

**CONTRA COSTA COUNTY
SCHOOLS INSURANCE GROUP**

**Personnel
Policies
&
Regulations**

Section 400



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**Personnel Policies
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PURPOSE**AP401**

Through its personnel policies and administrative regulations, the Executive Committee wishes to establish conditions that will attract and hold the highest qualified personnel for all positions. Policies and regulations are designed to establish a system of personnel management based on merit principles and to facilitate effective and economical services to member districts.

AUTHORITY

AP402

The authority for all personnel policies and regulations comes from the Executive Committee. For efficient and timely operations of the Agency, the Executive Committee grants authority to the Executive Director to encompass all Human Resource functions not specifically retained by the Executive Committee. The Committee retains and delegates certain powers and responsibilities as follows:

The Executive Committee:

- Hires Executive Director upon recommendation of the Executive Committee.
- Adopts wage and salary schedules.
- Adopts benefits contributions levels.
- Adopts administrative policies as recommended by the Executive Director.
- Reviews administrative regulations developed by staff and recommended by the Executive Director.
- Provides a forum for appeal of disciplinary actions.

The Executive Director (or designee):

- Takes all personnel actions not retained by the Executive Committee, including hiring and promotion.
- Imposes disciplinary actions including but not limited to suspension, demotion, and dismissal.
- With staff, assigns, directs and supervises the work of all Agency employees.
- Adopts regulations to implement policies.

AUTHORITY**AR402.1*****MANAGEMENT RIGHTS***

The Executive Director or his/her designee directly, or through administrative staff, retains the right to exercise customary managerial functions including the right to hire, promote, dismiss, assign, supervise and discipline employees; to determine and change starting time, quitting time and shifts; to transfer employees within their work unit or into other work units and other classifications; to determine and change the size of the qualifications of the work force; to establish, change or abolish its policies, practices, rules and regulations; to determine and change methods by which its operations are to be carried out; to assign duties to employees in accordance with the needs and requirements determined by the Agency, and to carry out all ordinary administrative functions.

APPLICABILITY**AP403**

Personnel Policies & Regulations govern personnel administration for all regular full-time and part-time employees of the Contra Costa County Schools Insurance Group, unless otherwise specified. Exceptions are:

- Members of the Board of Directors
- Members of the Executive Committee
- Members of appointive boards, committees and commissions
- Persons engaged under contract to supply expert, professional, clerical, or any other service
- Volunteers
- Temporary personnel

MANAGEMENT

Personnel management is a primary responsibility of every person who plans, directs or supervises the work of another person. Employee supervisors have an obligation to see that all Agency personnel policies, rules and regulations are understood and fairly carried out. Effective administration calls for personnel management of the highest caliber at every level. Supervisors should practice firm and fair leadership style in which employees accept their responsibilities.

Management must assure that:

- Employees are fully informed of their duties and responsibilities.
- Employees are provided with adequate administrative and supervisory direction.
- Employees work performance is regularly appraised and that employees are encouraged and helped to improve level of performance.
- Employees are provided training, as needed, to ensure high quality of performance.
- Eligibility for promotion is based on demonstrated merit and ability.
- Treatment of employees in all aspects of personnel administration will be impartial and without regard to race, religious creed, color, ancestry, sex, age, marital status, national origin or disability.
- Mediocrity and incompetence will not be tolerated.

EMPLOYEES

All employees of the Agency are expected to:

- Develop an understanding of and appreciation for the goals and principles of the Agency.
- Contribute to the achievement of departmental and Agency goals and objectives.
- Provide faithful and effective performance.
- Respect proper protocol and the normal chain of command.
- Display proper conduct for the position held.
- Not abuse the rights, privileges and benefits provided by employment with the Agency.

SCOPE**AP405**

Personnel policies adopted by the Executive Committee shall not preclude the development of administrative rules or procedures designed to implement policies, nor the development of other operating policies, regulations, rules or procedures within specific departments of the Schools Insurance Group. The Agency retains the right to modify, supplement, revise or rescind any provisions of the personnel policies without notice, as it deems appropriate in its sole and absolute discretion.

RECRUITMENT & SELECTION**AP406**

It is the responsibility of the Executive Director or designee to locate suitable candidates for employment.

The Executive Committee directs the administration to make a serious effort to see that the recruitment procedures of the Agency produce a staff representative of the population of Contra Costa County.

It shall be the duty of the Executive Director or designee to see that persons selected for employment meet all qualifications established by the Executive Committee for the type of position for which selection is made and to see that the Agency engages in fair and sound personnel practices in the appointment of all Agency employees. The Executive Director or designee shall be responsible for establishing recruitment, selection and appointment procedures.

RECRUITMENT PROCEDURES

The Executive Director or designee has the responsibility to conduct the recruitment process. The Executive Director shall decide whether or not to conduct an open recruitment. If an open recruitment is conducted, the following shall apply:

Efforts shall be made to attract a wide and diverse pool of applicants. Efforts to attract minorities, women and other protected or underrepresented groups are to be included in each recruitment process.

Job announcements will be distributed throughout the agency to inform current employees of opportunities to compete. Additional means of publicizing job openings, including newspaper advertising, mailings to other agencies, professional newsletters, etc., will be utilized as necessary.

Applications for employment must be submitted on the standard form provided by the agency. Applications are to be filed in accordance with instructions in the job announcements and a separate application shall be filed for each announced job opening. Supplemental application forms may be utilized when deemed appropriate.

Announcements shall be posted for at least 5 working days prior to the closing date and shall state the following information:

- The title of the position.
- The salary range established for the position.
- The nature of work to be performed.
- The selection process to be followed.
- A statement of the requirements to be met by applicants for the position.
- The closing date, after which applications will no longer be accepted.
- Where application forms may be obtained and filed.

The time for filing applications may be extended or re-opened by the Executive Director or designee, as needed, with proper notice.

If, after a review of current personnel information, the Executive Director or his/her designee determines that there is only one current employee who meets the qualifications of the open position, the Executive Director or his/her designee may appoint that employee without posting the position internally or externally.

Should the Executive Director determine not to use an open recruitment, he/she may use other selection/recruitment procedures, such as staffing agencies or other resources, as he/she determines appropriate.

SELECTION PROCEDURES**Examinations**

- A system of examinations may be used to determine the extent to which candidates meet the standards and qualifications for job related duties of a position and to determine the relative ranking of the candidates for the position they seek.
- Examinations may be given as frequently as needed and to assure that all qualified persons interested in employment with the agency may establish their qualifications and eligibility for employment. It is not the intention to limit or restrict competition in such a manner as to exclude any person possessing the necessary qualifications.
- Applicants for employment will be required to meet the standards of education and experience, knowledge, skill and ability, and personal and physical characteristics as prescribed in the job description and which will assure that the candidates are reasonably well qualified to perform successfully the duties of the positions for which they seek appointment.
- Examinations may be in any one or combinations of the following forms:
 - Oral (interview)
 - Written
 - Rating of experience and education made through evaluation of the information given on the application.
 - Performance or demonstration.
- Oral examinations may be conducted by an interview panel. Such panels will usually consist of a minimum of three members and may include the following persons:
 - A person responsible for enforcement of personnel policies and regulations including principles of Equal Employment Opportunity.
 - A representative of the department involved.
 - A person outside of the agency who, because of interest and background, is qualified to judge the qualifications of applicants.
 - An employee who is capable of assessing the qualifications of the applicants.
 - A representative of member districts who would interact with or receive the services of the successful applicant.
- The Executive Director or designee may refuse to examine, may refuse after examination to certify, or may remove any name of an applicant from an eligibility list for the following reasons:
 - Events occurring after the examination render the applicant unable to perform the duties of the position.
 - The applicant has been convicted of an infamous crime or other crime involving moral turpitude.
 - The applicant has used or attempted to use political pressure or bribery to secure an advantage in an examination or appointment.
 - The applicant has directly or indirectly obtained information regarding the examination to which the applicant was not entitled.
 - The applicant has practiced deception or fraud in making the application of the declarations or in securing eligibility for employment.
 - The applicant has failed to submit an application correctly or within the time limits prescribed.
 - The applicant has been found to lack some of the requirements for the position.
 - Discharge or forced resignation from public or private employment for cause, including inefficiency, delinquency, or misconduct.

RECRUITMENT & SELECTION

AR406.1 (cont.)

- For temporary, short term or substitute assignments, the Executive Director or designee may authorize the use of other, simplified procedures as he/she determines to be appropriate to meet the needs of the agency, while assuring the selection of such employees on the basis of merit and fitness.

Eligibility Lists

As soon as possible after the completion of an examination, the Executive Director or designee may prepare a list of the qualifying candidate's names and submit them directly to the appropriate manager. Appointment may be made of any candidate on the Eligibility List.

Eligibility lists, if established, shall be maintained for a period of six months provided there are three (3) or more candidates on the list available for any one vacancy. The Executive Director or designee may recertify eligible candidates to a list when it is renewed.

Names of candidates may be removed from an eligibility list for any of the following reasons:

- Any cause for disqualification as set forth in these regulations.
- Inability to contact a candidate by telephone or mail within a reasonable length of time.
- Notice from an eligible candidate that they wish their name removed.
- Failure to respond to an offer of employment within three days of notification.
- Failure to appear for work after selection and acceptance of offer.
- Report of an unsatisfactory background investigation.
- A candidate for promotion who resigns is automatically dropped from the list.

Selection

- The Executive Director or designee shall provide the appropriate manager with the Eligibility List of qualified candidates for the position to be filled.
- It is the responsibility of the manager to request that the Human Resources Manager contact the candidates to be interviewed. The manager will interview candidates, conduct a background investigation and the manager should then recommend the finalist to the Executive Director.
- Prior to a job offer, the Executive Director or designee will conduct, or contact an investigative agency to conduct, a background check on the top candidate up to and including:
 - Review of Civil Litigation or Complaints which are a matter of any public record
 - Review of Criminal Convictions which are a matter of public record
 - A Department of Motor Vehicles public record review
 - Verification of Personal References (applicants may be asked to provide additional references other than those listed on their application)
 - Information concerning the applicant's character and general reputation. Such information may be obtained from personal interviews with professional and personal acquaintances.
 - Verification of all education and/or certificates and degrees earned
 - For positions with financial responsibilities, a credit report may be requested and reviewed
 - Verification and inquiry into past employment
 - Offers of employment are made only by the Executive Director or designee.

APPOINTMENT & CONDITIONS OF EMPLOYMENT

AP407

The Executive Director will approve appointment of all employees. Selection will be based upon competence and will be in accordance with all pertinent policies and regulations of the Agency, and laws of the State of California including the rules and regulations adopted by the California Fair Employment Practices Commission.

Applicants for appointment shall fulfill the requirements and meet the standards as defined in the job description. Additionally, qualifying candidates may be asked to submit medical verification of fitness to perform the essential functions of the position. All new employees must show evidence of freedom from tuberculosis by either a report of negative chest x-ray or PPD Tuberculin Skin Test which must have been obtained within six months' preceding employment. Subsequent skin test or chest x-ray results must be submitted every two years or in compliance with the Dept. of Public Health guidelines.

Candidates or employees not complying with these conditions of employment will become subject to termination from employment.

HEALTH EXAMINATIONS**Initial Employment**

New employees of the Agency, who are either assigned to the Health & Safety Services Department, or whose primary work location is at a school site, or the majority of whose time is spent working at a school site, will be required to submit evidence of freedom from tuberculosis within the first 30 days of employment by 1) Intermediate PPD Skin Test or 2) Chest X-ray. Regular testing following initial employment will be every two years or in conjunction with the recommendations of the Public Health Department. Skin testing or chest x-rays may be arranged and paid for by the Agency.

The Agency reserves the right to implement requirements for pre-placement physical examinations for newly appointed employees following the initial offer of employment. Such examinations will be conducted by a physician designated by the Agency. The purpose of this physical is to verify the new employee's capability to perform the essential functions of this position. Initial offers of employment may be contingent upon satisfactory passing of the pre-placement physical examination, should one be given.

After Employment

Any employee may be required to submit to a physical or psychological examination to verify ability to satisfactorily perform the essential functions of his/her position in the event evidence becomes apparent to the management team that a physical or psychological problem may exist with the employee in question.

PERSONNEL RECORDS/CHANGE

A personnel file comprised of records relating to employment status and quality of performance shall be kept for each current employee. The Executive Director is considered the custodian of all personnel records and, as such, is responsible for their proper maintenance and security. A manager may maintain files for employees within his/her department, but the official file and all matters of official record must be kept in the central personnel file.

In addition to a history of personnel transactions, salary placements and performance evaluations, each employee's personnel file shall include status reports on leave accruals and overtime/compensatory time earned.

Files shall be maintained for all resigned or retired employees and shall be considered permanent records.

