources Coordinator Sabrina Foley presented the updated report on 2021 evaluations. Director Covington noted that the executive team is behind. Mr. Jagers assured that he is trying to catch up. Ms. Foley added that evaluations are coming in timely this year.

Director Ramirez asked about reasonable turnaround time for the executive team. Jagers said he is committed to get these completed for the next meeting and to begin in 2022. There are fewer than five, he noted in response to Director Covington.

8. Update: BCVWD Employment Agreements

Ms. Foley reminded the Committee about discussion at the last meeting and that this is informational only. The Personnel Committee requested information on the renegotiation of salaried employment agreements, she said. There will be some changes for a few individuals who will switch to employment agreements if the MOU is adopted, along with the class/comp study due to Fair Labor Standards Act changes (FLSA), she advised.

Goals for re-evaluation include updating the template with legal counsel, analyzing existing agreements to identify opportunities for standardization or to identify unique items for administrative efficiency and internal equity while still allowing flexibility for the general manager to negotiate.

After the updated salary schedule and titles are adopted by the Board, the project can move forward, Foley explained.

Director Covington noted that some titles appear antiquated, and the latest contract version should be referenced. The terms of the agreement should be consistent and streamlined, he said, and acknowledged FLSA required language. It makes sense that all the agreements will be the same with slight nuances, he posited. Mr. Jagers stated that a baseline contract would set forth general terms, but there are some nuances to some of the contracts that may require grandfathering and/or negotiation. Attachments would be included.

Director Covington asked if existing employee agreements are public information. Ms. Foley explained that while the contracts are potentially public information, open session discussion may present downsides. Jagers added he has never seen individual contracts on district websites other than the general manager's, and suggested this would be better answered by legal counsel.

Director Ramirez said he would prefer to see the general baseline contract parameters to assure the parameters are set forth by the Board. Jagers noted the importance of having flexibility during the hiring process and available contract negotiation techniques to attract high quality staff.

Director Covington acknowledged that the general manager has the authority to negotiate employment agreements and asked if there is a related policy provision; Ms. Foley said there is not a policy, but there is practice.

Director Ramirez said that regardless of whether the negotiation techniques are discussed at the Personnel Committee or in closed session, he did not want to have to again rewind some of the contracts that are all over the place, or for potential employee to finagle and lock the District into a contract including the earth, moon, and stars. There must be identifiers and expectations, he said.

Director Covington said there should be a policy regarding the steps in the employment agreement process and identifying the authority of the Board and the general manager. The draft employment agreements should come back to the Board for review and approval, and for consideration of the general manager's comments, he stated, Ramirez concurred.

Jagers noted the authority level is a question for legal counsel. He suggested that the control would be a baseline contract / employment agreement with negotiations like the

MOU. He described the executive management agreement with the ability to negotiate through those vehicles as used by other districts. The Board sets policy and retains control via a bargaining unit, he explained.

With the proper controls, this District is small enough to continue with the current format, Ramirez noted. He said he is satisfied with the current status with the addition of bookends as he described.

Director Covington referenced discussion on this issue and the enmeshment of contract employee benefits with the MOU – who gets or does not get what. The Board needs to discuss the baseline contract in closed session, he opined.

Ms. Foley advised that the draft employment agreement template would be brought to the next Personnel Committee meeting.

If the Personnel Committee blesses the template, Covington stated, the GM may move forward with what is needed to be done with the employees; but at that meeting, some of the things mentioned in closed session will need to be discussed.

Mr. Jagers reminded the Committee that he did not negotiate all the contracts; some were in existence and are important to the people who negotiated them and are not necessarily detrimental to the District but do have nuances.

Jagers suggested Board control of the baseline agreement template, and having a general discussion about nuances and boundary conditions as guidance. All will need to be memorialized in a policy, Covington stated, and said the Board should be seeing the final contracts before they are executed. Ramirez concurred and acknowledged that quality staff is needed, but said he does not want to be held hostage by a staff member, and wants to assure transparency.

Jagers suggested parameters would be established by the Board, then after resolution of the contract with the employee, bringing back the final to the Board, unless issues are identified by legal. He cautioned that the establishment of bookends may offer parameters for the negotiating parties to push toward.

Ramirez stressed the establishment of a fine balance, and Jagers assured that he understood the message.

9. Review of Policy Manual Project Priorities

Human Resources Coordinator Sabrina Foley reminded the Committee of discussion in November regarding review of the policy manual to identify policies with the highest priority for update. She presented a list of policies considered by management and the Employee Association to be higher priority.

Director Covington said the highlights have merit, and recommended the first round of policy revisions come on the heels of the MOU to reflect any changes and achieve consistency. He suggested addressing these at the same meeting as the approval of the MOU or not too far down the road. Ms. Foley assured that the MOU takes precedence over policy, and Mr. Jagers advised against rushing through. Items of high priority are on this agenda, he noted.

Director Ramirez suggested tackling the policies progressively so as not to be too weighty for staff or the Committee. He suggested the top three be reviewed at each Committee meeting. Covington stressed that the policies related to the MOU need to come back quickly; after that he said he was in agreement with limiting to three per meeting.

Ms. Foley asked if the Committee had any priorities that were not identified on the list. Covington noted that once those affected by the MOU, the remaining appear to be priority, and Ramirez pointed to those that he had requested.

Director Ramirez asked about the onus for proposed Policy 4030 Board Meeting Agendas, noting that the Board had previously rejected the requirement for two directors to support placement of an item on the agenda. Ms. Foley reminded that this proposed policy was upon recommendation of legal counsel. Director Covington agreed that this has already been addressed. General Manager Jagers reminded that this was a recent recommendation from legal counsel in response to legal counsel's identification of the potential for one director to load the agenda. The Board's response was that this is not a current issue, and there is no need for protection against that, Jagers noted. The decision was that if a situation where the Board is suffering from such activity, it can be corrected in a subsequent policy, he noted. It has now been several months since the initial discussion. Director Ramirez voiced displeasure with this item returning to the Committee and directed staff to delete it.

Mr. Jagers advised that the policies were reorganized and reviewed for potential exposure from a legal perspective. Things that are listed may become higher or lesser priority over time, he added.

10. Policies and Procedures Manual Updates / Revisions

Director Covington said the last time he saw this addressed was in December, and discussion was ended with Policy 3205.21 as the meeting grew too late. The starting point for discussion should be 3205.22 forward, he noted. Mr. Jagers pointed to the January action on policy change regarding gender-neutral pronouns and Ms. Foley noted that pronouns have been revised in the policies before the Committee and pointed to highlighted areas with changes based on the prior discussion. Mr. Jagers reviewed the changes.

Ms. Foley introduced Policy 5100 Press Relations and Social Media which was requested by the Communications Committee and has been reviewed by the public information officer, consultant, and legal counsel. Mr. Jagers reminded about discussion of this at the Communications Committee, explained the process and assured that staff has worked diligently to make this happen.

The Committee approved the following policies to be forwarded to the full Board of Directors for consideration:

- *Policy 3030 Gift Acceptance Guidelines*
- *Policy 3035 Outside Employment*
- *Policy 3205 Substance Abuse with Appendices A and B*
- *Policy 3206 FMCSA Clearinghouse Registration*
- *Policy 5100 Press Relations and Social Media*

by the following vote:

MOVED: Covington	SECONDED: Ramirez	APPROVED
AYES:	Covington, Ramirez	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

Ms. Gonzales and Mr. Herrera left the meeting.

11. Action List for Future Meetings

- *Employee Association topics (none added)*
- *Policy manual updates (ongoing)*
- *Standardized employment contracts*
- *Other Post-Employment Benefits 115 Trust will go to the F&A Committee*
- *?????*

12. Next Meeting Date: Tuesday, May 17, 2022 at 5:30 p.m.

Director Covington advised that he will not be able to attend as this date conflicts with the Bay-Delta Tour. Alternate member Director Hoffman will be requested to attend.

