

BOLINAS COMMUNITY

PUBLIC UTILITY DISTRICT

Resolution No. 470 - personnel policy - replaces Resolution No. 376

BE IT RESOLVED by the Board of Directors of the Bolinas Community Public Utility District as follows:

1. Definitions

As used in this resolution, the following terms shall have meanings indicated:

- A. "Appellate authority" means the authority to whom a responsible authority's decision on serious disciplinary matters may be appealed. Unless otherwise designated by the Board, the responsible authority's immediate supervisor shall be the appellate authority. If the General Manager is the responsible authority, then the Board shall be the appellate authority.
- B. "Board" means the Board of Directors of the Bolinas Community Public Utility District.
- C. "District" means the Bolinas Community Public Utility District, and where appropriate "district" refers to the Board or any duly authorized management employee of the district.
- D. "Employee" means any person regularly employed by the district except those persons elected by popular vote.
- E. "Grievance" means any dispute concerning the interpretation or application of this resolution, or of the practical consequences of the district's rights, decisions on wages, hours, and other terms and conditions of employment.
- F. "Manager" means the general manager of the district.
- G. "Responsible authority" means the authority responsible for imposing discipline on an employee. Unless otherwise designated by the Board, the employee's immediate supervisor shall be the responsible authority for that employee.
- H. "Supervisor" means any employee designated by the manager as responsible for a particular department or function of the district.

2. General Provisions

- A. Probationary employees. Newly hired employees are probationary employees until they become permanent employees. The initial probationary period is six months from the employee's date of hire. The probationary period may be extended for a period of up to one full

year by the Board in its discretion. Probationary employees may be terminated without cause and are not eligible to utilize the district's grievance procedure. Probationary employees accrue sick leave and vacation time, but may not take sick leave or vacation until they become permanent employees.

- B. Permanent employees. Employees who have completed a probationary period of employment, undergone an evaluation process, and whose permanent status has been confirmed by Board action are permanent employees. Permanent employees (except those specified in Public Utilities Code #16112) may be terminated only if their positions are eliminated or for good cause.
- C. Discipline. Minor disciplinary actions not involving termination, suspension, demotion, or reduction in compensation may be taken by the employee's immediate supervisor. Such disciplinary actions will generally proceed through the following steps:
 - (1) Verbal warning spelling out the needed correction(s).
 - (2) Written warning spelling out the needed correction(s).
 - (3) Reference to the Personnel Committee of the Board for recommendation to the employee's immediate supervisor.
 - (4) Disciplinary action by the immediate supervisor.
- D. Employee procedural rights in serious disciplinary matters. In any disciplinary matter in which it is proposed that a permanent employee be discharged, demoted, reduced in compensation, or suspended for more than five days (or the shift equivalent) or in which any employee is charged with allegations of misconduct such as to stigmatize the employee's reputation, seriously impair the employee's opportunity to earn a living, or seriously damage the employee's standing or associations in the community, such employee shall have the following procedural rights:
 - (i) Charges. The employee shall be given written notice of the proposed action setting forth in detail all of the reasons for the proposed action and including copies of all materials on which the notice is based; e.g., witness statements, documents and investigative reports. The notice shall state that the employee may respond within a designated reasonable time to the responsible authority personally, or in writing, or through a representative, to show cause why a lesser discipline or none at all should be imposed.
 - (ii) Response. Prior to taking any of said measures, the responsible authority shall consider the response of the employee, if any, along with the notice and the materials on which it was based.
 - (iii) Pay status. Pending the decision of the responsible authority, the employee's regular pay shall continue. However, an employee who has not

been suspended, but nevertheless refuses to perform his or her normal work shall not be paid for any period during which he or she refuses to work.

(iv) Decision. Within 3 working days after receipt of the employee's response, or, if no timely response is received, within 3 working days after expiration of the response period, the responsible authority shall render a written decision imposing discipline. The decision shall be given to the employee personally or mailed to the employee's address of record in the employee's personnel file.