Privacy of Personnel Records:

- The confidential information in personnel files will not be revealed to outside sources except as required by law or with the consent of the employee.
- The Executive Director or designee is authorized to reveal only the following information regarding an employee or former employee in response to outside inquiries and without the employee's consent:
 - Employee's name
 - Position title and department
 - Status (e.g., regular, temporary, full-time, part-time)
 - Current or final salary
 - Hire date and/or termination date
- Supervisors or department managers may have access to an employee's personnel file on a "need to know" basis. This determination shall be made by the Executive Director or designee.

Review of Personnel Records:

- Materials in personnel files of employees which may serve as a basis for affecting the status of their employment are to be made available for inspection by the employee.
- Such material is not to include ratings, report or records which were (1) obtained prior to the employment of the person involved, (2) prepared by identifiable examination committee members, or (3) obtained in connection with promotional examination.
- Every employee shall have the right to inspect such materials upon request, provided that the request is made at a time when such person is not actually required to render services to the agency.
- Information of a derogatory nature, except material mentioned in above item 2, shall not be entered or filed unless or until the employee is given notice and an opportunity to review and comment thereon. An employee shall have the right to enter, and have attached to any such derogatory statement, his/her own comments thereon. Such review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

Change of Address:

- The agency must have on file a current residence address, if different, and a telephone number for each employee.
- Each employee is responsible for notifying the Executive Director or designee of any change of address or telephone number.

NEPOTISM

The employment of relatives can cause various problems, including charges of favoritism, conflicts of interest and family discord that work to the disadvantage of both the Agency and its employees.

Definition

For purposes of this policy, the term "close relative" includes the following relationships, whether established by blood, marriage, or other legal action: mother, father, husband, wife, domestic partner, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, step-child, aunt, uncle, nephew, niece or cousin.

New Hires

It is the policy of the Agency not to hire a close relative of any current employee, or close relative of a member of our Board of Directors, in any capacity.

Current Employees

When two employees become "close relatives," as defined by this policy, one of the two employees will be required to resign, transfer (if an appropriate alternative position for which the employee is qualified is available), or be otherwise discharged under the following circumstances:

- One of the employees exercises a supervisory or evaluative role with respect to the close relative
- One of the employees is in a position to exert direct influence on the promotion, transfer, performance evaluation, or other personnel action with respect to the close relative
- One of the employees has access to confidential information about the Agency and/or its employee(s)

The employees will be permitted to determine which of them will resign and will be required to inform the Agency of their decision within two months after they become close relatives. If the employees cannot make a decision, the Agency will decide in its sole discretion who will remain employed.

APPOINTMENT & CONDITIONS OF EMPLOYMENT

AR407.4

CITIZENSHIP/WORK PERMITS

The Agency is committed to full compliance with the federal immigration laws established by the U.S. Department of Justice – Immigration and Naturalization Service. These laws require that all individuals pass an employment verification procedure after they are hired.

This law requires that within three days after commencing work, an employee must complete OMB Form No. I-9 and produce documents providing satisfactory evidence of his/her identity and authority to work in the United States or receipts showing application for acceptable documents. An employee who presents receipts showing application for acceptable documents must present within an additional eighteen days (twenty-one days after hire), documents establishing satisfactory proof of his/her identity and legal authority to work in the United States. An employee who cannot present such documents will be terminated. All new hires are subject to this procedure.

APPOINTMENT & CONDITIONS OF EMPLOYMENT**AR407.5****LICENSES & INSURABILITY**

Each employee required by the job description to drive a vehicle during the performance of duties, shall pay all fees associated with keeping his/her driver's license current and must maintain insurance as required by state law and Agency insurability requirements. All such employees are subject to a DMV driving record report.

CLASSIFICATION/STATUS/ASSIGNMENT**AP408**

The duties and responsibilities of employees shall be as prescribed in the job description approved for each classification of positions by the Executive Committee. The preparation and maintenance of job specifications is the responsibility of the Executive Director or designee.

Further, the Executive Director shall be responsible for the classification of new positions and the periodic review of existing positions or groups of positions.

Employees are assigned by their supervisors and/or department managers to duties consistent with the approved class specifications. Such assignments are subject to the approval of the Executive Director.

The determination of employment status shall be made by the Executive Director in accordance with Agency policies and regulations and with the needs of the Agency.

CLASSIFICATION PLAN

- The purpose of the classification plan is to ensure each position is allocated to the appropriate class. It shall establish titles for each class and specify the training, experience and other qualifications necessary and desirable for successful performance of the duties of positions in each class. The classification plan shall be developed and maintained so that each position substantially similar with respect to duties, responsibilities, authority and character of work is included within the same class and that the same schedules of compensation are equitably applied under like working conditions to all positions in the class.
- The Executive Director will ensure the preparation and maintenance of class specifications covering all positions, the allocation of positions to the appropriate classification and the revision of the classification plan when appropriate.
- The overall classification plan, specific class descriptions and schedules of compensation are subject to the approval of the Executive Committee.
- A person shall not be employed to fill a new position until the classification plan and/or budget is amended to provide for the position and the Executive Director authorizes employment for it.
- The class definition and examples of work shall be a general description of the kind of work involved in the position in the class. It need not necessarily prescribe the complete duties of a position and does not limit the authority of department managers to prescribe or alter the duties of the position.
- The classification plan may include flexibly staffed positions as approved by the Executive Committee. Flexibly staffed positions allow for a promotion within a series once the employee meets certain criterion as established by the Agency, without going through the normal examination and interview process.

RECLASSIFICATION

- The Executive Director shall ensure the periodic review of the classification plan.
- When either of the following have occurred, the Executive Director shall recommend allocation of the position to a more appropriate class:
- Significantly new job duties, or new or increased responsibilities (other than workload), have been permanently added to the position or job description by the Supervisor. Reclassification of an incumbent with his/her position is based upon the recommendation of the appropriate department manager and the Executive Director, and approval by the Executive Committee.
- An employee holding a regular position may request a classification review by the purposes of reclassification. Such requests will be submitted to the department manager, who will review and submit to the Executive Director, along with the department manager's recommendation..
- Should the request for review be denied, the employee has the right to submit the request to the Board President in writing to appeal the denial. The Board President shall arrange for review of the request by a designated Executive Committee member(s) and/or an outside consultant. The Board President shall provide a final decision to employee within 30 days of the appeal.
- Salary adjustments upon reclassification shall be made in accordance with established procedures.
- A reclassification may not be used for the purpose of circumventing the provisions of the Agency personnel policies and regulations.

EXEMPT/NON-EXEMPT STATUS

- Non-exempt employees include all regular hourly, limited term or temporary employees. Employees in this category are entitled to premium pay at the rate of one and one-half times their regular hourly rate for all hours worked in excess of 8 hours in a day or 40 hours in a work week.
- Exempt employees are those who fall under an exemption from the overtime provisions as provided in the California Wage Orders. These employees generally serve in executive, administrative or professional positions and are not eligible for premium pay for hours in excess of 8 in a day or 40 in a week.
- If a flexible schedule has been authorized by the Executive Director, business needs permit, and it is approved by the manager, the Agency offers a 9/80 flexible scheduling option. Non-exempt employees opting for this 9/80 schedule would be entitled to premium pay for hours worked in excess of 9 in one day or 80 in their two week 9/80 schedule.
- Employees will be notified of their exempt or non-exempt status at the time of appointment.

Non-Exempt Classifications

Classifications include, but are not limited to: Office Assistant, Office Assistant II, Claims Examiner, Claims Assistant, Senior Claims Assistant, Early Return-to-Work Specialist, Bill Review Specialist, Senior Bill Review Specialist, Nurse Case Manager, Health & Safety Services Analyst, Senior Health & Safety Services Analyst, and Senior Accounting Specialist

Exempt Classifications

Classifications include, but are not limited to: Executive Director, Claims Manager, Health & Safety Services Manager, Chief Financial Officer, IS Coordinator, HR/Communications Manager, Executive Assistant, Accountant, Claims Supervisor and Senior Claims Examiner.

APPOINTMENTS

Appointments may be made to either part-time or full-time positions in the following categories:

- Regular (or on-going) positions
 - Probationary status*
 - Permanent status
- Temporary positions
- Limited Term positions
- Management positions

**A probationary employee shall be subject to termination at any time during his/her probationary period for any reason or for no reason, without any statement or showing of cause, and without right to hearing or appeal; provided, however, said termination shall not be for a reason violative of the probationer's equal protection or First Amendment constitutional rights.*

APPOINTMENT CATEGORIES

Each appointment to a regular position whether initial hire, promotional or reinstatement is tentative and subject to a probationary period. This probationary period is part of the testing process and shall be used to carefully observe and evaluate the employee's work and assist the employee to adjust to his/her new position.

- All initial appointments made to a vacant, regular position shall be considered probationary for twelve months from the effective date of the appointment.
- An employee who is promoted after attaining permanent status in his/her initial position will serve a promotional probationary period of six (6) months. Advancement to the next step will not occur until the twelve month anniversary date in the new position if he/she receives a satisfactory performance review. Normally an employee will not be promoted to another position until he/she has attained permanent status in his or her position. If a promotion does occur before the employee has attained permanent status in the initial position, the employee will serve a new twelve-month probationary period in the higher level position. An employee who is promoted prior to attaining permanent status in the initial position has no rights to return to the initial position if he or she is released on probation in the higher level position.
- A former employee who is rehired and appointed to a regular position will serve a probationary period of six months. Advancement to the next step will not occur until the twelve month anniversary date in the new position if he/she receives a satisfactory performance review.
- Employees who are reclassified based upon changes in the duties and responsibilities of their positions will not be required to serve an additional period of probation.
- If an employee is granted a leave of absence during a probationary period, the time on leave shall not be considered in determining time served in probationary status.
- A probationary employee must demonstrate satisfactory performance in order to achieve permanent status.
- A released probationary employee is not eligible for reappointment.
- Upon rejection during the probationary period from a promotional appointment, the employee shall have the right to return to the classification from which he or she was promoted if the employee attained permanent status in the lower level position prior to the promotional appointment.

CLASSIFICATION/STATUS/ASSIGNMENT

AR408.4 (cont.)

- Probationary employees may be rejected from employment at any time during the probationary period without any statement or showing of cause, without notice and without right to hearing or appeal.
- The Executive Director may approve a recommendation to grant an extension of the probationary period up to a maximum of ninety (90) days beyond the normal end of the probationary period.
- The Executive Director or designee shall be responsible for notifying the department manager of the pending expiration of an employee's probationary period. Prior to the expiration of the probationary period, the department manager shall recommend release or permanent appointment based upon completion of a written performance evaluation. A probationary employee does not become permanent until the Executive Director acts affirmatively to approve the permanent appointment.

Appointments: Permanent

A permanent employee is a person who has satisfactorily completed a probationary period in a regular position and whom the Executive Director has affirmatively approved for permanent appointment to the position. Permanent status shall not be granted to any employee whose services have not been rated as meeting Agency standards.

Appointments: Temporary

A temporary appointment is one established to meet staffing requirements of short-term duration such as emergency, extra workloads, vacation relief, long term sick leave or other situations requiring short-term fluctuating staffing needs.

- Temporary employees will not be entitled to the benefits granted regular employees.
- Time spent in temporary status shall not be considered as service towards fulfillment of the probationary period of a regular appointment.
- Persons in temporary status will be paid an hourly rate established by the Executive Director.
- Temporary positions may be established by the Executive Director when deemed essential to the work program.

Appointments: Limited Term

A limited term appointment is one established to meet unexpected staffing needs or a special assignment for projects lasting for a specified period of time, unlike a temporary appointment. This category of appointment may be associated with special funding outside of the annual operational budget.

- Compensation of limited term employees will be established by the Executive Director.
- Limited term employees may be eligible for benefits granted regular employees and will accrue sick leave and vacation in proportion to the number of hours worked.
- Employees working in this category will have a probationary period of six months and may be released, with or without cause, during this period.

Appointments: Management

Appointments to management positions with the Agency shall be approved by the Executive Director.

Individuals employed in management positions are considered to be exempt employees.

PROMOTION

The Executive Committee and management staff encourages the professional growth of employees including application for promotional vacancies, and/or promotions within the flexibly staffed positions

Employees may qualify and be selected for placement in a class with a higher maximum salary range than that which they currently occupy. This change in assignment is termed a promotion and is effected in accordance with the policies and regulations relating to employee selection.

The Executive Director may, at his/her discretion, interview current staff for vacancies before open recruitment commences. If after a review of current personnel information, the Executive Director or his/her designee determines that there is only one current employee who meets the qualifications of the open position, the Executive Director or his/her designee may appoint that employee without posting the position internally or externally. Final selection of an applicant for any position will be in accordance with established procedures.

Beginning with the first day of paid service in a promotional appointment, whether through examination or within a flexibly staffed position, the employee will receive the first step of the higher applicable salary range provided a minimum 5% upward adjustment over his/her present rate of pay occurs. In the event this does not occur, the employee will be placed on such step in the applicable new range that provides a minimum 5% upward adjustment in salary up to the final step of the new range.