ADJOURNMENT: 7:02 p.m.

Attest:

DRAFT UNTIL APPROVED

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



**Beaumont-Cherry Valley Water District
Personnel Committee Meeting
May 17, 2022**

Item 3

HUMAN RESOURCES REPORT

TO: Board of Directors Personnel Committee
FROM: Sabrina Foley, Human Resources Administrator
SUBJECT: Human Resources Department Report for the Period of April 13, 2022 – May 10, 2022

Personnel

Total Current Employees (Excluding Board Members)	42
Full-Time Employees	37
Part-Time	3
Temporary	2
Interns	0
Separations	1
Retiring Employees	0

New Hires

The District hired a Customer Service Representative I on April 25, 2022.

Anniversaries*

Employee Name	Job Title	Years of Service
Mark Swanson	Director of Engineering	4
Adam Nelson	Water Utility Worker I	1

**Work Anniversaries for the purposes of this report are calculated from the most recent hire date and do not determine employment conditions or terms. This report does not include elected officials.*

Promotions

N/A

Employee Communications

4/14/2022: HR announced a job opening for the position of Water Utility Worker I.

4/14/2022: HR shared an optional webinar about Emotional Intelligence.

4/21/2022: HR introduced a new employee for the Customer Service Representative I position.



5/2/2022: HR announced required training in TargetSolutions for Workplace Bullying prevention and an annual review of the District's anti-harassment policies.

5/3/2022: HR shared information about optional informational webinars from the District's 457 vendor regarding the 457 and 457 Roth plans.

5/4/2022: HR announced the newly elected MOU representatives for the Employee Association.

5/4/2022: HR shared a reminder about near-miss safety reports.

5/9/2022: HR published HR Memo #22-010, Water Certifications Requirements, which shared the updated certification requirements for each operations position that resulted from the implementation of the Classification study.

5/10/2022: HR announced the resignation of an employee.

Pending Legislation

Bill/Legislation	Title	Description	Status
AB 399	Workers' Compensation	Would require employers to provide the medical provider network name and identification number to the injured employee within 5 days of the request.	Referred to Committee
AB 1632	Restroom Access: Medical Conditions	Would require a place of business open to the general public that has a toilet facility for employees to allow any individual who is lawfully on the premises to use that facility during normal business hours, even if the business does not normally make the toilet facility available to the general public.	Re-referred to Committee on appropriations.
AB 1711	Privacy: Breach	Would require an agency to post a notice on the agency's website to disclose a breach of security of the system to certain residents of CA.	Ordered to third reading.
AB 1751	Workers' Compensation: COVID-19 Critical Workers	Would extend the presumption of injury resulting from COVID-19 until January 1, 2025.	CSDA opposes. Sent to Suspense file.



AB 1761	Employment: Flexible Work Schedules	Would allow an employer to implement a 4/10 work schedule without the obligation to pay overtime compensation except as specified.	Failed Deadline-Dead.
AB 386	Public Employees' Retirement Fund: investments, confidentiality	Would exempt from disclosure under the act specified records regarding an internally managed private loan made directly by the Public Employees' Retirement Fund. Would include financial statements of the borrower. Will allow CalPERS to place greater investments in private equity and manage investments internally.	CSDA Supports. Failed deadline in 2021 and may be acted upon in 2022. No action taken so far this year.
AB 857	Labor Commissioner: required disclosures	Would require an employer to include in their written notice to all employees, specified information required in the event of a federal or state declared disaster or applicable to the county in which the employee will be employed.	Failed deadline in 2021 and may be acted upon in 2022. No action taken so far this year.
AB 1041	Employment: leave (CFRA)	Would expand the population that an employee can take leave to care for to include a "designated person" identified by the employee at the time of request for leave. Bill would authorize employers to limit the designation of a person.	CSDA opposes. Failed deadline in 2021 and may be acted upon in 2022. No action taken so far this year.
AB 1949	Employees: bereavement leave	Would allow eligible employees under CFRA to take up to 5 days of unpaid bereavement leave upon the death of a family member.	Sent to Suspense file.



AB 1993	Employment: COVID-19 vaccination requirements	Would require employees and independent contractors who are eligible to receive the COVID vaccine to show proof to their employer of vaccination. Exceptions are established for medical and religious exemptions. Employers must affirm compliance with the Dept. of Fair Employment and Housing.	Failed deadline-Dead.
AB 2182	Discrimination: family responsibilities	Would prohibit employment discrimination on account of defined family responsibilities. Would make it unlawful for an employer to fail to make reasonable accommodation for known family responsibilities.	Re-referred to committee on Appropriations.
AB 2188	Discrimination in employment: use of cannabis	Would make it unlawful for an employer to discriminate against an individual based upon the person's use of cannabis off the job and away from the workplace, or upon an employer-required drug screening test.	CSDA opposes. Re-referred to committee on Appropriations.
AB 2243	Occupational safety and health standards: heat illness and wildfire smoke	Would require a stricter revision of heat illness and air quality standards at temperatures higher than 105 degrees.	CSDA opposes. Re-referred to Committee on Appropriations.
AB 2932	Workweek: hours and overtime	For employers with more than 500 employees, would require that work in excess of 32 hours in a workweek be compensated as overtime. Prohibits an employer from reducing the rate of pay as a result of this reduced hourly workweek requirement.	Failed deadline-Dead.

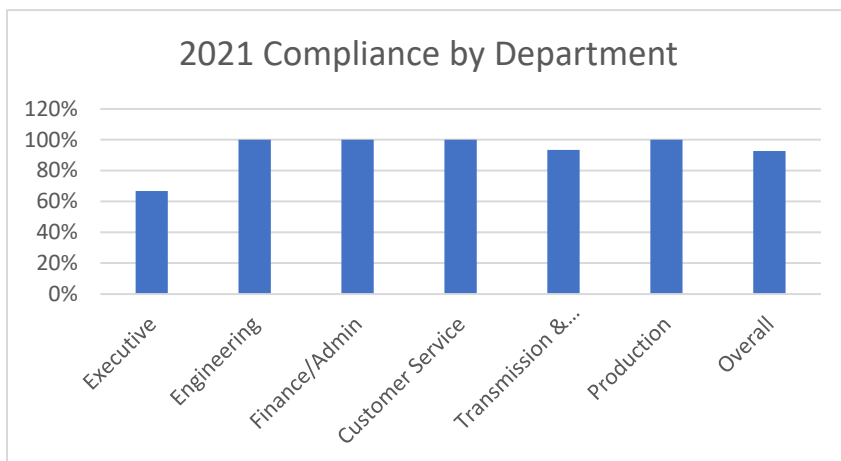
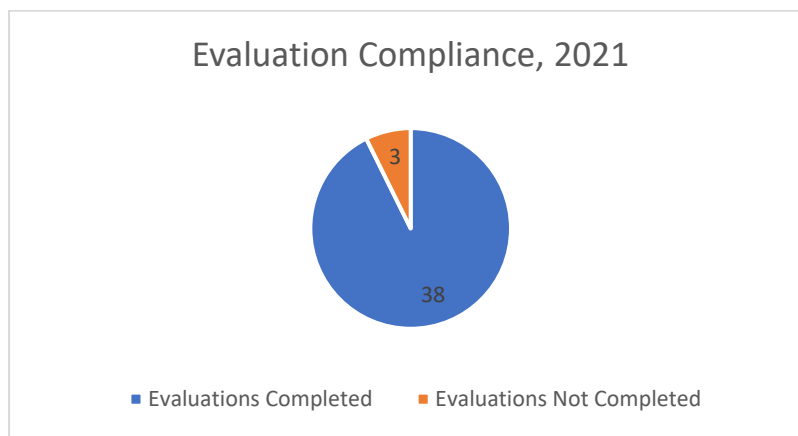


SB 335	Workers' Compensation: liability	Would reduce 90 day time period to reject liability for workers' compensation claims.	CSDA opposes. Failed deadline in 2021 and may be acted upon in 2022. No action taken so far this year.
SB 931	Deterring union membership: violations	Would authorize an employee organization to bring a claim before PERB alleging that a public employer violated current law prohibiting the employer from deterring or discouraging employees from becoming or remaining members of an employee organization.	Placed on suspense file.
SB 984	Military service: leave of absence pay and benefits	Would repeal the provision that employee members of reserve military units and the National Guard required to attend scheduled reserve drill periods or perform other inactive duty reserve obligations to be granted military leave of absence.	Placed on suspense file.
SB 1044	Employers: natural disasters, retaliation	Would prohibit an employer from taking or threatening adverse action against any employee for refusing to report to, or leaving, a workplace within the affected area because the employee feels unsafe.	CSDA opposes. Placed on suspense file.