- E. Employee procedural rights re: minor suspensions. In suspensions of 5 days or less, the responsible authority may render a decision immediately, but must within 5 days after imposition of the suspension, provide the employee with written notice of all the reasons for the suspension, copies of all materials on which the suspension is based, and advising the employee of the right to respond within a reasonable designated time to the responsible authority, personally, in writing, or through a representative, to show cause why a lesser discipline or none at all should have been imposed. Within 3 working days after receipt of any timely response the responsible authority shall render a written decision confirming, rescinding, or modifying the suspension. The decision shall be given to the employee personally or mailed to his address of record in the employee's personnel file.
- F. Appeal in disciplinary matters. Minor disciplinary matters are not appealable. Any disciplinary matter involving termination, suspension, demotion, or reduction in compensation shall be appealable provided that the affected employee or his representative files a written appeal with the appellate authority within 10 days after the responsible authority's written decision is given or mailed to the employee. A hearing on such appeal shall be called and held within 20 days from the filing of the appeal and reasonable advance written notice of the time and place of the hearing shall be given to the employee in person or by mail. The appellate authority shall consider the matter de novo and render a written decision imposing the same or a lesser discipline or imposing no discipline.
- G. Resignations. Employees desiring to resign are requested to give at least two weeks' advance written notice. If such notice is given, the district may, at its option, terminate the employee at any time, providing that the employee is paid two weeks wages from the date of delivery of the notice to the district.
- H. Layoffs. Any permanent employee laid off because of elimination of his or her position or because of lack of work shall be given priority for any district job opening for which such employee is fully qualified.
- I. Job descriptions. Exhibits A-E to this resolution contain the following job descriptions: (a) manager/secretary, (b) administrative assistant, (c) chief operator (d) shift operator, (e) standby employee.
- J. Attendance. If an employee must be absent, it is the employee's responsibility

to notify his or her supervisor as soon as possible.

- K. Injuries while on duty. Employees must promptly report all injuries, no matter how minor, to their supervisor.
- L. Sick leave. Sick leave accumulates at the rate of 1 day per month. Maximum accrual under this provision is 60 days with the exception of computing length of employee service for Public Employees Retirement System pension benefits. Sick leave may be taken only for injury or illness not covered by Worker's Compensation insurance. It is the employee's responsibility to notify his/her supervisor of all absences by calling the district office as early as possible on the first day of illness. After 3 consecutive work days of sick leave-related absence, the district reserves the right to ask for medical evidence whether the employee is well enough to return to work.
- M. Leaves of absence. The district may grant unpaid leaves of absence to any employee for up to 6 months for the following reasons: (1) A medical problem; or (2) an educational opportunity which, in the Board's opinion, will contribute to the work skills and job performance of the employee and will contribute to the overall welfare of the district.
- N. Performance review. Performance reviews of all permanent employees will be conducted on an annual basis. Performance reviews of probationary employees will be conducted at 3 and 6 months, or more frequently as deemed necessary by the manager or the Board. Performance reviews must be in writing and are subject to the grievance procedure. Performance reviews will be conducted by the employee's immediate supervisor and will consist of the supervisor's review and the employee's own self-evaluation. The district manager's performance will be reviewed by the personnel committee and/or the Board.
- O. Personnel records. A copy of all documents placed in an employee's personnel file will be given to the employee upon request. It is the employee's responsibility to ensure that all information in the file is correct. In the case of records which are subjective in nature; i.e., performance reviews, the employee has the right to place documents in the file which support opinions opposed to management's.
- P. Jury duty. Time off is normally granted for jury duty and the employee's length of service is retained. The district will pay the difference between the employee's regular salary and jury compensation. Employees are expected to return to work immediately on the date of release.
- Q. Equal employment. The district will comply with all applicable government regulations pertaining to equal employment opportunities.
- R. Education. Educational opportunities which contribute to improvement in work skills and job performance, and which contribute to the overall welfare of the district, will be encouraged by the district and, subject to Board approval, costs for same will be reimbursed. Typical examples of reimbursable costs

which the Board may approve are seminar fees, books, travel, and per diem expenses.

S. Grievances. The following steps comprise the district's grievance procedure:

Step 1.

Any employee who believes he has a grievance, may bring the matter to the attention of his immediate supervisor within 5 working days after the event giving rise to a grievance. Any complaint or grievance not reported within 5 working days need not be considered by the district. An informal discussion between the aggrieved employee and the supervisor shall be held within 5 working days after the grievance has been reported. If no satisfactory solution is reached, the employee may file a formal written grievance within 5 working days after the last discussion with the supervisor on the grievance.

Step 2.

The formal grievance shall contain:

1. Statement of facts concerning the nature of the grievance citing the applicable resolution, rules, or regulations.
2. Time and place of occurrence.
3. Name(s) of person(s) involved.
4. Other pertinent information.
5. Signature of the grievant.