An employee promoted into a higher level position, whether through examination or within a flexibly staffed position, shall serve a probationary period in the new position as provided in Administrative Regulation 408.4.

An employee occupying a regular position may be temporarily promoted to a higher level classification with approval of the Executive Director.

DEMOTION

- No employee shall be demoted to a position for which he/she does not possess the minimum qualifications.
- A voluntary demotion may occur only following a request by an employee and approval by the Executive Director.
- An employee may be offered a demotion in lieu of a layoff for lack of work or lack of funds, provided a position is available.
- An employee serving a probationary period may be demoted at any time, with or without cause, and without right of appeal.
- If an employee has gained permanent status, a demotion will be enacted in accordance with established disciplinary procedures which include the right of appeal.
- A demoted employee will be placed at the salary step of the appropriate salary range that does not provide an increase in salary. A demoted employee will retain his/her anniversary date for purposes of salary review.

REASSIGNMENT

An employee may be reassigned to another position in the same department or in another department, when such action is determined to be in the best interest of the Agency. Reassignment of an employee may only be done with the approval of the Executive Director and is subject to the following:

- The position to which the employee is reassigned will be in the same class or a similar class at the same salary.
- An employee will not be reassigned to a position or class for which he/she does not meet the minimum qualifications.
- The employee will be given prior notice of the reassignment and the reasons for the reassignment.

LONGEVITY PLAN

As an incentive to promote a stable workforce, the Agency wishes to recognize employees for their length of service to the Agency by providing the following longevity differential payments to an employee's salary as noted below:

- 2% after 10 full years of service
- An additional 2% after 15 full years of service
- An additional 2% after 20 full years of service
- An additional 2% after 25 full years of service
- An additional 2% after 30 full years of service

Longevity differentials will become effective on the first of the month following completion of the required years of service, shall be documented through the Personnel Action Form, and shall be paid with the employee's monthly paycheck. The initial longevity differential will be based on the employee's salary at the time of completion of the required years of service. Longevity differentials shall increase as employee's salary increases.

Each longevity differential implemented shall be in addition to prior longevity differentials. For example, an employee who has previously received a 2% differential after 10 full years of service will receive an additional 2% differential at the end of their 15th year of service. Longevity differentials shall be subject to all applicable taxes and withholdings as required by law. For all intents and purposes, the additional 2% is not part of an employee's base salary, but is to be considered differential pay. This policy does not apply to temporary or contract employees.

Detailed procedures for payroll shall be established by the Executive Director or designee.

HOURS OF EMPLOYMENT

AP409

WORK WEEK & HOURS

Except as otherwise provided, the official work week for all full-time employees shall consist of 40 hours commencing at 12:01 a.m. on Sunday and ending at 12:00 midnight the following Saturday.

Employees shall be notified of their specific work hours at the time of initial appointment or appointment to a new position within the Agency. Actual working hours will be determined by the Executive Director in accordance with the needs of the Agency.

There are factors such as work loads, member district requirements, operational efficiency and staffing needs which may require variations in an employee's starting and ending times and/or in total hours worked each day of each week. There may also be part-time assignments with variable working hours. Employees may be assigned jobs other than their usual assignments and may be required to work overtime or hours or days other than those normally scheduled.

HOURS OF EMPLOYMENT

AR409.1

LUNCH BREAKS

- Full-time employees will be allowed an unpaid lunch break of one hour each 8-hr. work shift. If employee has elected and is approved by supervisor to work a flex schedule of 8 ½ hrs./day, he/she will have a one-half hour lunch period, i.e., 8:00 a.m. – 4:30 p.m.
- Employees scheduled to work less than full-time but more than five hours each day will be allowed an unpaid lunch break of not less than 30 minutes.
- Scheduling of lunch breaks will be coordinated by the supervisor in order to provide for adequate office coverage.

REST PERIODS

- All employees will take rest periods of 15 minutes during each four consecutive hours of work. Rest periods may not be accumulated.
- Employees are expected to maintain the time limits set by the supervisor or department manager. The scheduling of breaks will be coordinated by the supervisor to assure adequate office coverage.
- Time allotted for rest periods may not be used to lengthen the lunch period or shorten the work day, except in special situations as approved in advance by the Supervisor per CCCSIG procedures.

HOURS OF EMPLOYMENT

AR409.2

OVERTIME

It is the policy of the Agency to avoid the necessity for overtime work whenever possible. However, management reserves the right to require overtime when necessitated by the needs of the agency.

To obtain credit for overtime, an employee shall obtain prior approval of the department manager. Overtime credit is not given for short lunch hours or for working entire lunch periods unless prior approval is obtained from the department manager.

Overtime compensation for eligible employees shall be paid at the pay rate being earned at the time the overtime is worked. Overtime pay is calculated at the rate of one and one-half times the hourly rate.

Non-exempt employees will be compensated at the overtime rate for all hours worked in excess of 8 hours during each day or 40 hours in each work week. Hours worked means time in paid status which includes hours away from work due to vacation, sickness or holiday. Unpaid sick leave, personal leave or any other unpaid time away from work is not considered hours worked for the purposes of computing overtime.

No overtime pay is authorized for management or other exempt positions.

HOURS OF EMPLOYMENT

AR409.3

ATTENDANCE & PUNCTUALITY

Employees are expected to be in attendance at their work in accordance with regulations regarding hours of work. All department managers are to keep daily attendance records of employees which shall be reported to the Executive Director or designee.

The Agency reserves the right to request employees to provide medical verification of any claimed illness. Excessive absenteeism or tardiness may result in disciplinary action and possible discharge.

Leaving Premises During Work Hours

If it becomes necessary for an employee to leave the work premises during work hours, except during scheduled break periods as outlined in this policy, he/she must obtain permission to leave from the supervisor prior to leaving. Leaving the work site without permission may be cause for disciplinary action.

Absence Reporting

Employees are expected to call and notify the supervisor when absent for any reason. The employee must speak directly with either their supervisor prior to their designated start time, or if the supervisor is unavailable, to another designated supervisor or employee, in addition to leaving a message for the immediate supervisor. Absences are to be reported on a Time Off Request Form and are to be completed by the employee and submitted to the supervisor upon return to work. All absences, including vacation and sick leave, must also be documented on the monthly Employee Attendance Report.

HOURS OF EMPLOYMENT

AR409.4

CONSTRUCTIVE RESIGNATION

Failure to report for duty shall be cause for disciplinary action up to and including termination.

An employee will be considered to have constructively resigned from employment when:

- The employee has been absent from duty for five (5) or more consecutive working days without approved leave and without notice to his or her immediate supervisor or to the Executive Director.
- Five (5) or more consecutive working days have elapsed without response from the employee after the mailing of a notice of resignation by the Executive Director or designee by certified mail to the employee at the employee's last known address.

The notice of resignation shall indicate that the employee will be considered constructively resigned unless the employee contacts the Executive Director or designee within five (5) working days from the date of the mailing of the notice of resignation, the Executive Director or designee shall send final notice by certified mail to the employee at the employee's last known address that the employee is constructively resigned. Notification of constructive resignation shall be deemed sufficient when it is deposited in the U.S. Mail, postage prepaid, and addressed to the last known address of the employee.

A *constructive* resignation may be appealed to the Executive Committee within ten (10) calendar days of the date of the final notice of constructive resignation in the manner provided for in the "Appeal of Disciplinary Action," *Personnel Policy 425*.

PERFORMANCE REVIEWS

AP410

All employees assigned to regular full-time and part-time positions shall be evaluated by their immediate supervisor. The focus of the employee evaluation process is to (1) provide a means of evaluating each employee's performance in the specific context of the job, (2) determine individual needs for improvement and development, (3) secure continuing communication of individual development needs between the employee and supervisor, (4) assure the specific goals and objectives of the individual align with the goals, objectives and mission of AGENCY, and (5) determine if a salary step increase based on merit be granted. The basic goal of this employee evaluation process is to help each employee perform more effectively to the mutual benefit of the individual and the Agency.

It is the responsibility of the Executive Director or designee to ensure the development and implementation of a performance review system for all employees in the Agency.

PERFORMANCE REVIEWS

AR410.1

PERFORMANCE REVIEW PROCEDURES

- Formal performance reviews are held at regular intervals as follows:
 - Employees in an initial probationary status will receive at least one interim evaluation no later than the end of the first six months of employment. The final formal evaluation is to be completed by the department manager no later than the end of the eleventh month and will include a recommendation to grant permanent status or the release from employment.
 - Employees in a promotional probationary status will be reviewed by the end of the third month in the promotional appointment and, again, by the end of the fifth month.
 - All regular employees will have a performance evaluation completed by the department manager annually in conjunction with their anniversary date. In addition, an interim review may be conducted every six months.
- A copy of the performance review will be provided the employee and one copy shall be placed in the employee's personnel file.
- The management of the Agency retains the right to hold performance reviews at more frequent intervals than regularly established.
- Performance reviews shall be considered in personnel actions such as promotions, step increases, gaining permanent status, demotion, suspension, dismissal and other disciplinary actions.
- The performance review is not subject to appeal. An employee who disagrees with his/her evaluation may file a written statement of his/her objections and the reasons therefore. This will be attached to the evaluation and placed in the employee's personnel file.
- A supervisor may, at any time, make a special evaluation in order to review an employee's performance in a formal way.

SEPARATION**AP411**

The Agency wishes any employee that separates from the Agency to leave in good standing. The attached Administrative Regulations outline the procedures utilized to ensure this occurs, if appropriate.

SEPARATION**AR411.1*****RETIREMENT***

Employees who have regular assignments that average half-time or more automatically become members of the Public Employees Retirement System (PERS) upon initial employment. Employee contributions in an amount specified by PERS are deducted from each month's salary. The Agency shall contribute a similar amount to the PERS fund for the provision of benefits for eligible employees upon retirement.

Notwithstanding any other provision of law, there is no mandatory age of retirement for agency personnel.

SEPARATION

AR411.2

RESIGNATION

An employee wishing to leave in good standing will submit a written resignation to his/her supervisor at least two weeks prior to the effective date of such resignation. The Executive Director may accept the resignation, and at his/her discretion, place the employee on paid administrative leave until the date of resignation.

The Executive Director or designee is authorized to receive and accept resignations of employees on behalf of the Executive Committee.

An employee's resignation and the circumstances pertinent to it shall be recorded in the employee's personnel file.

All employees submitting letters of resignation from employment with the Agency may be scheduled for an exit interview with the Executive Director or designee. Issuance of final paycheck and collection of all keys and other Agency owned materials and/or equipment will ordinarily be made at the exit interview.

SEPARATION

AR411.3

REEMPLOYMENT

Employees who were classified as "eligible for rehire" when they separated from the agency will be considered for rehire with other applicants if they apply for rehire consideration. Their prior record with the Agency will be considered. Employees who were classified as "ineligible for rehire" will not be considered for further employment with the agency.

Former employees who are subsequently rehired within a one year period will be re-credited with any earned and unused sick leave that remained at the time of separation.

Employees who are rehired will be required to complete a probationary period in the same manner as other new employees. Such employees are considered new employees from the effective date of their reemployment for all purposes, including for purposes of eligibility for any benefit.

LAYOFF/REEMPLOYMENT**AP412**

If a reduction in the work force becomes necessary, reductions will be determined in accordance with the program needs of the Agency. The Executive Committee will make the final decision on personnel reductions based upon the recommendations of the Executive Director.

LAYOFF PROCEDURES

- Whenever, in the judgment of the Executive Committee of the Agency, it becomes necessary to abolish any position of employment, the employee holding such position or employment may be laid off or demoted without disciplinary action and without right of appeal.
- Employees to be laid off shall be given, whenever possible, at least fourteen (14) calendar days notice.
- In each class of positions, employees shall be laid off according to employment status in the following order: temporary, probationary and permanent.
- Temporary and probationary employees shall be laid off according to the needs of the agency as determined by the Executive Committee.
- Employees within each classification to be reduced shall be laid off in inverse order of seniority based on hire date as a regular employee of the Agency.
- In cases where there are two or more permanent employees in the class for which the layoff is to be made, such employees shall be laid off on the basis of seniority rating in the class.
- Employees in a classification with equal seniority shall be laid off in an order determined by the Executive Director. Employee evaluations and recommendations of the department manager shall be factors in the layoff order decision.
- Employees subject to layoff may be demoted to a vacancy in a lower classification provided they are qualified to hold the position.
- An employee affected by the layoff shall have the right to displace an employee in the same department who has less seniority in a lower class in the same job series (e.g. any classification in the Claims Examiner/Assistant series) or in a lower classification in which the affected employee once had permanent status. For purposes of this section, seniority includes all periods of regular service at or above the classification level where layoff is to occur.