Prepared by Sabrina Foley, Human Resources Administrator

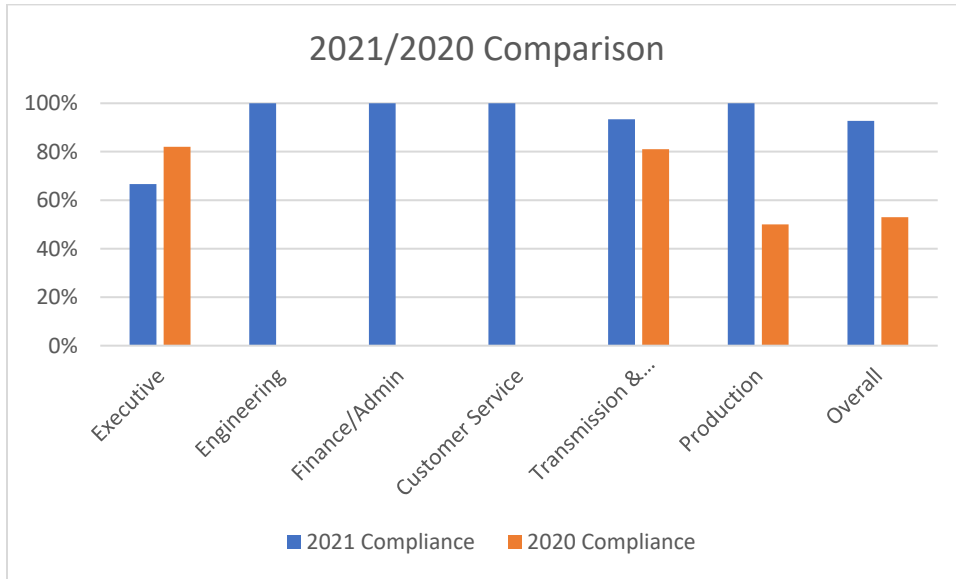
2021 Performance Evaluation Compliance Report

Updated May 10, 2022



Department	2021 Compliance
Executive	67%
Engineering	100%
Finance/Admin	100%
Customer Service	100%
Transmission & Distribution	93%
Production	100%
Overall	93%

Prepared by Sabrina Foley, Human Resources Administrator



Prepared by Sabrina Foley, Human Resources Administrator



**Beaumont-Cherry Valley Water District
Personnel Committee
May 17, 2022**

Item 6

STAFF REPORT

TO: Board of Directors Personnel Committee
FROM: Sabrina Foley, Human Resources Coordinator
SUBJECT: Update: BCVWD Employment Agreements

Staff Recommendation

Review the drafted template and provide feedback to staff as desired.

Background

The Personnel Committee requested information on the status of renegotiation for BCVWD Employment Agreements (for unrepresented salaried and management personnel). The District intends to update the employment agreements due to title and FLSA (Fair Labor Standards Act) status changes that may occur as a result of the District's completed classification study. Additionally, many existing agreements are a few years old.

During its April 19, 2022, meeting, the Personnel Committee also requested staff to develop a policy regarding the employment agreements.

Summary

There are nine (9) individuals who are currently employed under an employment agreement (excluding the General Manager), and there will be eleven (11) total agreements to be negotiated due to FLSA status changes implemented as a result of the Classification Study.

Thus far, Human Resources has worked with the District's legal counsel and consultant HR Dynamics to update the standard template for the Employment Agreements (**Attachment 1**). Additionally, Human Resources has analyzed all existing employment agreements to identify opportunities for standardization, which promotes administrative efficiency and equity.

The General Manager will act as the District's Chief Negotiator to negotiate directly with affected employees, and the Board will provide direction to the General Manager. Thus far, the General Manager has received some requests from the affected employees to consider other benefit activities that are not currently represented in the list of benefits. Examples of this may include items such as administrative leave, access to a 401(a) account, etc. Staff seeks the Personnel Committee's direction regarding these kinds of items.

Fiscal Impact

To be determined.

Attachments

1. Draft Template, Standard Employment Agreement

Staff Report prepared by Sabrina Foley, Human Resources Coordinator.

BEAUMONT - CHERRY VALLEY WATER DISTRICT

EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into and shall be effective as of the XXth day of MONTH 2022, by and between the BEAUMONT-CHERRY VALLEY WATER DISTRICT, a California corporation, hereinafter called the "District," and EMPLOYEE NAME, hereinafter called "Employee."

RECITALS

- A. District desires to retain the services of Employee in the position of Job Title, and Employee desires employment in that position.

District desires to:

- (1) Retain the services of Employee;
- (2) Encourage the highest standards of fidelity and public service on the part of Employee; and
- (3) Provide a just means for terminating Employee's employment and this Agreement when District may desire to do so.

- B. The parties further desire to establish the Employee's conditions of employment.

NOW THEREFORE, in consideration of the mutual covenants hereinafter contained the parties agree as follows:

1. Duties. District hereby employs Employee as JOB TITLE to perform the duties specified in Exhibit "A" hereto and to perform such other legally permissible and proper duties and functions as may from time to time be assigned to Employee by the General Manager, DEPARTMENT HEAD TITLE, and/or designated supervisor. Employee agrees to devote Employee's full time and effort to the performance of this Agreement and to remain in the exclusive employment of the District and not to become otherwise employed while this Agreement is in effect without the prior written approval of the General Manager.
2. Hours of Work. Employee shall maintain a regular work schedule consistent with that approved by the General Manager for other employees of the District. Employee's duties may involve expenditures of time in excess of a regularly scheduled workday and/or forty (40) hours per week, and may also include time outside normal office hours such as attendance at Board meetings. Employee shall be deemed as an Exempt/Salaried employee under the Fair Labor Standards Act (FLSA) and not be entitled to additional compensation for such time. Employee agrees that their position is that of an exempt employee for the purposes of FLSA.
3. Term. This Agreement shall be effective as of DATE and will remain in force and effect until terminated as provided herein.

4. Salary. District shall pay Employee for the performance of Employee's duties as **JOB TITLE** under this Agreement a starting annual salary of **\$XXX**, less customary, and legally required payroll deductions. Salary and/or benefit adjustments shall be considered by the General Manager, **DEPARTMENT HEAD JOB TITLE**, and/or designated supervisor, annually in conjunction with Employee's annual performance evaluation pursuant to Paragraph 8 of this Agreement.
5. Benefits. Employee shall receive the benefits, including leave accruals and cash-out provisions, holidays and other benefits specified in Exhibit "B" hereto. To the extent the benefits enumerated in Exhibit "B" are increased, decreased, modified, or eliminated by the Board of Directors by Resolution, said increase, decrease, modification, or elimination of said benefits shall be applicable to Employee at the time it becomes effective by Resolution adopted by the Board of Directors.
6. General Expenses and Business Equipment. District recognizes that certain expenses of a non-personal and job-related nature may be incurred by Employee. District agrees to reimburse Employee for reasonable expenses which are authorized by the District budget, and which are supported by expense receipts, statements, or personal affidavits, and audit thereof in like manner as other demands against District.
7. Official and Professional Development Expenses. District shall pay reasonable sums for professional dues, memberships, and subscriptions for Employee necessary in the judgment of the **DEPARTMENT HEAD JOB TITLE**, designated supervisor, and General Manager for Employee's continued participation in associations and organizations, which memberships are necessary and desirable for the continued professional development of Employee and for the good of the District. Such related expenses may include the actual cost for registration, travel, lodging, meals, and other expenses incurred by Employee while attending overnight, out-of-town meetings, or seminars related to their employment with the District, in accordance with the District's policies for expense reimbursement. Notwithstanding the foregoing, the Board of Directors shall have discretion to establish appropriate amounts, in the annual District budget or otherwise, for official and professional development expenses and travel costs. The District shall reimburse Employee for any use of their personal vehicle in conjunction with conducting the business of the District at standard IRS mileage rates where a District vehicle is not provided.
8. Performance Evaluation. The **DEPARTMENT HEAD JOB TITLE** and designated supervisor shall review and evaluate Employee's performance at least once annually. As part of each such evaluation, the **DEPARTMENT HEAD JOB TITLE** and designated supervisor shall develop performance goals and criteria which the designated supervisor shall use in reviewing Employee's performance the following year. It shall be Employee's responsibility to initiate each review. Employee shall be afforded an adequate opportunity to discuss each evaluation with the **DEPARTMENT HEAD JOB TITLE** or designated supervisor.