Within 5 working days following the filing of a formal grievance, the Manager shall investigate the grievance, confer with the grievant in an attempt to resolve the grievance, and render a written decision. If the Manager is the grievant's immediate supervisor, this step does not apply.

Step 3.

If the grievance is not resolved to the satisfaction of the grievant by the Manager, the grievant may, within 5 working days after notification of the Manager's decision make written request for consideration of the grievance by the Personnel Committee of the Board.

Step 4.

Within 10 working days after receipt of such written request, the Personnel Committee shall investigate the grievance, confer with the grievant in an attempt to resolve the grievance, and render a written decision. If the grievance is not resolved to the satisfaction of the grievant, or if the Committee is unable to reach a decision, the grievant may, within 5 working days after

notification of the Personnel Committee's decision, make written request for consideration of the grievance by the Board.

Step 5.

Within 15 working days after receipt of such written request the Board shall investigate the grievance, confer with the grievant in an attempt to resolve the grievance, and render a written decision. The decision of the Board shall be final and binding upon all parties.

T. Drug Abuse

The District's policy is to have a work environment free from the effects of drug (drug or drugs shall have the meaning given to the term "controlled substance" in California Health and Safety Code Division 10) and alcohol use. In furtherance of this policy, the District hereby establishes the following guidelines:

1. A job applicant shall not have drugs or alcohol in his/her system at the time of the pre-employment interview.
2. An employee shall not use, possess or be under the influence of drugs or alcohol while on duty, or during working hours, or on District premises.
3. An employee shall not sell or provide drugs or alcohol to any other person while such employee is on duty or on District property.
4. An employee shall not have his/her ability to work impaired as a result of the use of drugs or alcohol.
5. Disciplinary action shall always begin with, and have as its highest priority, effective treatment of the problem employee's condition. Such treatment's primary goal shall be the successful rehabilitation of the employee, as evidenced by exemplary job performance. Notwithstanding the policy of effective treatment being the highest priority, District reserves the right to take further action if all reasonable efforts at treatment and rehabilitation fail to produce compliance with District's substance abuse policy, as stated in Section T, paragraphs 1 through 4, above. Such action may include suspension or termination for possession, sale or use of drugs or alcohol while on duty or on District property. Appropriate suspension or termination shall be decided on a case-by-case basis.
6. Employees reasonably believed to be under the influence of drugs or alcohol shall not be permitted to engage in further work. In addition, such employees shall not be permitted to drive themselves from the workplace.
7. Should any conflict arise between the provisions of this section and the grievance procedures set forth in section S, any and all issues shall be settled in favor of the grievance procedures set forth in section S.

3. Repealer.

Resolution Nos. 166, 254, 355, 360, 371, 376 and all other district resolutions relating to district personnel policy are hereby repealed.

PASSED AND ADOPTED ON THE 22nd day of August, 2001, by the
following vote of the Board:

AYES: Amoroso, Bertsch, Kayfet, McClellan, Siedman

NOES: None

ABSTAIN: None

ABSENT: None

EXHIBIT A

JOB DESCRIPTION

General Manager / Secretary

General Manager shall be responsible for supervising all departments and conducting annual performance reviews of all employees; reporting on all aspects of operations to the Board of Directors; conducting meetings with department heads; coordinating yearly budget committee meetings and administering annual budget; administering construction projects; coordinating activities of district consultants; supervising communications with governmental agencies; other work as may be required.

Secretary shall be responsible for performing and/or delegating the administrative assistant: organization, coordination and scheduling of board meetings; preparation of background information and agenda items for board meetings; writing of meeting notices and minutes of meetings; preparation of required board reports and administrative recommendations; other work as may be required.

JOB REQUIREMENTS

1. Valid California Driver's License
2. Completion of an ACWA JPIA-approved defensive driving training program within the past four years
3. Social Security Number

EXHIBIT B

JOB DESCRIPTION

Administrative Assistant

The Administrative Assistant performs clerical tasks and assists the BCPUD manager. These tasks include typing of reports, correspondence and other paperwork necessary to the operation of the district; filing; maintenance of the accounts receivable and accounts payable; preparation of deposits for the County of Marin; maintenance of customer records and accounts; work necessary in obtaining special reports and services from Marin County, such as annual compilation of sewer and water base charges for all customers within the District for inclusion in the Marin County Special Assessment System; annual preparation of utility district assessment list, and other work as required.