REEMPLOYMENT PROCEDURES

- Reemployment shall be on the basis of seniority by classification in reverse order of layoff.
- The names of persons laid off or demoted in accordance with these rules shall be entered on a reemployment list.
- The reemployment list shall be used when a vacancy arises in the same or lower classification. Persons with reemployment rights shall be reemployed in preference to new applicants.
- Names of persons laid off or demoted shall be carried on the reemployment list for one year.

DISCIPLINARY ACTION/SUSPENSION/DISMISSAL**AP413**

The Executive Director shall establish procedures for disciplinary action. The Executive Committee or its hearing officer, if designated, shall hear appeals from suspensions without pay, demotions, or dismissals imposed by the Executive Director.

PROCEDURES

A recommendation for disciplinary action may be originated by a management employee. Such recommendation shall be submitted to the Executive Director or designee who will further review the facts with the Executive Director and proceed with appropriate steps.

Disciplinary Action

The Executive Director or designee may impose one or more of the following forms of discipline on employees as determined to be necessary:

- Verbal reprimand
- Written reprimand
- Suspension with or without pay
- Demotion or reduction in pay
- Dismissal

Grounds for Disciplinary Action

The Executive Director may dismiss, suspend, demote, or impose a pay reduction on any employee for cause. The following are sufficient causes for such action; the list is indicative rather than inclusive of restrictions, and any disciplinary action may be based upon reasons other than those specifically noted herein:

- Incompetence or inefficiency in the performance of the duties of the position.
- Inability to perform assigned duties due to failure to meet job qualifications including, but not limited to, failure to possess required licenses, failure to pass required tests or failure to meet agency insurability requirements.
- Willful disobedience and/or insubordination.
- Conviction of any criminal act involving moral turpitude.
- Sexual harassment or other unlawful harassment of another employee.
- Inattention to duty, carelessness or negligence in the care and handling of Agency property.
- Discourteous, offensive or abusive conduct or language toward other employees, clients or the public.
- Repeated or unexcused absence or tardiness.
- Abuse of illness leave privileges.
- Use or possession of alcohol while conducting Agency business.
- Unlawful use, possession, or being under the influence of any controlled substance while on duty.
- For positions which have training requirements, repeated failure to obtain the appropriate number of training hours.
- Dishonesty or theft.
- Falsifying any information supplied to the Agency including, but not limited to, information supplied on application forms, employment records, or any other agency records.
- Offering anything of value or offering any service in exchange for special treatment in connection with the employee's job or employment, or accepting anything of value or any service in exchange for granting any special treatment to another employee or to any member of the public.
- Violation of or refusal to obey safety rules or other rules and regulations established by the Agency administration, Executive Committee, or Board of Directors.
- Misappropriation of Agency funds or property.
- Any action which reflects discredit on the agency or which hinders the effective performance of Agency functions.

NOTICE OF PROPOSED ACTION (SKELLY NOTICE)

Before taking action to dismiss, suspend or to reduce an employee in rank or compensation, the Executive Director shall cause to be served on the employee, either personally or by certified mail, a Notice of Proposed Action which shall contain the following:

- A statement of the action proposed to be taken.
- A copy of the charges, including the acts or omissions and grounds upon which the action was based.
- If it is claimed that the employee has violated a rule or regulation of the Contra Costa County Schools Insurance Group, a copy of said rule shall be included with the notice.
- A statement that the employee may review and request copies of materials upon which the proposed action is based.
- A statement that the employee has seven (7) calendar days to respond to the Executive Director either orally or in writing.

Notification by mail shall be deemed complete two days after the Notice of Proposed Action is deposited in the U.S. Mail, postage prepaid and addressed to the employee's last known address.

Employee Response

The employee upon who a Notice of Proposed Action has been served shall have seven (7) calendar days to respond to the Executive Director either orally or in writing before the proposed action may be taken. Upon application and for good cause, the Executive Director may extend in writing the period to respond.

Leave Pending Employee Response

Pending response to a Notice of Proposed Action, the Executive Director for cause specified in writing may place the employee on administrative leave without pay. For proposed suspension without pay or termination, the Executive Director may place an employee on leave without pay pending the final Notice and Order of Action.

Procedure on Dismissal, Suspension or Reduction

In any action to dismiss, suspend or reduce in rank or compensation an employee having permanent status after having complied with such Skelly requirements as may be applicable, the Executive Director shall make an order in writing stating specifically the causes for the action and imposing the discipline.

Service of Order

Said order of dismissal, suspension or reduction in rank or compensation shall be filed with the Executive Director or designee showing by whom and the date a copy was served upon the employee, either personally or by mail to the employee's last known mailing address. The order shall be effective either upon personal service or deposit in the U.S. Postal Service.

Employee Appeals From Order

Such employee dismissed, suspended or reduced in rank or compensation may, within ten (10) calendar days after personal service or mailing to the employee of the order, appeal in writing through the Executive Director to the Executive Committee from such order.

Transmittal to the Executive Committee

The Executive Director shall transmit the order and appeal to the Executive Committee for hearing.

Executive Committee Hearing

The Executive Committee shall within thirty (30) working days from the filing of the appeal refer the matter to a Hearing Officer for a hearing and recommended decision. The appellant shall be entitled to appear personally, produce evidence and to have counsel and a public hearing.

Disposition of Appeal

The Executive Committee shall affirm, modify or revoke such order of dismissal, suspension or reduction in rank or compensation, and shall certify its decision to the Executive Director who shall forthwith enforce and follow it.

Notifying Hearing Officer

The Executive Committee shall notify the Hearing Officer and furnish the Hearing Officer with a statement of pertinent data such as name, date of employment, classification, termination notice, etc., and with documents filed in the appeal and such other documents as the Hearing Officer may request for the purpose of conducting the hearing.

Hearing Date

Upon receipt of notification and documents, the Hearing Officer shall notify all interested parties and set a suitable date for the hearing as expeditiously as possible.

Hearing Officer Report and Record

- After the hearing, the Hearing Officer shall send a written report to the Executive Committee containing:
 - A record of the proceeding consisting of a summary or description of the material evidence admitted, oral, documentary and physical; and
 - The Hearing Officer's recommended findings of fact, conclusions of law and decisions.
- The Hearing Officer's report is the record of the proceeding through the Executive Director, the Executive Committee shall mail a copy of the Hearing Officer's report to the appellant, and the Executive Committee shall place the appeal on the agenda for action at its next meeting occurring after ten (10) calendar days from such mailing.

Executive Committee Decision

The Executive Committee shall either adopt the Hearing Officer's recommended decision or reject the recommended decision in whole or in part and make its own decision or refer the matter back to the Hearing Officer for further hearing.

EQUAL EMPLOYMENT OPPORTUNITY

AP414

The Agency is committed to providing equal opportunity in employment for all people without regard to race, color, religion, pregnancy, sex, sexual orientation, gender identity or perceived sex or gender, genetic information or characteristics (with respect to the applicant, employee, or a family member), national origin, ancestry, age, physical or mental disability, medical condition, family care status, marital status, veteran's status, uniformed service, or other basis protected by state or federal laws. Hiring, compensating, training, promoting, and providing equal opportunities to applicants and employees, enhances the effectiveness, economic progress, and growth of the Agency and its employees.

The Executive Director shall provide that complaint resolution processes are developed and publicized so that the intent and spirit of the Agency's policy and philosophy is maintained.

SEXUAL HARASSMENT COMPLAINT PROCEDURES

The Executive Committee of the Agency is committed to providing a work environment that is free from discrimination. In keeping with this commitment, the Committee maintains a strict policy prohibiting unlawful sexual harassment. The policy applies to all Agency agents and employees.

Sexual harassment of or by any employee shall not be tolerated. The Committee considers sexual harassment to be a major offense which may result in disciplinary action or dismissal of the offending employee.

Any behavior or action may constitute harassment when:

- Submission to the conduct is either an explicit or implicit term or condition of employment.
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee.
- The conduct has the purpose or effect of substantially interfering with an employee's performance or creates an intimidating, hostile or offensive work environment.

Any employee who feels that he/she is being harassed is encouraged to immediately report such incident to the Human Resources Manager without fear or reprisal.

General Information

- The Human Resources Manager shall receive and process all complaints.
- The complaint must be initiated within 60 days after a complainant knew of the alleged discrimination.
- The complainant shall be provided a copy of the Sexual Harassment Complaint Procedures policy.
- For the protection of the complainant and the agency, complaint proceedings shall be kept confidential insofar as appropriate.
- All documents, communications and records dealing with the complaint shall be placed in a separate complaint file. Documents related to an employee's complaint shall not be placed in the employee's personnel file.
- No retaliation shall be taken in any form for the filing of a complaint, the reporting of instances of sexual harassment, or for participation in the complaint procedures.

SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)**Procedures**

- The complainant shall first meet informally with the Human Resources Manager or designee.
- If the concerns cannot be resolved informally, Human Resources Manager or designee shall request that the complainant submit a formal written complaint within ten days. The written complaint shall include the following:
 - The complainant's name
 - The name of the staff member who committed the alleged sexual harassment
 - A description of the alleged sexual harassment
 - A specific description of the time, place, nature, participants in and witnesses to alleged sexual harassment
 - Other pertinent information, which may assist in investigating and resolving the complaint.
- The Human Resources Manager or designee shall investigate and respond to the complainant in writing within forty-five (45) working days of the initiation of the complaint.
- With approval by the Executive Director, the Human Resources Manager or designee may temporarily reassign employees as deemed necessary during the course of the investigation.
- If the Human Resources Manager or Executive Director is named as the staff member committing the alleged violation, the Board President or Executive Committee shall arrange for a consultant from an outside agency, and/or an Executive Committee member, to investigate the complaint and perform the other responsibilities of the Human Resources Manager or designee under this regulation.

DISCRIMINATION COMPLAINT PROCEDURES

The following procedure shall be followed when an employee has a complaint alleging that a specific action, policy, procedure or practice discriminates against him/her on any basis specified in the Agency nondiscrimination policies.

General Information

- The Human Resources Manager or designee shall serve as the Coordinator for Nondiscrimination in Employment and as such shall receive and process all related complaints.
- The complaint must be initiated within 60 days after a complainant knew of the alleged discrimination.
- The complainant shall be provided a copy of the Discrimination Complaint Procedures policy.
- For the protection of the complainant and the agency, complaint proceedings shall be kept confidential insofar as appropriate.
- All documents, communications and records dealing with the complaint shall be placed in a separate complaint file. Documents related to an employee's complaint shall not be placed in the employee's personnel file.
- No retaliation shall be taken in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in the complaint procedures.

Procedures

- The complainant shall first meet informally with the Human Resources Manager or designee.
- If the concerns cannot be resolved informally, the Human Resources Manager or designee shall request that the complainant submit a formal written complaint within ten days. The written complaint shall include the following:
 - The complainant's name
 - The name of the staff member who committed the alleged violation
 - A description of the allegedly discriminatory act(s) or omission(s)
 - The discriminatory basis alleged
 - A specific description of the time, place, nature, participants in and witnesses to alleged violation
 - Other pertinent information, which may assist in investigating and resolving the complaint.
- The Human Resources Manager or designee shall investigate and respond to the complainant in writing within forty-five (45) working days of the initiation of the complaint.
- With approval by the Executive Director, the Human Resources Manager or designee may temporarily reassign employees as deemed necessary during the course of the investigation.
- If the Human Resources Manager or Executive Director is named as the staff member committing the alleged violation, the Board President or Executive Committee shall arrange for a consultant from an outside agency, and/or an Executive Committee member, to investigate the complaint and perform the other responsibilities of the Human Resources Manager or designee under this regulation.

COMPLAINT PROCEDURES

The following procedure shall be followed when an employee has a complaint alleging that a specific law, policy, procedure or practice has been violated. This procedure shall not apply to alleged sexual harassment (AR414.3) or discrimination (AR414.4).

General Information

- The Human Resources Manager or designee shall receive and process all complaints.
- The complaint must be initiated within 30 days after a complainant knew, or should have known, of the alleged violation or action.
- The complainant shall be provided a copy of the Complaint Procedures policy.
- For the protection of the complainant and the agency, complaint proceedings shall be kept confidential insofar as appropriate.
- All documents, communications and records dealing with the complaint shall be placed in a separate complaint file. Documents related to an employee's complaint shall not be placed in the employee's personnel file.
- No retaliation shall be taken in any form for the filing of a complaint, the reporting of the violation, or for participation in the complaint procedures.

Procedures

- The complainant shall first meet informally with the Human Resources Manager or designee.
- If the concerns cannot be resolved informally, the Human Resources Manager or designee shall request that the complainant submit a formal written complaint within ten days. The written complaint shall include the following:
 - The complainant's name
 - The name of the staff member who committed the alleged violation or action
 - A description of the complaint
 - A specific description of the time, place, nature, participants in and witnesses to alleged violation or action
 - Other pertinent information, which may assist in investigating and resolving the complaint.
- The Human Resources Manager or designee shall investigate and respond to the complainant in writing within forty-five (45) working days of initiation of the complaint.
- With approval by the Executive Director, the Human Resources Manager or designee may temporarily reassign employees as deemed necessary during the course of the investigation.
- If the Human Resources Manager or Executive Director is named as the staff member committing the alleged violation or action, the Board President or Executive Committee shall arrange for a consultant from an outside agency, and/or an Executive Committee member or management employee, to investigate the complaint and perform the other responsibilities of the Human Resources Manager or designee under this regulation.