9. District Documents. All data, studies, reports, and other documents prepared by Employee while performing their duties during the term of this Agreement shall be furnished to and become the property of the District, without restriction or limitation on their use. All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other materials either created by or provided to Employee in connection with the performance of this Agreement shall be held confidential by Employee to the extent permitted by applicable law, except as may be required by any governmental agency or court of competent jurisdiction. Such materials shall not be used by Employee, without the prior written consent of the General Manager for any purposes other than the performance of their duties. Additionally, no such materials may be disclosed to any person or entity not connected with the performance of services under this Agreement, except as required by (a) law, (b) any governmental agency, (c) subpoena, or (d) an order issued by a court of competent jurisdiction.
10. Indemnification. District shall defend, hold harmless, and indemnify Employee against any claim, demand, judgment, or action of any type or kind arising within the course and scope of Employee's employment to the extent required by California Government Code Sections 825 and 995.
11. Bonding. **(FOR CERTAIN POSITIONS)** The District shall bear the full cost of any fidelity or other bonds required of Employee, in the performance of their duties as **JOB TITLE**.
12. Conflicts Prohibited. During the term of this Agreement, Employee shall not engage in any business or transaction or maintain financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of Employee's duties under this Agreement. Employee shall comply with all requirements of law, including but not limited to, Sections 87100 et seq., Section 1090 and Section 1125 of the Government Code, and all other similar statutory and administrative rules.
13. Other Terms and Conditions of Employment.
 - a. The General Manager may from time to time fix other terms and conditions of employment relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provision of this Agreement, the District's rules and regulations, or other applicable law.
 - b. The provisions of the District's Personnel Rules and Regulations ("Rules") shall apply to Employee to the extent they explicitly apply to this position, except that if the specific provisions of this Agreement conflict with the Rules, the terms of this Agreement shall prevail. Without limiting the generality of the exception noted in the previous sentence, however, no provision of the Rules or this Agreement shall confer upon Employee a property right in Employee's employment or a right to be discharged only upon cause during Employee's tenure. At such times as Employee is serving as **JOB TITLE**, Employee is an at-will employee serving at the pleasure of the General

Manager and may be dismissed at any time with or without cause, subject only to the provisions of this Agreement.

14. General Provisions

- a. This Agreement constitutes the entire agreement between the parties. District and Employee hereby acknowledge that they have neither made nor accepted any other promise or obligation with respect to the subject matter of this Agreement. This Agreement may be amended only by a writing signed by Employee, approved by the General Manager, and executed on behalf of the District.
- b. If any provision or any portion of this Agreement is held to be unconstitutional, invalid or unenforceable, the remainder of the Agreement shall be deemed severable and shall not be affected and shall remain in full force and effect.
- c. This Agreement may be terminated by District, by and through the General Manager, upon delivery of notice to Employee, with or without cause subject only to requirements of paragraph 15, below. Notice of termination (Employee's resignation) to District shall be given in writing to the District, either by personal service or by registered or certified mail, postage prepaid, addressed to District as follows:

General Manager
Beaumont-Cherry Valley Water District
560 Magnolia Avenue
Beaumont, California 92223-2258

Any notice to Employee shall be given in a like manner, and, if mailed, shall be addressed to Employee at the address then shown in District's personnel records. For the purpose of determining compliance with any time limit stated in this Agreement, a notice shall be deemed to have duly given (a) on the date of delivery, if served personally on the party to whom notice is to be given, or (b) on the second (2nd) calendar day after mailing, if mailed in the manner provided in this section to the party to whom notice is to be given. Notwithstanding the forgoing, this Agreement shall automatically terminate on the death or permanent disability of Employee and Employee agrees to give District not less than 30 calendar days' written notice of their resignation. District also agrees to provide Employee written notice of intent to terminate not less than 30 calendar days of the effective date of his termination.

- d. If an action at law or in equity is necessary to enforce or interpret this Agreement, the prevailing party in that action shall be entitled to reasonable and actual attorney's fees and costs with respect to the prosecution or defense of the action.

- e. A waiver of any of the terms and conditions of this Agreement shall not be construed as a general waiver by the District and District shall be free to enforce any term or condition of this Agreement with or without notice to Employee notwithstanding any prior waiver of that term or condition.
15. Termination Without Cause. District, by and through its General Manager, may terminate this contract without cause. If District terminates this contract without such cause as hereinafter defined, then District shall pay Employee the total of up to three months base salary as severance at or prior to Employee's last day of employment, subject to the limitations of Government Code section 53260 and the employee's execution of a separation agreement District, by and through its General Manager, may terminate this contract with cause at any time upon any of the grounds delineated in Exhibit "C" hereto. Employee shall have no right to receive any severance if terminated for cause.
16. Employee agrees that any cash settlement or severance related to the termination that Employee may receive from the District shall be fully reimbursed to the District if Employee is convicted of a crime involving an abuse of their office or position in accordance with California Assembly Bill 1344 of 2011 and Government Code Sections 53243 – 53243.4, which sought to provide greater transparency in local government and institute certain limitations on compensation paid to local government executives. These statutes require that contracts between local agencies and its employee include provisions requiring an employee who is convicted of a crime involving an abuse of their office or position to provide reimbursement to the local agency for the following forms of payment: (a) paid leave salary; (b) criminal defense costs; (c) cash settlement payments; and (d) any non-contractual settlement payments. Accordingly, Employee agrees that it is their intent to fully comply with these Government Code sections and all other applicable law as it exists as of the date of execution of this agreement and as such laws may be amended from time to time thereafter.
17. Independent Legal Advice. The District and Employee represent and warrant to each other that each has received legal advice from independent and separate legal counsel with respect to the legal effect of this Agreement, or had the opportunity to do so, and the District and Employee further represent and warrant that each has carefully reviewed this entire Agreement and that each and every term thereof is understood and that the terms of this Agreement are contractual and not a mere recital. This Agreement shall not be construed against the party or its representatives who drafted it or who drafted any portion thereof.

IN WITNESS WHEREOF the parties have executed this Agreement as of the day and year first above written.

EMPLOYEE

BEAUMONT-CHERRY VALLEY
WATER DISTRICT

Approved as to form:

ATTEST:

James Markman
General Counsel

SAMPLE

EXHIBIT "A"

JOB DESCRIPTION

SAMPLE

EXHIBIT "B"

BENEFITS FOR PROFESSIONAL/MANAGEMENT EMPLOYEES

1. MEDICAL BENEFITS:

- a. HEALTH BENEFITS: The District shall provide health insurance coverage and provide 100% of the cost of the premium for the employee and their eligible dependents, or as provided for in the District's Policies, procedures, rules, and regulations. The District offers various health plans to choose from. Enrollment in one of the plans is mandatory. Coverage is effective the first day of the month following the date of hire.
- b. DENTAL BENEFITS: The District offers a voluntary dental plan. Coverage is effective the first day of the month following the date of hire.
- c. VISION BENEFITS: The District offers a voluntary vision plan. Coverage is effective the first day of the month following the date of hire.
- d. FLEXIBLE SPENDING ACCOUNT (FSA) SECTION 125 PLAN - FOR HEALTH AND DEPENDENT CARE: The District offers a voluntary pre-tax plan in which Employee may opt to contribute up to the legally defined limits per year to pay for out-of-pocket health and dependent care on a pre-tax basis.