JOB REQUIREMENTS

1. Valid California Driver's License
2. Completion of an ACWA JPIA-approved defensive driving training program within the past four years
3. Social Security Number

EXHIBIT C

Job Description

CHIEF OPERATOR

Water System

TREATMENT

At the direction of the District Manager, the Chief Operator's responsibilities shall include: establishing job priorities; operating, and conducting inspections of, the treatment plant(s); sampling and testing of water according to required procedures; maintaining daily logs and reports and preparing reports to the California Department of Health Services, Marin County Health Department and BCPUD; establishing and maintaining clear communications with Bolinas Fire Protection District (BFPD) concerning BFPD personnel's understanding of BCPUD's system; maintaining start-up/shut-down procedures for treatment plants; working with BCPUD consultants on project planning; dealing with vendors; performing standby duty; and supervising shift operators in the performance of any and all of the above tasks for which they are qualified. Such supervision shall include scheduling of work assignments and provision of technical support.

DISTRIBUTION

At the direction of the District Manager, the Chief Operator's responsibilities shall include: installing, tapping, re-lining, disinfecting, testing and connecting water mains and appurtenances; shutting down, repairing, disinfecting and testing broken water mains; overseeing the flushing, cleaning, and pigging of existing water mains; performing stand-by emergency response duties for after hours distribution system operational emergencies; draining, cleaning, disinfecting and maintaining distribution reservoirs; determining and controlling proper chemical dosage rates for distribution residual maintenance; investigating water quality problems in the distribution system; operating pumps and related flow and pressure control and storage facilities; maintaining and/or adjusting system flow and pressure requirements; controlling flows to meet consumer demands including fire flow demands and minimum pressure requirements; establishing and maintaining a backflow prevention program; reading, repairing and replacing meters; performing standby duty; and supervising shift operators in the performance of any and all of the above tasks for which they are qualified. Such supervision shall include scheduling of work assignments and provision of technical support.

MAINTENANCE

At the direction of the District Manager, the Chief Operator's responsibilities shall include: maintaining vehicles, tools and buildings in good condition; maintaining inventory of parts and equipment; delivering notices to customers; mapping the system; working in field with contractors and other personnel on BCPUD construction projects; conducting system tours; maintaining an ongoing leak detection program; maintaining an ongoing preventive maintenance program; participation in road and drainage maintenance as required; responding to customer complaints during non-business and non-standby hours, if necessary; representing BCPUD on the Bolinas Disaster Council; establishing and maintaining good relationships with BCPUD customers; dealing with vendors; performing standby duty and any other assigned tasks; and supervising shift operators in the performance of any and all of the above tasks for which they are qualified. Such supervision shall include scheduling of work assignments and provision of technical support.

Sewer System

TREATMENT

At the direction of the District Manager, the Chief Operator's responsibilities shall include: establishing job priorities; operating sewage treatment facilities; sampling and testing of wastewater according to required procedures; maintaining daily records and logs; preparing reports to the California Regional Water Quality Control Board, Marin County Office of Waste Management and BCPUD; working with BCPUD consultants on project planning; performing standby duty; and supervising shift operators in the performance of any and all of the above tasks for which they are qualified. Such supervision shall include scheduling of work assignments and provision of technical support.

COLLECTION

At the direction of the District Manager, the Chief Operator's responsibilities shall include: establishing job priorities; operating collection facilities; work site restoration; working in field with contractors and other personnel on BCPUD construction projects; mapping the system; conducting system tours; maintaining an ongoing infiltration detection program; performing standby duty and any other assigned tasks; and supervising shift operators in the performance of any and all of the above tasks for which they are qualified. Such supervision shall include scheduling of work assignments and provision of technical support.

MAINTENANCE

At the direction of the District Manager, the Chief Operator's responsibilities shall include: inspecting, repairing and replacing lines, valves, pumps, sprinklers, solenoids and controls; coordinating assistance of BFPD when working underground, and when using high pressure water for sludge control; maintaining vehicles, tools, buildings and facilities in good condition; maintaining a preventive maintenance program; maintaining inventory of parts and equipment; establishing and maintaining good relationships with BCPUD customers; delivering notices to customers; responding to customer complaints during non-business and non-standby hours, if necessary; dealing with vendors; performing standby duty and any other assigned tasks; and supervising shift operators in the performance of any and all of the above tasks for which they are qualified. Such supervision shall include scheduling of work assignments and provision of technical support.