EQUAL EMPLOYMENT OPPORTUNITY**AR414.4*****CONFLICT OF INTEREST***

Persons occupying management positions, and others designated by the Executive Director, are considered "designated personnel" in compliance with the Conflict of Interest Code contained in Government Code 87300 et seq. Financial interests as defined in the Conflict of Interest Code must be disclosed by these persons. Disclosure is made annually in accord with procedures coordinated by the Board of Supervisors, Contra Costa County.

The Executive Committee expects each of the persons identified as designated employees to conform to the requirements of the Conflict of Interest Code.

INCOMPATIBLE ACTIVITIES

In accordance with the requirements of Government Code sections 1125-1127, and as further outlined in Administrative Policy 105 - Code of Ethics, the following guidelines are prescribed for employee activities.

No employment, activity, or enterprise shall be engaged in by any employee of the Agency that might result in or create the appearance of resulting in any of the following:

- Using the influence of Agency employment for the employee's private gain or advantage or the private gain or advantage of another.
- Using the Agency time, facilities, equipment, or supplies for the employee's private gain or advantage, or the private gain or advantage of another.
- Receiving or accepting any gift or favor from anyone who is doing or is seeking to do business of any kind with the Agency.
- Performing an act in other than his/her capacity as an Agency employee with the knowledge that such act may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other officer or employee or the agency by which he/she is employed.
- Preventing an employee from performing his/her Agency job assignment in an efficient and capable manner.

Employees who are involved in any of the above outlined incompatible activities as determined by the Executive Committee or the Executive Director shall:

- Discontinue such activity immediately upon notification; and
- Be subject to disciplinary action.

AMERICANS WITH DISABILITIES ACT

AP 415

The Agency prohibits discrimination against a qualified individual with a disability in all aspects of employment, including application, hiring, promotion, discharge, compensation, benefits, and training. "Disability" means a physical or mental impairment that limits one or more of the major life activities of an individual, a record of such an impairment, or being regarded as having such an impairment. A "qualified person with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

Reasonable Accommodation

The Agency seeks to reasonably accommodate qualified individuals with disabilities. Such reasonable accommodation may take the form of making existing facilities readily accessible to or usable by individuals with a disability, restructuring jobs, modifying schedules, acquiring or modifying equipment, adjusting training materials, adjusting employment policies, and the like. Generally, such reasonable *accommodation will be made unless it creates an undue hardship for the Agency.*

Violations

Anyone who believes that there has been a violation of this policy or any applicable law relating to accommodating a person with a disability should follow the Discrimination Complaint Procedures as outlined in AR 414.2.

WORKPLACE VIOLENCE**AP416**

It is the policy of the Agency that threats made against workers, whether actual or perceived, verbal or non-verbal, will be considered serious and will be handled promptly. Threats against co-workers will not be tolerated and may result in immediate dismissal.

WORKPLACE VIOLENCE

AR416.1

INTERNAL PROCEDURES

In the event that an employee feels that a threat has occurred, the following steps should be taken:

- Report threat immediately to the Human Resources Department, or if not available, any manager. Provide written information to include name of person making threat, any prior incidents, circumstances surrounding threat, names of other person(s) involved, and any witnesses. This information shall be kept confidential and shared only at the discretion of the Executive Director.
- In the event of an immediate physical threat, request assistance from a manager, or if none available, a co-worker. Do your best to diffuse the situation until you receive assistance. If there are no managers available, dial 911.
- Should any employee witness a threat they should report it immediately to the Human Resources Department or if not available, any manager.
- If an employee notices a change in a co-worker's behavior that would suggest a violent incident may occur, the Human Resources Department or appropriate manager should be notified immediately.

EXTERNAL PROCEDURES

- Should an external threat against an employee, an injured worker, district, physician's office or the Agency, occur, immediately notify the Human Resources Department, or if not available, any manager, who have been trained and will put into place procedures as outlined in the Agency's Injury & Illness Prevention Plan and Emergency Procedures as appropriate.

DUTIES OF PERSONNEL

AP417

All employees of the Agency are subject to the policies of the Executive Committee and applicable laws. The Executive Director shall ensure that each employee has access to the Agency's personnel policies, regulations and rules.

Duties and functions of employees are described in job descriptions. Job descriptions shall include the job title (classification), examples of duties to be performed, and other related information. The job description shall determine the job classification of the employee on the salary schedule.

Job descriptions for all employees shall be provided by the Executive Director or designee. A manual of job descriptions shall be maintained by the Executive Director or designee and shall be available for review by employees and members of the public upon request.

NONCOMPLIANCE WITH DUTIES & RESPONSIBILITIES

The Executive Committee reserves the right to impose progressive penalties for disciplinary reasons. When an employee refuses to perform required work without acceptable reason, the Executive Director may deduct, without further authorization, wages reasonably related to the time not worked.

DUTIES OF PERSONNEL**AR417.1*****WORKERS' COMPENSATION BENEFITS***

The Executive Committee desires that appropriate workers' compensation benefits and necessary medical care be provided to employees who may suffer on-the-job injuries or illnesses in order to minimize ultimate pain and suffering and time away from work. Appropriate insurance benefits will be provided to ensure proper medical coverage and temporary disability benefits through the offices of the Executive Director.

DUTIES OF PERSONNEL

AR417.2

SAFETY/REPORTING INDUSTRIAL INJURY/ILLNESS

Every employee is responsible for safety. Knowing and applying safe working methods are a fundamental expectation. Employees are to report any unsafe or hazardous conditions to management immediately. Every effort will be made to remedy problems as quickly as possible. Each employee is responsible for knowing and complying with all posted safety rules.

In case of an on the job accident involving a personal injury, regardless of seriousness, employees are to inform the supervisor immediately and complete the appropriate Employee Report of Injury or Illness form. Failure to report injuries is a violation of Agency rules, can result in a violation of legal requirements and can lead to delays in processing insurance and benefit claims. Employees who fail to report on-the-job injuries immediately may be subject to disciplinary action.

The Agency requires every employee who is a driver of or passenger in a vehicle to wear a seatbelt while on Agency business.

All drivers of vehicles to be used for conducting Agency business must show evidence of meeting insurability requirements as specified by the Agency.

SECURITY & CONFIDENTIALITY**Security:**

The Executive Committee affirms that the security of employees, employee property and Agency property is of vital importance. All employees share responsibility to ensure that proper security is maintained. Any breach of security is to be reported to management and promptly investigated.

Confidentiality:

The Executive Committee, administration and staff shall maintain the confidentiality of all confidential records and information (as defined by state and federal laws and regulations). Confidential information is to be released only for legitimate and authorized purposes necessary in the performance of job duties and as allowed under state and federal laws and regulations. Access to confidential information is on a "need to know" basis. Any employee who inadvertently, carelessly or willfully improperly releases confidential/privileged information about injured workers, staff members or any topic designated as confidential may be subject to disciplinary action up to and including termination, and may face criminal prosecution and a civil lawsuit by the Agency.

Possession of Property

Keys that may be issued to employees are important to the security of Agency offices, records and equipment. Keys are not to be loaned or duplicated by employees for any reason. Failure to comply with this policy may result in disciplinary action up to and including dismissal. Upon termination with CCCSIG, all keys issued to employee are to be returned. The Executive Director has the authority to deduct the cost of re-keying locks from an employee's final paycheck if issued keys are not returned.

Agency property includes not only tangible property but intangible property as well. Of particular importance are proprietary information and confidential information. Proprietary information includes all information obtained by Agency employees during the course of their work. Confidential information is any Agency information that is not generally known to the public. Employees may not disclose or use proprietary or confidential information except as their jobs require. Employees must take every appropriate precaution to ensure confidential information is not released; to include, but not limited to, following Agency security procedures, not utilizing USB Flash Drives, not downloading Agency information to a personal computer and not discussing Agency information with any outside parties. The Executive Director shall require each employee to sign a written agreement regarding confidentiality of information.

DUTIES OF PERSONNEL**AR417.4*****OUTSIDE EMPLOYMENT***

An Agency employee shall not engage in any outside employment that is detrimental to, or in conflict with, his or her duties or service with the agency.

The Executive Director shall have the authority to determine if an employment conflict exists. His or her determination may be appealed by the employee in accordance with the Committee established Appeals procedures.

NON-SMOKING POLICY

The Executive Committee is committed to providing healthful and safe working conditions for employees. In keeping with this commitment, smoking or other use of tobacco is not permitted inside Agency offices, or on Agency property, at any time. Employees who wish to use tobacco or smoke must limit use to authorized breaks and meal periods. Smoking or tobacco use is only permitted outside of the work premises.

DRUG & ALCOHOL FREE WORKPLACE

The Agency will provide a drug and alcohol free workplace for all employees. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, as defined in the Controlled Substance Act and Code of Federal Regulations, in Agency offices or workplaces, or on Agency property, is prohibited. All Agency employees shall comply with the agency's policy on providing a drug and alcohol free workplace.

The Executive Director shall make information available to employees regarding the dangers of drug and alcohol abuse in the workplace. Any employee who believes that he/she has or may have a drug or alcohol abuse problem and needs assistance may contact the Executive Director or designee. Such contact and subsequent assistance will be held in strict confidence and will not become a part of the official personnel record unless the substance abuse problem becomes part of the disciplinary policy for failure to perform duties as assigned.

Notwithstanding participation in a drug awareness and/or rehabilitation or assistance program, any employee who violates the agency's policy on drug and alcohol-free workplace shall be subject to disciplinary action up to and including termination.

DUTIES OF PERSONNEL

AR417.7

POLITICAL ACTIVITIES

Employees of the Agency are encouraged to assume the full responsibility of citizens living in a democracy.

The Executive Committee and the administration, however, believe that Agency employees have an obligation to prevent the improper use of agency time, materials, or facilities for political campaign purposes. It is not to be inferred from this prohibition that natural exchange of ideas and conversation among personnel regarding candidates or political issues is considered improper or illegal.

When engaging in political activities, employees shall make it clear that they are acting as individuals and not as representatives of the Agency.

The following activities are prohibited:

- Conducting political activities in Agency or member district offices.
- Soliciting campaign support or contributions during duty hours.
- Using Agency equipment for the preparation and/or reproduction of campaign materials.
- Posting or distributing campaign materials on Agency property.
- Disseminating campaign materials through the Agency mail service or placing them in staff mailboxes.

DUTIES OF PERSONNEL**AR417.8****USE OF OFFICE EQUIPMENT & TELEPHONE**

All office equipment including computers, copy machines, typewriters, calculators, facsimile machines, etc., are for Agency business only and are not to be used for personal use.

Telephones are in offices for Agency business calls only. Incoming and outgoing personal calls are to be kept to a minimum and their duration must be brief. Any long distance or toll calls for personal business must be charged to the employee's home phone.

Failure to abide by this regulation shall make the employee subject to discipline up to and including termination.

E-MAIL/VOICE MAIL/INTERNET

The Agency will provide and maintain an e-mail system, a voice mail system and several Internet-connected terminals to assist in the conduct of agency business. These systems, including the equipment and the data stored within, are property of the Agency. All messages created, sent, received or stored in the systems, as well as all information and materials downloaded into the agency's computers, are the property of the Agency.

To ensure security and quality, all incoming phone calls may be recorded. If a claimant objects to our phone recording, the employee may return the call, as outgoing calls from the agency are not recorded.

The agency reserves the right to monitor, at any time, Internet usage including Web Sites accessed and any information downloaded from such sites. The agency also reserves the right to prevent access to specific sites deemed unnecessary for business purposes.

The agency reserves the right to retrieve and review any message composed, sent, received, or downloaded from any of the systems. Messages deleted or erased may be recreated; therefore, ultimate privacy of messages is not guaranteed. Passwords for security purposes will be assigned by staff. Employees are advised that retrieval and review of his/her intended messages may occur during periods of absenteeism.

Messages and downloaded data shall not contain content considered offensive or disruptive to any employee. Offensive content includes, but is not limited to, sexual comments or images, racial slurs, gender-specific comments or any comments that would offend on the basis of age, sexual orientation, religious or political beliefs, national origin, or physical or mental disability. An employee learning of misuse of e-mail, voice mail or Internet systems will report such to his/her immediate Supervisor or the Executive Director or his designee.

The agency prohibits the use of the e-mail, voice mail or Internet systems for personal business unless otherwise authorized by the Executive Director.

DUTIES OF PERSONNEL

AR417.10

PROFESSIONAL STANDARDS

Employees represent not only the Agency but all of the member school districts. It is of primary importance that all employees make and maintain a favorable impression to pave the way for effective relationships and to keep channels of communication open and friendly.