2. RETIREMENT BENEFITS:

- a. CALPERS: The District participates in the California Public Employees' Retirement System (CalPERS) as follows:
 - 2.7% @ 55 plan for Classic Members (employees hired before January 1, 2013); and
 - 2% @ 62 plan for Public Employees' Pension Reform Act (PEPRA) Members (New employees who are new members to CalPERS hired on or after January 1, 2013).
 - The employee shall be enrolled in the appropriate plan and shall pay their full employee contribution towards the retirement plan.
- b. SOCIAL SECURITY: The District participates in Social Security. Employee shall pay their contribution in accordance with applicable law.
- c. 457 PLAN (Pre-Tax): The District offers a voluntary pre-tax savings plan in which Employee may opt to contribute up to the legally defined limits per year.
- d. ROTH 457 (Post-Tax): The District offers a voluntary post-tax savings plan in which Employee may opt to contribute up to the legally defined limits per year.

3. LIFE INSURANCE:
 - a. TERM POLICY AND AD&D: the District provides Employee with term life insurance including AD&D or equivalent with coverage at the employee's current regular rate of pay, at the time of death, equal to one year's salary.
 - b. VOLUNTARY LIFE INSURANCE: The District offers a voluntary group life insurance plan in which Employee may purchase additional life insurance coverage at the employee's cost.

4. SUPPLEMENTAL BENEFITS: The District offers additional voluntary group policies in which Employee may purchase desired coverages. Such plans may include supplemental short-term disability, accident insurance, cancer insurance, and critical illness insurance.

5. STATE DISABILITY INSURANCE: Employee shall pay the cost of the premiums associated with State Disability Insurance.

6. LEAVE BENEFITS:
 - a. SICK LEAVE: The District provides twelve (12) sick days which are accrued at 4.62 hours per pay period, for a total of 120 hours annually.
 - b. VACATION: The District provides vacation days which are accrued each pay period based upon the employee's years of service in accordance with District policy. New employees receive two (2) weeks per year (80 hours annually) which are accrued as 3.08 hours per pay period.
 - c. SICK LEAVE AND VACATION BUY-BACK: Buy-back may occur under certain conditions in accordance with District Policy.
 - d. BEREAVEMENT LEAVE: Employee shall be entitled to bereavement leave in accordance with District Policy.
 - e. HOLIDAYS: Employee shall be entitled to all District recognized holidays in accordance with District policy. Currently, these holidays include:
 - January 1 (New Years' Day)
 - Martin Luther King Jr. Day, Third Monday in January
 - Third Monday in February (Presidents' Day)
 - Last Monday in May (Memorial Day)
 - July 4 (Independence Day)
 - First Monday in September (Labor Day)

November 11 (Veteran's Day)

Thanksgiving Day

Friday after Thanksgiving

December 25 (Christmas Day)

Employee Birthday (may be taken as a floating holiday)

7. **EMPLOYEE ASSISTANCE PROGRAM (EAP):** The District offers a District-paid Employee Assistance Program for the employee and eligible dependents.
8. **WORKER'S COMPENSATION:** The District provides mandatory Workers' Compensation coverage for Employee as it relates to any illness or injury incurred and caused during the course of work performed for the District.
9. **BUSINESS EQUIPMENT:**
 - a. **ELECTRONIC DEVICES:** The District shall provide Employee with a District cell phone, computer and/or other electronic devices, as shall be authorized by the General Manager and/or the Board of Directors. Employees have no expectation of privacy regarding the use of such devices, and shall use them only to conduct District business. Such devices, and any content stored on them, are the property of the District, and may be examined, collected, reviewed, or monitored at any time, without prior warning. All reasonable expenses concerning such electronic devices will be the responsibility of the District. All electronic communications and files or documents stored on all District devices are the sole property of District and said materials shall be conveyed to the District upon termination of this agreement.
 - b. **DISTRICT VEHICLE (FOR CERTAIN POSITIONS).** The District shall furnish Employee with a moderately equipped vehicle for all related District business, including travel to and from Employee's residence. The District shall supply all fuel and maintenance as required under normal vehicle operations. Other than de minimis use while commuting to or from work or during work hours, the Employee shall not use said District vehicle for any personal business and shall not transport anyone not conducting District business. The District is not liable for any damages or injuries caused by anyone other than the authorized employee operating the vehicle, or for any damages or injuries caused to a passenger in the vehicle who is not conducting District business.

EXHIBIT “C”
GROUNDS FOR TERMINATION

1. Incompetency such as failure to comply with the minimum standards for Employee’s position.
2. Neglect of duty, such as failure to timely perform the duties required of Employee’s position.
3. Insubordination, including actions involving a resistance to, or defiance of, or refusal to carry out a supervisor’s/manager’s/District agent’s lawful orders.
4. Failure to observe District’s working hour schedule.
5. Dishonesty including, but not limited to, any deliberate oral or written falsification or misrepresentation, misleading or incorrect information in connection with the preparation of District records and involving employment.
6. Falsification of any District report or record or of any report or record required to be, or filed by Employee.
7. Breach of confidential information.
8. Inappropriate use of the internet, or email in accordance with District’s Policies and Procedures.
9. Acceptance from any source of any compensation, reward, gift, or other form of remuneration in addition to employee’s regular compensation, as a personal benefit to the employee for actions performed in the normal course of employee’s assigned duties.
10. A breach of Employee’s employment agreement.
11. Conviction of a crime or conduct constituting a violation of federal, state, or local law which interferes with Employee’s ability to deliver public service.
12. Use, possession, sale, or being under the influence of alcohol or illegal drugs during assigned working hours or while on District property, with the exception of District Residences, or reporting to work under the influence of alcohol or illegal drugs.
13. Failure to comply with the District’s standards relative to drug and alcohol testing.
14. Absence without approved leave, or job abandonment (at least three consecutive workdays absent from duty without supervisory notification and/or permission).
15. Misuse or abuse of leaves of absence as defined by District Policy and Procedures.

17. Improper or unauthorized use of District property including taking District vehicles/ equipment home for personal use without authorization from Employee's supervisor.
18. Any action inconsistent with or in violation of District policies, practices and/or rules.

SAMPLE



**Beaumont-Cherry Valley Water District
Personnel Committee
May 17, 2022**

Item 7

STAFF REPORT

TO: Personnel Committee of the Board of Directors
FROM: Sabrina Foley, Human Resources Administrator
SUBJECT: Policies and Procedures Manual Updates/Revisions

Staff Recommendation

Recommend the updated policies to the Board of Directors for adoption, or provide direction regarding edits to the proposed policies.

Background

At the July 23, 2018 Personnel Committee Meeting, Committee members directed staff to review, revise and update the District's Policies and Procedures. At the July 27, 2020 meeting, an overview of the proposed changes to the organization of the document was presented. The Committee requested "redlined" versions of changes to review each item thoroughly. Policy Approval Tracking (**Attachment 1**) is provided as an overview of the project thus far. At the November 15, 2021 meeting, the Committee requested an indication of priority policies in the attachment, and staff added highlighting to indicate the highest priority and lowest priority policy updates.

Summary

Staff have consulted several sources to update the content and verbiage of the District's Policy Manual, including sample policies from the California Special Districts Association, articles published by the California League of Cities and Institute for Local Government, the District's HR Consultant, and recently updated manuals of other special districts. The aim of reorganization of the Policy Manual is to introduce consistency and modernize the document to align with the organizational goals of the District.