JOB REQUIREMENTS

1. Valid California Driver's License
2. Completion of an ACWA JPIA-approved defensive driving training program within the past four years
3. Valid Water and Waste Water Treatment Plant and Water Distribution System Operator Certificates of the minimum grade required by the State of California, or higher, or the ability to obtain said certificates within 24 months of full-time employment.
4. Social Security Numbe

EXHIBIT D

Job Description

SHIFT OPERATOR

Water System

TREATMENT

At the direction of the Chief Operators, the Shift Operators' responsibilities shall include: operating, and conducting inspections of, the treatment plant(s); sampling and testing of water according to required procedures; maintaining daily logs and reports; performing standby duty and any other assigned tasks.

DISTRIBUTION

At the direction of the Chief Operators, the Shift Operators' responsibilities shall include: installing, tapping, re-lining, disinfecting, testing and connecting water mains and appurtenances; shutting down, repairing, disinfecting and testing broken water mains; overseeing the flushing, cleaning, and pigging of existing water mains; performing stand-by emergency response duties for after hours distribution system operational emergencies; draining, cleaning, disinfecting and maintaining distribution reservoirs; determining and controlling proper chemical dosage rates for distribution residual maintenance; investigating water quality problems in the distribution system; operating pumps and related flow and pressure control and storage facilities; maintaining and/or adjusting system flow and pressure requirements; controlling flows to meet consumer demands including fire flow demands and minimum pressure requirements; and performing standby duty and any other assigned tasks.

MAINTENANCE

At the direction of the Chief Operators, the Shift Operators' responsibilities shall include: maintaining vehicles, tools, buildings and facilities in good condition; maintaining a preventive maintenance program; maintaining inventory of parts and equipment; establishing and maintaining good relationships with BCPUD customers; delivering notices to customers; responding to customer complaints during non-business and non-standby hours, if necessary; dealing with vendors; and performing standby duty and any other assigned tasks.

Sewer System

TREATMENT

At the direction of the Chief Operators, the Shift Operators' responsibilities shall include: operating sewage treatment facilities; sampling and testing of wastewater according to required procedures; inspecting, repairing and replacing lines, valves, pumps, sprinklers, solenoids and controls; maintaining daily records and logs; and performing standby duty and any other assigned tasks.

COLLECTION

At the direction of the Chief Operators, the Shift Operators' responsibilities shall include: operating collection facilities; inspecting, repairing and replacing lines, valves, pumps, sprinklers, solenoids and

controls; work site restoration; working in field with contractors and other personnel on BCPUD construction projects; and performing standby duty and any other assigned tasks.

MAINTENANCE

At the direction of the Chief Operators, the Shift Operators' responsibilities shall include: maintaining vehicles, tools, buildings and facilities in good condition; maintaining a preventive maintenance program; maintaining inventory of parts and equipment; establishing and maintaining good relationships with BCPUD customers; delivering notices to customers; responding to customer complaints during non-business and non-standby hours, if necessary; performing standby duty and any other assigned tasks;

JOB REQUIREMENTS

1. Valid California Driver's License
2. Completion of an ACWA JPIA-approved defensive driving training program within the past four years
3. Valid Water Treatment Plant and Water Distribution System Operator Certificates of the minimum grade required by the State of California, or higher, or the ability to obtain said certificates within 24 months of permanent employment, or as soon as permitted by the State Department of Health Services.
4. Social Security Number

EXHIBIT E

JOB DESCRIPTION

Standby Employee

Standby is the state of readiness and preparation necessary to the successful and efficient completion of any emergency repair work. The employee who is on standby during any 24-hour period must be accessible by phone or paging device to the district's answering service personnel at all times during the standby period and able to respond to an emergency within 15 minutes. An employee on standby who is in the process of responding to an emergency call also remains on standby and must continue to monitor emergencies being reported to the district's answering service. The employee on standby must be prepared to make all decisions necessary to the successful completion of any emergency repair work and is responsible for preparing him/herself as completely as possible for the routines required, including, but not limited to, operation of all field equipment, parts and material removal and installation, work site restoration, troubleshooting, report preparation and notification of authorities.

At the end of the standby shift, the employee being relieved is responsible for fully informing his/her replacement of any changes affecting district maintenance which have occurred during the employee's time on standby.

JOB REQUIREMENTS

1. Valid California Driver's License
2. Completion of an ACWA JPIA-approved defensive driving training program within the past four years
3. Valid Water Treatment Plant and Water Distribution System Operator Certificates of the minimum grade required by the State of California, or higher, or the ability to obtain said certificates within 24 months of permanent employment, or as soon as permitted by the State Department of Health Services.
4. Social Security Number