Personal Appearance

Employees are expected to maintain a personal appearance appropriate to a business environment. The wearing of appropriate business attire is expected, as outlined in "*CCCSIG's Professional Standards*", an internal document to be maintained by the Human Resources Department.

Interpersonal Relationships

The Agency places a high priority on customer service. The Agency strives to maintain a courteous, friendly, pleasant, respectful and helpful image to all it serves and expects all employees to assist in achieving this goal. Employees are expected to perform their tasks and interact with co-workers, managers, districts and all others they encounter, within the expectations of the Agency's Core Values, an internal document to be maintained by the Human Resources Department.

Children

Employees are not to bring their children into the office during working hours except with the express permission of the Executive Director.

PROFESSIONAL DEVELOPMENT & TRAINING**AP418**

The Executive Committee recognizes that a key to successful operation is a competent and well-trained staff. It supports the fundamental concept that the organization should encourage and assist employees in the constant changing and improvement of skills. Development and training are viewed both as opportunities for personal growth and as necessities for organizational success. The Executive Director is charged with the responsibility of providing appropriate professional development and training opportunities.

PROCEDURES

Opportunities for professional development and training may be provided in the following ways:

- Released time for participation in training and development activities.
- Conferences, workshops and training classes provided by Agency staff internally or by outside agencies during or outside of normal working hours.
- Other professional activities.

The Agency seeks to promote professional development and training that is required, appropriate and pertains to the employee's current position and/or may further the employee's career goals within the Agency. The employee must obtain prior approval to attend the training from his/her direct supervisor and the Human Resources Manager. The Executive Director, upon recommendation of the employee's direct supervisor, shall have the authority to make the final approval for the employee's attendance at the training.

For positions of the Agency that require the Professional Designation as required by law (i.e., Sr. Claims Examiner, Claims Examiner, Sr. Bill Review Specialist and Bill Review Specialist), CCCSIG will strive to provide trainings, either on-site or off-site, during the workday that meet the requirements for training hours. Should an employee in a professionally designated position, not be available to attend the training, they will be required to make-up the hours with another training that meets the professional designation requirements. Should an employee in a professionally designated position not have the number of training hours required, they will not be able to perform the functions of their position until the training hour requirements are met. The employee may be placed on administrative leave without pay or may be subject to disciplinary action, including suspension without pay, in accordance with Administrative Regulation 413.1, until the training hour requirements are met.

If an employee requests payment for, or reimbursement of expenses for a course selected by the employee, in considering the request, the manager shall look at the relation of the course to the position/role of the individual within the Agency, and the percentage of the job duties related to the course. If the manager determines that it is appropriate for the Agency to grant the request for payment or reimbursement, the department manager shall determine whether the Agency will pay for the course entirely, or on a partial basis. Any level of payment or reimbursement shall be subject to availability of monies within the department budget and to the final approval of the Executive Director.

With the approval of the Executive Director and as provided for in the CCCSIG budget, reimbursement for reasonable expenses incurred as part of the agency's approved professional development may be made.

COPYRIGHTS & PATENTS**AP419**

Any handbook, procedure and/or training manuals, guides or other materials developed by Agency employees in the course of their employment is considered to be the property of the Agency.

TRAVEL EXPENSES**AP420**

Reimbursement for transportation, meals, lodging and incidental expenses will be made to employees on approved travel for the Agency. Reimbursement ceilings and eligible expenses will be established by the Executive Committee upon recommendation by the Executive Director.

Employees who travel in their own vehicles on Agency business are eligible for reimbursement at the current rate allowed by the Internal Revenue Service, but every effort should be made to utilize the company vehicle.

Employees who use their vehicles for assigned work must maintain at least the minimum insurance requirements of the State of California.

ALLOWABLE EXPENSES

All claims for travel reimbursement shall be documented on the appropriate official affidavit to be provided by management which certified the accuracy and propriety for travel expenses.

Employees should keep a record of reimbursable expenditures as they occur so that all allowable expenses are fully claimed.

All expenses related to authorized travel for Agency business must have prior approval by the Executive Director except for the day to day travel necessary to conduct normal business procedures.

Allowable Expenses for Authorized Travel

- Occasionally it is necessary for employees to travel in the course of their employment. Conferences, meetings, and workshop attendance are encouraged as workload permits.
- Authorized travel is subject to advance approval by the Executive Director.
- Travel shall normally be by public carrier. Prior approval by the Executive Director shall be required for travel other than by public carrier. Private vehicle mileage, if needed, will be reimbursed by the current rate allowed by the Internal Revenue Service.
- Employees may claim the following maximum amounts for meals and incidentals:

Breakfast	\$12.00 (if travel began before 6 AM or concluded past 8AM)
Lunch	\$18.00 (if travel began before 11 AM or concluded past 1 PM)
Dinner	\$36.00 (if travel began before 5PM or concluded past 7 PM)
Daily Allowance	\$66.00

The meal allowances noted include tax and tip. Costs in excess of the above amount may be claimed only when the employee has no choice in location or menu. The meal allowances are payable unless the meal is either included in the conference, is being provided by a business partner or is paid for by CCCSIG. No receipts need to be submitted for meals or incidentals that are less than \$75.00, but the Expense Reimbursement Request Form must specifically identify each meal/incidental, the event attended and the beginning and ending dates and times of travel.

- All travel expenses other than meals/incidentals less than \$75.00 as described above, including registration fees, transportation, mileage, and lodging, when applicable, must be fully substantiated by receipts/documentation attached to the appropriate Expense Reimbursement Request form. Advance approval for travel must be documented on an Authorized Travel Form.

Use of Personal Vehicle for Authorized Business Purposes

- Private vehicle mileage will be reimbursed at the current rate allowed by the Internal Revenue Service, in the event the Agency vehicle is not available for use. Mileage shall be calculated as follows: for employees who may need to travel to a conference/training, or any other work-related appointment and do so directly from home, or return home, without first coming to work, use the round-trip miles actually travelled, minus the miles that would normally be travelled to/from work. If travel begins and ends at work, it will be reimbursed for the total miles travelled.

Allowable Expenses at Employee's Regular Work Station

Employees should not normally incur reimbursable expenses while at their regular work station or work area other than those connected with the use of a personal automobile. The exceptions to this rule relate primarily to meal expenses, which are subject to reimbursement under the following circumstances:

- When the employee is required to attend a meeting concerning office business because of his/her official position.
- When the employee is required to be out of his/her normal work area or work period during a meal hour because of a particular work assignment.
- When the employee is required to incur expenses as host for official guests of the office, such as members of the board, speakers or honored guests at banquets or other official functions.
- When the employee incurs expenses for required trips of less than 24 hours he/she may claim their meals at the amounts noted above.
- Exception to meal cost limitation must be approved in advance by the Executive Director and approval noted on the Expense Claim Form.

REIMBURSEMENT PROCEDURES**Procedures for Claiming Expenses and Travel Reimbursement**

Reimbursement for expenses incurred on behalf of the office shall be claimed on a Mileage and Expense Report Form, which is available from the Administrative Department. The following procedures apply with respect to expense claims:

- Expense claims shall be submitted monthly for expenses incurred in the previous reporting period. No expense reimbursement will be made for claims submitted more than six months following the date of incurring the reimbursable expense.
- Each claim must specify the date, nature of expense, and amount for which reimbursement is claimed. Claims must be for actual expenses incurred by the employee submitting the claim pursuant to the allowable expenses outlined in this regulation.
- Receipts or documentation for public carrier fares, transportation, lodging expenses and registration must be submitted with the Mileage and Expense Report Form.
- The claim for reimbursement of the actual and necessary expenses will be paid up to 125% of the approved total cost shown on the "Travel Request Form". If the actual and necessary expenses exceed 125% of the approved total, only the computed amount up to that maximum will be paid except as provided below.
- On occasion, a significant expense may not have been foreseen or may have been inadvertently omitted from the original Authorized Travel Form resulting in greater expenditures than originally approved. In such cases, the employee should submit an "amended" Authorized Travel Form and it should be clearly marked as an "AMENDMENT".

Alternative Procedure for Payment for Expenses

Expenditures incurred by an employee for Authorized Travel may be paid in advance pursuant to the following:

- The employee has complied with all provisions of this administrative regulation including completion of Travel Request Form and securing approval of the Executive Director.
- The employee shall complete the Travel Request Form showing travel expense advance amount received. The total expense advance shall be subtracted from other amounts owed to determine net amount due or owed.
- A copy of the Travel Request Form must be attached to the Expense Claim.

SALARIES & WAGES**AP421**

The Executive Committee of the Agency desires to recruit and maintain a highly qualified and competent staff in order to properly fulfill all functions and obligations of the Agency to its member districts. The importance of maintaining a competitive salary schedule based upon current job market trends within the industry as well as sound salary policies in attaining the objectives is recognized.

Each job classification shall be assigned a salary range by the Executive Committee upon recommendation of the Executive Director.

The Executive Director shall assure that sound salary policies are developed and communicated to employees.

SALARY PLACEMENT/ADVANCEMENT

The following regulations guide the application of the salary schedule.

Initial Placement

All new employees assigned to a regular position shall receive the first step of the salary range for that classification. In specific instances where unusual difficulty exists in filling a position, or where a candidate possess exceptionally high qualifications and/or experience, initial placement on other than the first step may occur with approval of the Executive Director.

Short Term Positions

Employees assigned to short term positions will be placed on Step I on the salary range for the classification to which they are assigned. Upon approval of the Executive Director, compensation may be at a higher step based on recognition of long term service or previous experience.

Step Advancement

An employee occupying a regular position will advance to the next higher step on the appropriate salary range following satisfactory completion of the twelve month probationary period. The date of this first advancement shall be considered to be the employee's Anniversary Date. Succeeding step adjustments will be granted annually on the employee's established Anniversary Date. A favorable recommendation of the employee's supervisor as reflected by a completed Performance Review will be required before any such annual step adjustments can be granted. For those employees who are serving a six month probationary period (as defined in Administrative Regulation 408.4), advancement to the next step will not occur until the twelve month anniversary date in the new position.

Promotion

An employee promoted to a higher classification shall be placed on the step of the new schedule that provides at least a 5% increase over the former base salary.

Reclassification

An employee who has been reclassified to a higher position shall be placed on the step that provides the same or higher salary as received prior to the reclassification.

SALARIES & WAGES**AR421.2*****SALARY WARRANTS***

Pay checks will be distributed at the Agency offices on the last working day of each month for regular and substitute employees. Checks will be distributed by the Executive Director or designee by 10:00 a.m. on payday. Employees who are off work on the regularly scheduled pay day may request, in writing to the Executive Director or designee, to have his/her paycheck mailed. Checks will then be mailed as requested at the end of the business day on pay day.

In no instance will an employee receive an advance on his/her paycheck nor will payroll checks be released sooner than the scheduled pay date unless special authorization has been given by the Executive Director.

OVERTIME PAY

The following regulations govern overtime pay:

- Employees are expected to be available to work reasonable amounts of overtime according to the agency's needs.
- All overtime work by a non-exempt employee must be approved in advance by the department manager.
- Non-exempt employees will be compensated at an overtime rate of time and a half for all hours worked in excess of 8 hours during a work day or 40 hours in a work week. Non-exempt employees on a 9/80 schedule will be compensated for overtime for hours worked in excess of 9 in one day or 80 in their two week 9/80 schedule.
- Hours worked means time in paid status, which includes hours away from work due to vacation, sickness, or holiday. Unpaid leave or any other unpaid time away from work is not considered hours worked for purposes of computing overtime.
- Employees may request comp time, up to a total of 20 hours, in lieu of overtime pay based on approval by Department Manager. Comp time may only be taken at times approved in advance by the Department Manager. Comp time may not be accrued from year to year. Any comp time earned but not used will be paid at the normal hourly rate at the end of the fiscal year, and will be subject to any applicable taxes.

SALARIES & WAGES**AR421.4*****OUT OF CLASSIFICATION WORK***

An employee who is temporarily assigned to a position in a higher classification for a period of more than five (5) consecutive working days, shall be paid at the lowest step within the range for the higher class that provides at least a 5% increase but that does not exceed the top step of the range for the higher class. An employee who meets the five day requirement shall be paid at the higher rate from the first day of the temporary assignment.

An employee shall not continue working out of classification for more than 30 days, except on authorization by the Executive Director on a case-by-case basis.

SALARIES & WAGES

AR421.5

PAYROLL DEDUCTIONS

Salaries of employees are subject to the following compulsory deductions:

- Federal withholding tax
- California withholding tax
- Public Employees Retirement System
- Medicare tax
- Long Term Disability Insurance
- Dental Insurance Plan

Other salary deductions are not made without the written authorization of the employee.