Revised policies are drafted using the APA (American Psychological Association) Style for writing style and grammar. The APA style emphasizes continuity, flow, conciseness, bias-free language, and clarity. These objectives parallel the District's goals for transparency in our public documents and promote clear and enforceable policies.

The proposed policies are presented side-by-side with the current versions, with redline edits shown for clarity (**Attachments 2-6**). The District's legal counsel has reviewed and recommended the drafted policies.



Summary Table

Policy 3003 Employment Agreements	<ul style="list-style-type: none">• The Committee requested this policy during its April 19, 2022 meeting.• Proposed new policy• Additional direction is needed. Section 3003.4 was recommended by legal counsel.
Policy 3020 Health and Welfare Benefits	<ul style="list-style-type: none">• Language has been updated to reflect current benefits offerings, and to match language in the adopted MOU with the Employee Association.
Policy 3100 Bereavement Leave	<ul style="list-style-type: none">• Language has been updated to match language in the adopted MOU with the Employee Association.

Fiscal Impact

No fiscal impact.

Attachments

1. Policy Approval Tracking
2. Proposed Policy 3003 Employment Agreements
3. Proposed Policy 3020 Health and Welfare Benefits
4. Original Policy Health and Welfare Benefits
5. Proposed Policy 3100 Bereavement Leave
6. Original Policy Bereavement Leave

Staff Report prepared by Sabrina Foley, Human Resources Administrator

Policy Approval Tracking
BCVWD Policy Manual Project

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Responsible Staff	Approved by Legal Counsel	Presented to Personnel Committee	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date	Resolution Number
1	1000	General	Definitions	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
2	1005	General	Definitions	Additional Edits	Human Resources	6/28/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
N/A	1010	General	Contractual Provisions	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
			Policy Manual	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
			Policy Manual	Additional Edits	Human Resources	Separate Report	N/A	N/A-directed to Board	3/9/2022	3/9/2022	3/9/2022	22-006
3	2000	Administration	Equal Opportunity	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
4	2005	Administration	Affirmative Action	Yes	Human Resources	Recommend to Remove	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
5	2010	Administration	Access to Personnel Records	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
6	2015	Administration	Harassment	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
7	2020	Administration	Sexual Harassment	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
N/A	2025	Administration	Whistleblower Protection	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
8	3000	Personnel	Employee Status	Yes	Human Resources	4/12/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Employee Information and									
N/A	3001	Personnel	Emergency Data	Yes	Human Resources	4/12/2021	6/21/2021	6/21/2021	10/13/2021	10/13/2021	10/13/2021	21-018
N/A	3002	Personnel	Employee Groups	Yes	Human Resources	4/12/2021	5/17/2021	5/17/2021	10/13/2021	10/13/2021	10/13/2021	21-018
N/A	3003	Personnel	Employment Agreements	No	Human Resources	5/10/2022	5/17/2022					
9	3005	Personnel	Compensation	Yes	Human Resources	7/13/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Prevailing Wage-Public Works									
N/A	3006	Personnel	Contractor-Employee Relations	Yes	Human Resources	7/13/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Employee Performance									
10 & 49	3010	Personnel	Evaluation	Yes	Human Resources	7/13/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
11	3015	Personnel	Performance Evaluation-General Manager	Yes	Human Resources	8/3/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
								Requested edits, bring back after MOU Negotiations				
12	3020	Personnel	Health and Welfare Benefits	Yes	Human Resources	5/10/2022	5/17/2022					
13	3025	Personnel	Pay Periods	Yes	Human Resources	10/12/2021	11/15/2021		5/11/2022			
14	3030	Personnel	Gift Acceptance Guidelines	Yes	Human Resources	12/10/2021	4/19/2022	4/19/2022	5/11/2022			
15	3035	Personnel	Outside Employment	Yes	Human Resources	10/12/2021	4/19/2022	4/19/2022	5/11/2022			
16	3040	Personnel	Letters of Recommendation	Yes	Human Resources							
17	3045	Personnel	Executive Officer	Yes	Human Resources							
18	3050	Personnel	Volunteer Personnel Workers' Compensation Insurance	Yes	Human Resources							
19	3055	Personnel	Work Hours, Overtime, and Standby Program	Yes	Human Resources							
20	3060	Personnel	Continuity of Service	Yes	Human Resources							
20 (incorrect numbering)	3065	Personnel	Reduction in Force	Yes	Human Resources							
21	3070	Personnel	Holidays	Yes	Human Resources							
22	3075	Personnel	Vacation	Yes	Human Resources							
23	3080	Personnel	Pre-Employment Physical Examination	Yes	Human Resources							
24	3085	Personnel	Sick Leave	Yes	Human Resources							
25	3090	Personnel	Family and Medical Leave	Yes	Human Resources							
26	3095	Personnel	Pregnancy Disability Leave	Yes	Human Resources							
N/A	3096	Personnel	Lactation Accommodation	No	Human Resources							
27	3100	Personnel	Bereavement Leave	Yes	Human Resources	5/10/2022	5/17/2022					
28	3105	Personnel	Personal Leave of Absence	Yes	Human Resources							
29	3110	Personnel	Jury and Witness Duty	Yes	Human Resources							
N/A	3111	Personnel	Leave for Crime Victims and Family Members	No	Human Resources							
				Yes; needs modifications from ACWA JPIA	Human Resources							
30	3115	Personnel	Return to Work Policy		Human Resources							
			Occupational Injury and Illness Prevention Program	Yes	Human Resources							
N/A	3121	Personnel	Infectious Disease Control	Yes	Human Resources							
N/A	3122	Personnel	Workplace Violence	Yes	Human Resources							
N/A	3123	Personnel	Theft	No	Human Resources							
32	3125	Personnel	Uniforms and Protective Clothing	Yes	Human Resources							
33	3130	Personnel	Conferences	Yes	Human Resources							
34	3135	Personnel	Occupational Certification Assistance	Yes	Human Resources							
			Succession and Workforce Planning	Yes	Human Resources							
N/A	3136	Personnel	Respiratory Protection Program	Yes	Human Resources							
35	3140	Personnel	Dirver Training and Record	Yes	Human Resources							
36	3145	Personnel	Review	Yes	Human Resources							
37	3150	Personnel	District Vehicle Usage	Yes	Human Resources							
38	3151	Personnel	Personal Vehicle Usage	Yes	Human Resources							

Priority Legend:
Yellow Highlight = Highest Priority
Light Blue Highlight = Lowest Priority