Voluntary salary deductions available to Agency employees include, but are not limited to:

- Credit Union payments
- Health Insurance premiums*
- PERS 457 Deferred Compensation
- Optional benefits

*Note: The "core" benefits of the Agency include disability, dental and health insurance. Of these benefits, only the Agency health insurance plan may be waived if employees can show evidence of current coverage through another source at the time they become eligible for benefits through the Agency.

Dental and disability insurance coverage through the Agency's plan is mandatory.

HEALTH & WELFARE BENEFITS

AP422

The Executive Committee recognizes that employee benefits are an important part of the compensation package and help the Agency attract and maintain a qualified and competent staff. In order to assist employees in obtaining health and other benefits as desired, the Agency provides a supplementary allocation per month to each full time, regular employee. An appropriate pro-ration of this allocation is available to each part-time, regular employee regularly scheduled for twenty hours or more per week.

This allocation may be used to purchase medical, dental, disability, life, and other desired insurance benefits from designated group plans. Employees may choose to accept the allocation as taxable income except for the amount necessary to cover the premium cost for required core benefit coverages. Core benefits include medical (unless proof of health coverage can be provided), dental and long term disability insurance.

The Executive Committee reserves the right to discontinue or modify the benefit allocation as necessary to serve the best interest of the Agency.

IRC-125 PLAN

The Agency provides for its cafeteria plan of benefits through a Section 125 Flexible Benefit Plan approved under the Internal Revenue Code – IRC 125 and makes such benefits available to all eligible employees. The Section 125 Flexible Benefit Plan allows employees to select from a menu of health, dental, life, disability, and other optional insurance benefits that meet their individual and family insurance needs. Coverage may include employee's spouse or registered domestic partner, and employee's eligible dependents.

The benefits selected by the employees are then paid for with the benefit dollars made available through the Agency, in an amount to be determined by the Executive Committee, and premiums paid from these benefit dollars for health and dental are considered "pre-tax benefits" which therefore reduces the employee's taxable gross income.

The benefit election made during the enrollment year will remain in effect for the plan year. Employees may, however, change benefit election if there is a "qualifying change in family status" which includes: Marriage or divorce; birth or adoption of a child; death of a dependent child or spouse; change in the employment status of the employee or spouse such as termination or commencement of employment; or going from part-time to full-time or full-time to part-time work status.

Qualifying insurance products that may be purchased under the legal provisions of the IRC-Section 125 Flexible Benefit Plan with premiums paid on a pre-tax basis include: Medical, Dependent Medical, Cancer Coverage, and Dental Insurance. Other benefits offered with after-tax payroll deduction include Disability Income Protection, Group Life, Supplemental Group Life, and Accidental Death & Dismemberment.

Expense Reimbursement Accounts allow employees to establish an account to reimburse them on certain types of expenses on a tax exempt basis. These expenses include dependent care and medical expense reimbursements.

HEALTH & WELFARE BENEFITS

AR422.2

BENEFIT PLANS

The Agency offers the following benefit plan options for employees regularly scheduled for more than 20 hours per week. Purchase of plans may be made through the agency's IRC-125 Flexible Benefits program

- Medical Insurance: Choice of plans available through the (PERS) Health Care Program
- Dental Coverage: Delta Dental
- Dependent Care: American Fidelity Assurance Plan
- Disability Insurance: American Fidelity Assurance Plan
- Optional Life & Cancer Insurance: American Fidelity Assurance Plan
- Other optional benefits

Retirement benefits are provided through the Public Employees Retirement System and are not coordinated with Social Security. Employees do not pay Social Security taxes, but instead contribute up to 7%, as required, into the PERS retirement plan. The Agency also contributes to this plan.

The Agency also offers an optional 457 Deferred Compensation Plan, giving employees the option of investing additional savings towards their retirement on a pre-tax basis.

The Agency reserves the right to change carriers, modify benefits, or make any other changes to the benefit program as necessary to serve the best interest of the agency.

Detailed information is available from Human Resources.

COBRA RIGHTS

The Federal Consolidated Omnibus Reconciliation Act (COBRA) mandates certain health coverage requirements designed to alleviate lapses in coverage due to employee termination, death, separation or divorce, reduction in hours or eligibility for Medicare (if eligibility for Medicare results in loss of coverage from current group health plan).

Qualifying Events

The following events qualify Agency employees and eligible family members for 18-months of continued coverage:

- Termination of employment for reasons other than gross misconduct
- Reduction of hours which results in the loss of health plan eligibility (20+ hours per week, regular position)

If Medicare Approved Disability, COBRA May Be Extended for a Total of 36 Months

The following events qualify eligible family members for continued coverage for 36 months:

- Death of the employee
- Divorce or legal separation
- Termination of a child's dependent status

If an employee or their dependent elects the group continuation plan and one of the following events occurs before the expiration of the 18 or 36-month period, health benefits coverage will cease:

- Termination of all employer-provided group health plans
- Failure to pay required premiums
- Employee obtains coverage as an employee under any other group health plan, regardless of the level of benefits or waiting periods of the new plan
- Former spouse remarries or obtains coverage under another group health plan

Premiums

Persons who choose to retain health insurance coverage shall be charged the full costs of coverage within legal limits. If employee elects to participate in the group continuation plan, employees will make monthly premium contributions directly to the carrier. The Agency is not required to make a contribution toward the cost of the health insurance. The payment for employee or dependent coverage is due by the 10th day of the month preceding the coverage month. The group continuation plan will have the same coverage as the current PERS Health Plan.

VACATION**AP423****NON-MANAGEMENT EMPLOYEES**

Regular, non-management, full-time employees may earn paid vacation as follows:

Service Years	Monthly	Maximum Cumulative Hours
First 4 years of employment	8 hours/month	192 hours/year
5 through 10 years of employment	10 hours/month	240 hours/year
11 years	13.36 hours/month	320 hours/year

- Vacation may be taken in the year that it is earned or in the year immediately following the year in which it was earned. Employees will not accrue more than the maximum cumulative hours.
- Vacation leave is to be requested in advance and requires the approval of the department manager.
- Unearned vacation will not be advanced.
- Earned vacation time will be prorated for any period in which an employee is in unpaid status.
- Part-time employees will earn prorated vacation based upon actual hours worked.

MANAGEMENT EMPLOYEES

Full-time management employees may earn twenty (20) days (160 hours) of paid vacation each year. Managers that have completed their one-year probationary period may receive an advance in vacation hours up to 160 hours, in each fiscal year (July 1st – June 30th). In the event of resignation or termination where the manager has used vacation in excess of those days earned, a deduction will be made from the manager's final payroll check to reimburse Agency for the unearned vacation used.

- Vacation may be taken in the year that it is earned or in the year immediately following the year in which it was earned. Management employees will not accrue more than 320 hours of vacation.
- Managers are to schedule vacation leaves with the prior approval of the Executive Director or his/her designee to assure effective operation of the Agency.
- Earned vacation time will be prorated for any period in which an employee is in unpaid status.
- Part-time employees will earn prorated vacation based upon actual hours worked.

HOLIDAYS

AP424

The Executive Committee has established a paid holiday program that provides for thirteen (13) paid holidays per year. All employees shall be entitled to the following paid holidays provided they are in paid status during any portion of the working day immediately proceeding or succeeding the holiday:

New Year's Day
Day Before or After New Years' Day
Martin Luther King, Jr. Day
Lincoln Day
Washington's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day Following Thanksgiving
Christmas Day
Day Before or After Christmas Day

The Executive Director shall annually approve the schedule of Holidays and provide it to the employees.

LEAVES OF ABSENCE

AP425

The Executive Committee recognizes that employees will need to be absent from their duties on occasion. The following categories of leaves are, therefore, established:

Leaves with pay:

- Sick Leave
- Personal Necessity Leave
- Bereavement Leave
- Official Appearance/Jury Duty Leave

Leaves without pay:

- General Leave
- Family or Medical Leave
- Health/Maternity Disability Leave

The Agency may establish an Attendance Incentive Program on a fiscal year basis.

The Executive Director shall establish regulations to implement the Committee's employee leave program.

Regulations governing leaves of absence include:

Paid Leave of Absence

- No approved paid leave shall be considered an interruption in continuity of service for the purpose of qualifying for seniority rights or salary schedule adjustments.
- Employees returning from paid leaves shall be returned to the same assignment held prior to the beginning of the leave provided that assignment still exists. If the assignment does not exist, the employee shall be returned to the same level of employment held immediately prior to the leave.
- Employees returning from leave shall have no greater right to a position than they would have had if they had not gone on leave.

Unpaid Leave of Absence

- During an unpaid leaves of absence greater than 30 consecutive days, beginning on the 31st day, seniority shall not increase (day for day) until employee returns to a paid status.
- Unpaid leaves of absence shall cause retirement credit, sick leave and vacation accruals to be pro-rated (hour for hour, day for day) and may effect eligibility for other agency benefits. The monthly benefit allotment, for example, will be reduced proportionately with time taken on unpaid leave, unless covered for up to 12 weeks under California Family Rights Act (CFRA) as outlined in Administrative Regulation 424.6 or under pregnancy disability leave for up to four months, and employee will be responsible for paying the difference in premiums for mandatory benefits, if applicable, and for optional benefits if elected.
- Employees may elect to continue to purchase health and welfare benefits coverages while on unpaid leaves, for any time not covered under CFRA as outlined in Administrative Regulation 424.6 or under pregnancy disability leave, and will be responsible for premium payments for mandatory benefits, and optional benefits, if elected
- When an employee is on an unpaid leave, an effort will be made to hold his/her position open for the period of the leave. Due to business needs, however, there will be time when positions cannot be held open and it is not possible to guarantee reinstatement. If the former position is no longer available, every effort will be made to place the employee in a comparable position for which he/she is qualified. An employee who does not accept the position offered will be considered to have voluntarily terminated his/her employment.
- Except as defined in Administrative Regulation 424.6 for CFRA leave, "immediate family" shall mean any person living in the employee's immediate household and the spouse, mother, father, son, daughter, grandmother, grandfather, grandchild, legal guardian, brother, sister, sister-in-law, brother-in-law, son-in-law, daughter-in-law of the employee or of the spouse of the employee, or employee's registered domestic partner.

SICK LEAVE

The following regulations govern sick leave:

For regular employees who work 20 hours or more per week:

- Regular employees, both probationary and permanent, will accrue and be paid sick leave from date of appointment into a regular position. Such employees receive one day (or pro-rata share) of sick leave credit for every month in paid status. Sick leave is viewed by management to be a "benefit" rather than an "entitlement" and employees are expected to use such paid leave only for bona fide illnesses or injuries which prohibit them from performing their usual and customary work.
- Sick leave can be accrued from year to year without limitation.
- An employee of a California public school district entity who terminates such employment for the sole purpose of accepting a position with the Agency shall have transferred with him/her to the Agency the total amount of accrued but unused sick leave which was earned in the former district.

For employees who work less than 20 hours per week:

- Employees who work less than 20 hours per week and who have worked for the Agency for 30 or more days within a year will accrue one (1) hour of paid sick leave for every 30 hours worked beginning at the commencement of employment. Sick leave may be used beginning the 90th day of employment.
- An employee may accrue a maximum of twenty-four (24) hours of sick leave per fiscal year. Accrued sick leave may be carried over from year to year, but accrued sick leave shall not exceed a maximum of 48 hours.

Sick leave may be used for:

- An absence caused by illness or injury to the employee.
- Diagnosis, care, or treatment of an existing health condition or, or preventive care for, an employee or an employee's family member. Family member includes:
- An employee's child (biological, adopted, foster child, stepchild, legal ward, or child to whom the employee stands in loco parentis) regardless of age or dependency status.
- The 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.
- A spouse.
- A registered domestic partner.
- A grandparent.
- A grandchild.
- A sibling.
- Medical and dental office appointments for the employee when absence during working hours for this purpose is authorized by the department manager. Up to half the annual accrued sick leave (not to exceed 6 days for employees who work 20 or more hours per week, and not to exceed 24 hours for employees who work less than 20 hours per week) may be used for an absence caused by injury or illness to an immediate family member, or a medical or dental appointment for an immediate family member. Any employee who is absent from work must report the absence to his/her department manager before the scheduled work time each day of absence. In the case of prolonged periods of absence due to serious illness, the department manager may arrange for less frequent reporting.

LEAVES OF ABSENCE

AR425.2 (cont.)

- For reasons related to domestic violence, sexual assault, or stalking against an employee. Reasons may include the need for time off to end an abusive relationship, seek shelter, obtain a restraining order, etc.
- The Agency reserves the right to require a satisfactory statement of a licensed physician whenever an employee misses work due to an illness, injury or disability. The employee may be asked to provide a physician's statement that verified the nature of the illness, injury or disability, its beginning and ending dates, and/or the employee's ability to return to regular work or modified work. Such verifications and releases, when requested, may be a condition of receiving sick leave benefits or returning to work.
- Upon returning to work, employees are required to complete and submit the proper absence reporting form to the department manager.
- Sick leave is made available for the employee for the reasons set forth in this regulation. It is not to be taken as vacation.
- When an employee separates from the Agency, there will be no cash reimbursement for unused sick leave.
- If applicable, agency employees may receive retirement credit for accumulated unused sick leave in accordance with the agency's PERS contract.

The Executive Director or designee and the Executive Committee reserve the right to investigate any claim for sick leave. Any abuse of sick leave privileges may be cause for disciplinary action up to and including dismissal.

PERSONAL NECESSITY LEAVE

The following regulations govern Personal Necessity Leave:

- An employee may use one half of his/her earned, accrued sick leave to a maximum of six (6) days per year for personal necessity purposes as outlined in these regulations.
- Personal Necessity leave may be used for circumstances that are serious in nature, which cannot be disregarded, which necessitate immediate attention, and which cannot be dealt with during off-duty hours. Personal Necessity leave may be used for:
 - Death or serious illness of a member of employee's immediate family.
 - Accident involving employee's person or property, or the person or property of a member of employee's immediate family.
 - Observance of a religious holiday or activity of employee's faith.
 - Personal business of a serious nature which the employee cannot disregard or handle outside of regular business hours.
- Employees are expected to obtain advance authorization from the department manager for Personal Necessity leave if at all possible.
- The employee must submit a statement of the nature of the personal necessity to the department manager. Proof shall be provided if requested.

BEREAVEMENT LEAVE

The following regulations govern Bereavement Leave:

- Bereavement leave shall be granted upon the death of a member of the employee's immediate family.
- Employees shall be granted up to three (3) days paid leave for bereavement purposes. If travel over 500 miles is required, two additional days of paid leave will be allowed.
- Additional days for bereavement may be provided under the terms of Personal Necessity Leave regulations.
- Any bereavement leave granted must be taken within 30 days of the death of the immediate family member.
- The Agency may require additional verification of the purpose of the bereavement leave.
- Immediate family is defined as:

Husband, wife, registered domestic partner, mother, father, sister, brother, son, daughter, grandmother, grandfather, son-in-law, daughter-in-law, brother- or sister-in law, grandchild of employee or employee's spouse or registered domestic partner; or any relative of employee or employee's spouse (or registered domestic partner) residing in the employee's household.

LEAVES OF ABSENCE

AR425.5

INDUSTRIAL INJURY/ILLNESS

In the event of an on-the-job injury or illness, employees of the Agency will be covered under the income protection of Workers' Compensation Insurance. Medical coverage for all costs incurred for accepted W/C claims for injured workers will be borne by the third-party W/C administrator.

Rights to paid and unpaid leave in the event of lost-time injuries will be afforded to injured workers under the same provisions as outlined under sick leave and vacation benefits. Any time off due to a work-related injury, prior to being designated as temporarily disabled by the treating physician, shall be charged to the employee's sick leave accruals. If the employee so desires, he/she may elect to have remaining accrued sick leave or vacation integrated with temporary disability benefits provided such integration does not result in greater financial remuneration than he/she would have received while at work.

In the event of long term absences that go beyond the available accrued sick leave or vacation, the employee will receive temporary disability benefits from the third party administrator until such time as he/she has been released to return to work, so long as such benefits are available. The Agency is committed to an Early Return to Work Program which will provide modified work to injured workers when possible and when approved by the treating physician.

Once all paid leave from the Agency has been exhausted, unless employee is covered under Family and Medical Leave (FMLA) leave as outlined in Administrative Regulation 424.6, employees will become responsible for payment of health, dental, disability and any other optional insurance premiums. The Executive Director or designee will contact the injured employee regarding continuance of benefits should the need arise.

Prior to returning to work following a job-related illness or injury, employees must have a full, unrestricted medical release to return to work by his/her treating physician unless modified work has been approved by the Executive Director or designee.

CALIFORNIA FAMILY RIGHTS ACT (CFRA)

Family and medical leave shall be granted in accordance with state and federal law, where applicable. The following information highlights the major provisions of these laws.

Employee Eligibility

To be eligible for family and medical leave benefits, an employee must have worked for the Agency as a regular employee for a total of at least 12 months and have worked at least 1,250 hours in the 12 month period preceding the first day of leave.

Leave Available

Eligible employees may receive up to a total of 12 work weeks of unpaid leave during a rolling 12 month period for one or more of the following reasons: (1) the birth or placement of a child for adoption or foster care; (2) to care for a spouse, child or parent with a serious health condition; or (3) to take medical leave when the employee is unable to work because of a serious health condition.

Under some circumstances, employees may take family and medical leave intermittently – taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

Pregnant employees may have the right to take a pregnancy disability leave in addition to a family leave.

Certain restrictions on these benefits may apply.

Notice and Certification

Employees seeking to use family and medical leave may be required to provide:

- 30-day advance notice when the need for the leave is foreseeable;
- medical certification (both prior to the leave and prior to reinstatement);
- periodic re-certification; and
- periodic reports during leave.

When leave is needed to care for a spouse, child or parent or the employee's own serious health condition, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the agency.

Compensation During Leave:

Family and medical leave is typically unpaid. However, the Agency requires an employee to use all accrued paid leave (sick leave, vacation, personal necessity) to cover the leave request prior to being placed in an unpaid status, except as coordinated with any applicable disability benefits.

LEAVES OF ABSENCE

AR425.6 (cont.)

Benefits During Leave:

The Agency will continue the health benefits in effect for an employee on family or medical leave for up to a maximum of 12 weeks up to the amount of the benefit allocation that was provided before the leave was taken and on the same terms as if the employee had continued to work. In some instances, the Agency may recover premiums it paid to maintain health coverage for an employee who fails to return to work following family or medical leave. If employee's leave of absence, as covered under CFRA, is greater than 12 weeks, employee will be responsible for payment of premiums for mandatory and optional benefits (if elected). The employee will be provided information regarding premiums and continuation of benefits.

Job Reinstatement

Under most circumstances, upon return from family and medical leave, an employee will be reinstated to his or her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. In addition, an employee's use of family and medical leave will not result in the loss of any employment benefits that the employee earned or was entitled to before using such leave.

Unlawful Acts

It is unlawful for the agency to interfere with, restrain, or deny the exercise of any right provided by state or federal law. It is also unlawful for the agency to refuse to hire or to discharge or discriminate against any individual for opposing any practice related to their involvement in any proceeding associated with the California Family Rights Act.

LEAVES OF ABSENCE

AR425.7

JURY DUTY/SUBPOENA

The following regulations govern Jury Duty/Subpoena leaves:

- A paid leave of absence shall be granted to employees when called for jury duty during regular work hours, provided the employee can show proof of time served
- A paid leave of absence shall be granted an employee when ordered to appear as a witness in court other than a litigant or respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee, provided the employee can show proof of time served.
- Employee shall notify the court that they are employed by a public agency, therefore receiving wages for serving on a jury. In the event the court, still provides jury or witness fees, the fees shall be paid to the agency. Any mileage or parking allowance shall not be deemed to be a fee.
- Employees notified of jury duty or who receive a subpoena to appear in court are to notify the department manager upon receipt.

HEALTH/PREGNANCY-RELATED DISABILITY

Leave runs concurrently with California Family Rights Act (CFRA) leave. The following regulations govern health/ pregnancy-related disability leaves:

- A request for an unpaid leave of absence due to health-related issues may be submitted by an employee who is temporarily disabled to work due to injury or illness including pregnancy or pregnancy-related disability. Unpaid health leave will be granted for the period of the disability, provided such period shall not exceed four months (88 work days for a full-time employee) – per injury or illness. Extension for leave beyond four months may be granted by the Executive Director, depending upon business needs.
- Under the California Fair Employment and Housing Act (FEHA), if you are disabled by pregnancy, childbirth or related medical condition, you are also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable.
- Pregnancy Disability Leave does not need to be taken in one continuous period of time, but can be taken on an as-needed basis. Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth all would be covered by Pregnancy Disability Leave.
- Health/pregnancy disability leaves will be coordinated with accumulated sick leave and vacation in an effort to minimize the impact of a leave of absence for both the employee and agency. Earned and unused vacation and sick leave benefits shall be paid prior to the unpaid leave of absence and such paid leave shall be coordinated with any Long Term Disability benefits, so long as such coordination does not exceed the employee's normal wage.
- It is the employee's responsibility to provide the Executive Director with the following information, in writing, as soon as he/she becomes aware of the need for a health-related leave of absence:
 - The reason the leave of absence is being requested.
 - The anticipated dates the leave will begin and end.
 - A physician's certificate indicating the nature of the disability and confirmation of the estimated period of disability from work.
 - If a transfer to a less strenuous or hazardous position is requested, a statement that, due to your pregnancy, the transfer is medically advisable.
- During the leave of absence, the employee must provide:
 - Periodic updates to the department manager at least every 30 days concerning the employee's status, expected date of return, and continued intent to return to work upon expiration of the leave.
 - Immediate notification to the department manager of a need to change the duration of the leave of absence.
 - Written confirmation by treating physician for any extensions of disability period.
- For employees eligible for pregnancy disability leave, continuation of benefits will occur up to 12 weeks as provided in AR 424.6 for CFRA leave.

MILITARY LEAVE

The following regulations govern military leaves:

- Military leaves of absence are granted without pay.
- An employee requesting military leave shall submit written verification from the appropriate military authority.
- The Agency will reinstate employees returning from military leave to their same position or one of comparable seniority, status, and pay if they:
 - Have a certificate of satisfactory completion of service.
 - Apply within 90 days after release from active duty or within such extended period, if any, as their rights are protected by law; and
 - Are qualified to fill the position offered.
- If an employee is ordered to serve military duty for 17 days or less per year, he/she will not be placed on military leave but will be given an excused absence without pay.

Exceptions to these regulations will occur wherever necessary to comply with applicable laws.

LEAVES OF ABSENCE

AR425.10

GENERAL LEAVE

The following regulations govern general (personal) leave:

- Permanent employees may request one leave of absence without pay for up to thirty (30) days in a rolling 12 month period.
- Requests must be submitted in writing and must be approved in advance in writing by the department manager.
- Requests for personal leaves of absence may be granted or denied by the Executive Director.
- It is the employee's responsibility to report to work at the end of the approved general leave. An employee who fails to report to work on the day after the leave expires will be considered to have voluntarily terminated employment.
- Employees will be required to utilize all accrued paid leave available prior to going into an unpaid status during the leave.
- Employees on unpaid general (personal) unpaid leave will not accrue sick leave or vacation benefits and will be required to pay any benefit premiums for coverage during this period.

LEAVES OF ABSENCE**AR425.11*****ADMINISTRATIVE LEAVE***

The Executive Director may place an employee on administrative leave with pay for a period not to exceed sixty (60) working days for cause specified in writing. The Executive Director may also place an employee on administrative leave without pay as outlined in Administrative Regulation 413.1, for proposed termination or suspension.

LEAVES OF ABSENCE

AR425.12

ATTENDANCE INCENTIVE PROGRAM

Should the Agency elect to offer an Attendance Incentive Program in a given fiscal year, the following procedures shall apply:

A review of all employees who have been employed for at least one full year as of June 30th will be conducted in July of each year. Any employee who has used 8 hours or less of sick leave in the prior 12 months will be provided 8 hours of vacation to be added to their accrued vacation. Any time taken under California Family Rights Act (CFRA) will not be counted against sick leave for purposes of this policy only.

Employees who receive the additional vacation hours as defined in this policy, shall have the option of receiving a one time cash payment for the 8 vacation hours. Request for payment must be submitted in writing (via memorandum) to the Human Resources Department within 30 days of notification by Human Resources to the employee that they have received the 8 hours of vacation. Any payment shall be subject to all withholdings and taxes as required by law or Agency policies.

This Attendance Incentive Program shall in no way override the balance of policy 424.

ADMINISTRATIVE REVIEW

Administrative review provides a review process for decisions or actions of the Agency which involve an employee. It is the intent of the Agency to keep this procedure as informal as possible.

Employees who have any questions or problems are encouraged to bring them to the attention of their supervisor. If an employee is unable to resolve these questions or problems after this discussion, he/she may contact the Executive Director in accordance with the procedures outlined below to discuss the questions or problems further. The Executive Director will attempt to investigate the employee's concerns and provide the employee with a response as soon as reasonably possible.

An effort will be made to provide employees an opportunity to raise their questions or problems in confidence and without fear of reprisal or discrimination. The Agency will make every effort to investigate and settle an employee's problem on a fair and equitable basis.

Procedure:

- Requests for administrative review must be made in writing.
- Requests must be submitted to the Executive Director.
- The Executive Director shall provide a written response in a timely manner, unless prevented from doing so by extenuating circumstances.

Final Authority:

- For all matters concerning personnel policies, regulations or classification standards, the Executive Director shall make the final determination.
- For matters concerning suspension without pay, demotion for disciplinary reasons, or dismissal, the employee may appeal the recommendation of the Executive Director to the Executive Committee, whose decision will be final.