Policy Approval Tracking
BCVWD Policy Manual Project

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Responsible Staff	Approved by Legal Counsel	Presented to Personnel Committee	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date	Resolution Number
39	3160	Personnel	HIPAA Compliance and Security Officer	Yes	Human Resources							
40	3165	Personnel	Tobacco Use	Yes	Human Resources							
41	3170	Personnel	Smoke Free Workplace	Yes	Human Resources							
42	3175	Personnel	Disciplinary Action or Terminations	Yes	Human Resources							
43	3180	Personnel	Nepotism-Employment of Relatives	Yes	Human Resources							
44	3185	Personnel	Confidentiality Regarding Resignations	Yes	Human Resources							
45	3190	Personnel	Internet, E-Mail, and Electronic Communication Ethics, Usage and Security	Yes	Information Technology							
N/A	3191	Personnel	Electronic Signature Policy	No	Information Technology							
46	3195	Personnel	Cellular Telephone Usage	Yes	Information Technology							
47	3200	Personnel	Grievance Procedures	Yes	Human Resources							
48	3205	Personnel	Substance Abuse (In Conformance with Department of Transportation Guidelines)	Yes	Human Resources	12/6/2021	4/19/2022	4/19/2022	5/11/2022			
N/A	3206	Personnel	FMCSA Clearinghouse Registration	No	Human Resources	12/6/2021	4/19/2022	4/19/2022	5/11/2022			
50	3215	Personnel	Personnel Action Form (PAF)	Yes	Human Resources							
51	3220	Personnel	Recruitment, Selection and Onboarding	Yes	Human Resources							
N/A	3225	Personnel	Employee Leave Donation Program and Policy	Yes	Human Resources							
N/A	3230	Personnel	Workers' Compensation	Yes	Human Resources							
N/A	3231	Personnel	Accommodations for Disability	No	Human Resources							
N/A	3235	Personnel	Military Leave	Yes	Human Resources							
N/A	3240	Personnel	Dress Code and Personal Standards	Yes	Human Resources							
N/A	3245	Personnel	Non-Solicitation	No	Human Resources							
N/A	3250	Personnel	Telecommuting	No	Human Resources							
N/A	3255	Personnel	Time off for School Activities	No	Human Resources							
N/A	3260	Personnel	Time off to Vote	No	Human Resources							
1	4005	Board of Directors	Basis of Authority	Yes	HR/Administration							
2	4010	Board of Directors	Members of the Board of Directors	Yes	HR/Administration							
3	4015	Board of Directors	Committees of the Board of Directors	Yes	HR/Administration							
4	4020	Board of Directors	Board President	Yes	HR/Administration							
5	4025	Board of Directors	Board Meetings	Yes	HR/Administration	Verbal Review during meeting	N/A	Directed to Full Board	12/8/2021	12/8/2021	12/8/2021	2021-24
6	4030	Board of Directors	Board Meeting Agendas	Yes	HR/Administration							
7	4035	Board of Directors	Board Meeting Conduct	Yes	HR/Administration							
8	4040	Board of Directors	Board Actions and Decisions	Yes	HR/Administration							
9	4045	Board of Directors	Attendance at Meetings	Yes	HR/Administration							
10	4050	Board of Directors	Minutes of Board Meetings	Yes	HR/Administration							
11	4055	Board of Directors	Rules of Order for Board and Committee Meetings	Yes	HR/Administration							
12	4060	Board of Directors	Training, Education and Conferences	Yes	HR/Administration	6/30/2021	N/A	Directed to Full Board	7/14/2021	7/14/2021	7/14/2021	2021-12
13 & 16	4065	Board of Directors	Remuneration, Director Per Diem Fees	Yes	HR/Administration	6/30/2021	N/A	Directed to Full Board	7/14/2021	Revisions Requested on 7/14/2021	7/14/2021	2021-12
14	4070	Board of Directors	Payment of Expenses Incurred on District Business	Yes	HR/Administration							
15	4075	Board of Directors	Expenditure Reimbursement	Yes	HR/Administration							
17	4080	Board of Directors	Membership in Associations	Yes	HR/Administration							
18	4085	Board of Directors	Ethics Training	Yes	HR/Administration							
N/A	4086	Board of Directors	Anti-Harassment Training	No	HR/Administration							
19	4090	Board of Directors	Code of Ethics	Yes	HR/Administration							
20	4095	Board of Directors	Ethics Policy	Yes	HR/Administration							
N/A	4100	Board of Directors	Electronic Communications and Data Devices at Dais	Yes	HR/Administration	6/28/2021	N/A	Directed to Full Board	7/14/2021	7/14/2021	7/14/2021	2021-11
1	5005	Operations	Emergency Preparedness	Yes	Human Resources							
2	5010	Operations	Emergency Response Guideline for Hostile or Violent Incidents	Yes	Human Resources							
3	5015	Operations	Computer and Business Continuity Security	Yes	Information Technology							
4	5020	Operations	Environmental Health and Safety Compliance Program	Yes	HR/Operations							

Priority Legend:
Yellow Highlight = Highest Priority
Light Blue Highlight = Lowest Priority

Policy Approval Tracking
BCVWD Policy Manual Project

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Responsible Staff	Approved by Legal Counsel	Presented to Personnel Committee	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date	Resolution Number
5	5025	Operations	Illness and Injury Prevention Program	Yes	HR/Operations							
6	5030	Operations	Budget Preparation	Yes	Finance							
7	5035	Operations	Fixed-Asset Accounting Control	Yes	Finance							
8	5040	Operations	Fixed-Asset Capitalization	Yes	Finance							
9	5045	Operations	Investment of District Funds	Yes	Finance							
N/A	5046	Operations	Other Post-Employment Benefits Funding	Yes	Finance	5/10/2022	N/A	N/A	5/11/2022			
10	5050	Operations	Customer Payment Arrangements	Yes	Finance/Customer Service							
11	5055	Operations	Employment of Consultants and Professional Services	Yes	Finance/HR							
12	5060	Operations	Employment of Outside Contractors	Yes	Finance/Administration							
13	5065	Operations	Easement Abandonment	Yes	Administration							
14	5066	Operations	Easement Acceptance	No	Administration							
15	5070	Operations	Encroachment Permits	Yes	Administration							
16	5075	Operations	Credit Card Usage	Yes	Finance							
17	5080	Operations	Purchasing	Yes	Finance							
N/A	5081	Operations	Contract Review Policy	No	Finance/Administration							
18	5085	Operations	Disposal of Surplus Property or Equipment	Yes	Finance							
19	5090	Operations	Records Retention	Yes	Administration							
N/A	5095	Operations	District Residences and Facility Emergency Policy	Yes	HR/Administration	7/21/2020	6/21/2021	Requested edits, sent to Board for review	Requested Edits 10/13/2021	10/28/2021	10/28/2021	2021-19
N/A	5100	Operations	Press Relations and Social Media	Yes	Administration	1/11/2022	4/19/2022	4/19/2022	5/11/2022			
1	6005	Miscellaneous	Purpose of Board Policies	Yes	Human Resources							
2	6010	Miscellaneous	Adoption, Amendment of Policies	Yes	Human Resources							
3	6015	Miscellaneous	Public Complaints	Yes	Human Resources							
4	6020	Miscellaneous	Claims Against the District	Yes	Human Resources							
5	6025	Miscellaneous	Copying Public Documents	Yes	HR/Administration							
6	6030	Miscellaneous	District Standards for the Furnishing of Materials	Yes	HR/Administration							
7	6035	Miscellaneous	Environmental Review Guidelines	Yes	Engineering							
8	6040	Miscellaneous	Annexation	No	Engineering							
9	6045	Miscellaneous	Construction Requirements	No	Engineering							
N/A	7000	Information Technology	Acceptable Use	Yes	Information Technology							
N/A	7005	Information Technology	Accessibility	Yes	Information Technology							
N/A	7010	Information Technology	Electronic Communications	Yes	Information Technology							
N/A	7015	Information Technology	Passwords	Yes	Information Technology							
N/A	7020	Information Technology	Remote Access/VPN	Yes	Information Technology							
N/A	7025	Information Technology	Datacenter Physical Security	Yes	Information Technology							
N/A	7030	Information Technology	Wireless Communications	Yes	Information Technology							
N/A	7035	Information Technology	Mobile Device Security	Yes	Information Technology							
N/A	7040	Information Technology	Internet Use	Yes	Information Technology							
N/A	7045	Information Technology	Information Systems Backup & Data Retention	Yes	Information Technology							
N/A	7050	Information Technology	Personally Identifiable Information	Yes	Information Technology							
N/A	7055	Information Technology	Drones Use	No	Information Technology							
N/A	7060	Information Technology	Security and Technology Access for Independent Contractors	No	Information Technology							

Priority Legend:
Yellow Highlight = Highest Priority
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BEAUMONT-CHERRY VALLEY WATER DISTRICT

PERSONNEL

POLICY TITLE: EMPLOYMENT AGREEMENTS

POLICY NUMBER: 3003

3003.1 Confidential, Management, and Executive Management employees as defined in Policy 3002.2 are considered unrepresented classifications. Unrepresented employees may have an employment agreement with the District, which defines the terms and benefits of employment. The General Manager or his/her designee is the Chief Negotiator for these employment agreements.

3003.2 The Board shall review and approve an employment agreement template and provide direction to the Chief Negotiator for the purposes of negotiating the employment agreements.

3003.3 Employment agreements shall be reviewed by the employee and the Chief Negotiator in the following circumstances:

1. The employee's title has changed due to promotion, reclassification, etc.
2. Annually upon the employee's work anniversary or performance review conference (Policy 3010).

3003.4 For unrepresented employees who do not have an employment agreement with the District, their terms of employment shall be governed by [INSERT APPROPRIATE DOCUMENT]

BEAUMONT-CHERRY VALLEY WATER DISTRICT

PERSONNEL

POLICY TITLE: HEALTH AND WELFARE BENEFITS
POLICY NUMBER: 3020

3020.1 Health Insurance. The District will provide ~~regular full-time employees~~ health insurance coverage through the Public Employees Retirement System (CalPERS) for all eligible employees and their eligible dependents. ~~Insurance will cover maternity for employee and spouse only.~~

3020.2 State Disability Insurance. Employees shall pay the cost of the premiums associated with State Disability Insurance.

3020.3 Life Insurance. Life Insurance shall be provided ~~at the regular~~ to eligible employee's ~~at his/her~~ current regular rate of pay, at the time of death, equal to one year's salary. For hourly (non-exempt) employees, a year's salary is equal to 2,080 hours.

3020.4 Accidental Death and Dismemberment Insurance. Accidental Death and Dismemberment Insurance (AD&D Insurance) shall be provided to eligible employees at his/her current regular rate of pay, at the time of the eligible incident, equal to one year's salary. For hourly (non-exempt) employees, a year's salary is equal to 2,080 hours.

3020.5 Employee Assistance Program. The Employee Assistance Program (EAP) is provided to all regular, part-time, and temporary employees.

3020.6 Dental Benefits. Dental benefits are available to all regular and part-time employees at their own option and cost.

3020.7 Vision Benefits. Vision benefits are available to all regular and part-time employees at their own option and cost.

11. PERFORMANCE EVALUATION—GENERAL MANAGER

- A. The General Manager of the District is retained and serves at the will of the Board of Directors. The Board of Directors shall review the performance of the General Manager after the initial six (6) months of service after appointment and then annually thereafter, using a process that provides for discussion and encourages feedback in the development of goals and the performance evaluation.
- B. **Occurrence.** The performance evaluations should occur in closed session annually during the first Board of Directors meeting of the month in which the evaluation is due, or on another date mutually acceptable to the Board of Directors and the General Manager. The District Secretary shall maintain a notification system that tracks the date when the evaluation is due to ensure the Board agenda is properly noticed and to provide adequate advance notice to the Board and the General Manager.
- C. **Evaluation Form.** The Board of Directors will agree upon an evaluation format to be utilized by the Board prior to the formal performance review session. Board of Directors shall be encouraged to prepare input prior to the formal review.
- D. **Evaluation.** During the scheduled closed session(s), the Board should meet as a group with the General Manager to discuss the components of the performance evaluation and receive feedback from the General Manager relative to the Board's assessment. If requested by the Board, the District's Legal Counsel may attend the evaluation closed session.
- E. **Goals and Objectives.** The Board of Directors and General Manager should jointly develop mutually agreed upon written goals and objectives for the subsequent evaluation period.
- F. **Compensation Award.** Any decision on a compensation award shall be made at a public meeting following the closed session evaluation meeting.

12. HEALTH AND WELFARE BENEFITS

- A. **Insurance.** The District will provide regular full time employees health insurance coverage through the Public Employees Retirement System (PERS) for all eligible employees and their eligible dependents. Insurance will cover maternity for employee and spouse only.
- B. **State Disability Insurance.** Employees shall pay the cost of the premiums associated with State Disability Insurance.

Original Policy

- C. **Life Insurance.** Life Insurance shall be provided at the regular employee's current regular rate of pay, at the time of death, equal to one year's salary.

13. PAY PERIODS

- A. The pay period shall commence on Sunday at 12:01 A.M., and continue until 12:00 Midnight the second Saturday following. Payday shall occur on the Thursday following the end of the pay period.

14. GIFT ACCEPTANCE GUIDELINES

- A. Policy. An employee or his/her immediate family may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, and/or other services or benefits of or greater than a \$25 value.

15. OUTSIDE EMPLOYMENT

- A. No District employee shall be permitted to accept employment in addition to or outside of District service if:
 - i. The additional or outside employment leads to a conflict or potential conflict of interest for said employee;
 - ii. The nature of the additional or outside employment is such that it will reflect unfavorably on the District; or,
 - iii. The duties to be performed in the additional or outside employment are in conflict with the duties involved in District service.
- B. **District Resources.** An employee who does have additional or outside employment shall not be permitted to use District assets including records, materials, equipment, facilities, vehicles or other District resources in connection with said employment.

16. LETTERS OF RECOMMENDATION

- A. Requests. The General Manager shall process all requests for references and letters of recommendation.

Proposed Policy

Original Policy

BEAUMONT-CHERRY VALLEY WATER DISTRICT

PERSONNEL

POLICY TITLE: BEREAVEMENT LEAVE
POLICY NUMBER: 3100

~~3100.1 Two (2) days off with pay for death of employee's/spouse's parents. Four (4) days off with pay for death of employee's spouse or children.~~

~~3100.1 Bereavement Leave is available for full-time, regular employees. The employee need not have completed their introductory period in order to be eligible for Bereavement Leave.~~

~~3100.2 Eligible employees will be granted Bereavement Leave based on the employee's relationship to the deceased:~~

- ~~1. 40 hours of excused time off with pay for bereavement leave upon the death of a spouse, child, or domestic partner.~~
- ~~2. 20 hours of excused time off with pay for bereavement leave upon the death of a parent, parent-in-law, sibling, grandchild, or grandparent.~~
- ~~3. The designated number of hours of bereavement leave shall be available for each death of a qualifying family member.~~

~~3100.3 Bereavement Leave does not accrue and is not eligible to be paid out to the employee in lieu of time off. Bereavement Leave is not considered an earned benefit. Time off due to bereavement will be counted concurrently against other approved leave, such as Family and Medical Leave (Policy 3090).~~

~~3100.4 Bereavement Leave must be used within 30 days of the loss and must be used in minimum of 5-hour increments of time. Employees will document the time used.~~

~~3100.5 Documentation of the relation(s) death may be requested by Human Resources prior to approval.~~

~~3100.6 Bereavement Leave may be supplemented using Sick Leave or Vacation with the approval of the employee's supervisor.~~

~~3100.7 In extenuating circumstances, the General Manager has the discretion to approve bereavement leave for relationships not listed in section 3100.2, or to extend excused time off, with or without pay.~~

- i. The date on which she became disabled due to pregnancy or the date of the medical advisability for the transfer.
- ii. The probable duration for the period(s) of disability or the period(s) for the advisability of the transfer.
- iii. A statement that, due to the disability, she is unable to work at all or to perform any one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons or a statement that, due to her pregnancy, the transfer is medically advisable.

27. BEREAVEMENT LEAVE

- A. Two (2) days off with pay for death of employee's/ spouse's parents. Four (4) days off with pay for death of employee's spouse or children.

28. PERSONAL LEAVE OF ABSENCE

- A. Employees may be granted leaves of absence without pay for valid and compelling personal reasons for period of up to thirty (30) days. Two (2) weeks prior notice is generally required. A written request is to be submitted to his/ her supervisor with as much advance notice as possible. Management will consider the following factors to determine if a leave is warranted:
 - i. Reason for leave of absence.
 - ii. Length of Service.
 - iii. Performance and work records and the District's legitimate business needs.
- B. **Return.** The ability to return from a personal leave of absence will be based upon the availability of an appropriate position.

29. JURY DUTY

- A. **Application.** This policy shall apply to probationary and regular employees in all classifications.
- B. **Notice.** An employee summoned for jury duty will immediately notify his/her immediate supervisor.