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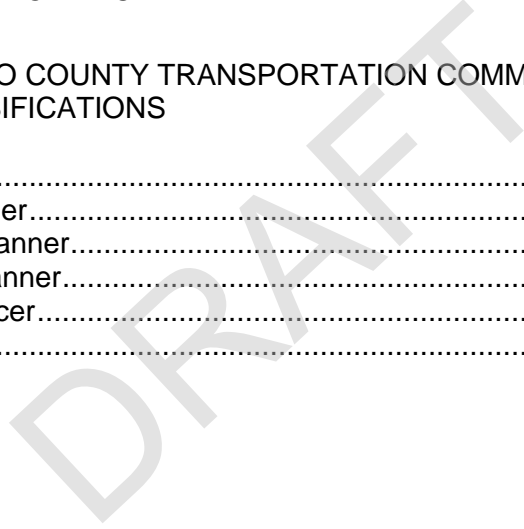
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ARTICLE 1 – INTRODUCTION

1.1 Statement of Purpose and Authority

The purpose of this manual is to provide fair and systematic procedures for the administration of all matters affecting the status and activities of employees of the El Dorado County Transportation Commission (Commission). It shall be the duty of all Commission employees to comply and assist in carrying into effect the provisions of this manual and such internal management ~~memoranda~~, memoranda as the Executive Director shall issue. However, the policies and procedures set forth in this manual are guidelines only and are not intended to confer contractual rights upon an employee or to impose contractual obligations on the Commission.

The Executive Director is responsible for the administration of the personnel system. She/he may delegate any such powers and duties to any other officer or employee. The Executive Director or his/her designee shall have the authority to appoint, promote, transfer, discipline, and terminate any employee of the Commission, in accordance with the personnel practices described in this document, and adopted by the Commission. The Commission does not guarantee any minimum length of employment and no supervisor or manager has any authority to make contrary representations.

The Executive Director, with the authority and direction of the full Commission, has all rights not specifically delegated in this document, including, but not limited to: the exclusive right to determine the administrative goals and objectives of the Commission; set standards of performance; determine the procedures and standards of selection for employment and promotion; direct employees; take disciplinary action with proper cause; lay off employees because of lack of work or for other legitimate reasons; maintain the efficiency of the Commission's activities; determine the methods, means, and personnel by which the Commission's activities are to be conducted; determine the content of position classifications; exercise control and discretion over the organization of the Commission and the technology required to perform its goals and objectives.

Insofar as is practical, exceptions to these procedures as written will be avoided. However, it is the intent of the Commission to comply with all applicable State and Federal laws. Should any provision of this manual conflict with any State or Federal law, such law shall control. These personnel policies and procedures will be reviewed periodically, and adjustments will be made based on actual experience and economic considerations. In the event of any change to the policies set forth herein, all employees will receive a copy of a written memorandum from the Executive Director detailing the changes made and the reasons, therefore.

1.2 Open Door Policy

Employees are encouraged to share their concerns, seek information, provide input, resolve problems or issues through their immediate supervisor, and as appropriate, consult with any member of management toward those ends. Managers and supervisors are expected to listen to employee concerns, to encourage their input, and to seek resolution to their problems or issues.

1.3 Suggestions

The Commission is always looking for suggestions that improve methods, procedures and working conditions, reduce costs or errors, and benefit the Commission, its employees, and the public.

ARTICLE 2 – DEFINITIONS

ACTUAL SERVICE for the purposes of determining the amount of sick leave and vacation earned by an employee shall mean the number of hours worked in an allocated position within a biweekly pay period or while absent from work with pay but shall not include compensatory time earned or overtime.

ALLOCATED POSITION means an established position within a classification funded through the Commission's budget process.

ANNIVERSARY DATE an employee's anniversary date shall be the first day of the bi-weekly pay period following their employment date.

ADMINISTRATIVE AND HUMAN RESOURCES AD HOC COMMITTEE means a panel composed of the Commission: Chairperson, Vice-Chairperson, and the third member selected by them.

APPOINTING AUTHORITY The Executive Director shall have the authority to hire, terminate employment, conduct performance evaluations, take appropriate disciplinary actions, and determine salary increases as dictated in the annual budget.

BASE HOURLY RATE shall mean the hourly rate corresponding to the salary step in the salary range of the classification to which the employee is appointed.

COMMISSION when used alone means the El Dorado County Transportation Commission.

COMPENSATORY TIME OFF means time off with pay which an employee accrues instead of cash compensation.

CONTINUOUS SERVICE means, for the purposes of this Resolution only, that service commencing with the employee's anniversary date and continuing until broken by resignation or dismissal from Commission service for the purpose of determining eligibility for sick leave allowance, eligibility for longevity advances, vacation eligibility, and accruals, and eligibility for merit step advancement. Service as an extra help or provisional employee shall not count toward continuous service.

EXEMPT EMPLOYEE means an employee in a position that has been designated by the Commission to be elective, executive, administrative, professional, or other category specifically exempted from the overtime pay requirements of the Fair Labor Standards Act and interpretive and administrative regulations.

EXTRA HELP EMPLOYEE means a person who is hired for temporary employment by the Commission and who does not occupy an allocated position.

FULL-TIME EMPLOYEE means an employee who is appointed to an allocated position which requires full-time work as defined herein.

FULL-TIME WORK shall normally mean eight (8) hours per day and five (5) days per calendar week, provided, however, that at the discretion of the Executive Director, ~~specific~~ individuals may be authorized to utilize a ten (10) hour per day, four (4) day week work schedule or other approved alternate work schedule.

HOLIDAYS means those days enumerated herein applicable to the individual employee.

IMMEDIATE FAMILY is defined as including: a child — biological child, adopted child, foster child, stepchild, legal ward, or a child for which the employee stand's in loco parentis; parent — biological parent, adoptive parent, foster parent, stepparent, or legal guardian; spouse; registered domestic partner; a grandparent; a grandchild; sibling; or designated person as found under Kin Care.

~~means parents, spouse, domestic partner, son, daughter, sibling, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, or grandchildren by blood or marriage.~~

INDEPENDENT CONTRACTOR means a non-employee who provides independent contractual services to the Commission (including consultants). The contractor, not the Commission, is responsible for: (1) tax and social security withholding; and (2) health, unemployment, and worker's compensation insurance. The contractor is paid on a task basis rather than an hourly rate. An individual under this status receives no Commission benefits.

INTRODUCTORY PERIOD means the six (6) months (180 calendar days) of time-limited period of paid service which is an extension of the examination process required before an employee gains regular employee status. An employee during the introductory period may be terminated at any time without the right to appeal except as provided by law.

NON-EXEMPT EMPLOYEE means an employee whose position does not meet FLSA exemption tests and who is therefore paid overtime pay for authorized hours work in excess of the approved schedule. (See Definition of Work Week below).

OVERTIME means time worked above the minimum forty (40) hours of straight time during a work week, with the exception of employees working a flexible scheduling plan as approved by the Executive Director who may work a modified work week. Overtime for non-exempt employees is calculated at one- and one-half times the regular hourly rate.

PART-TIME EMPLOYEE means an employee regularly scheduled to work less than "full-time work" (as defined herein).

PAY PERIOD means fourteen (14) calendar days from 12 a.m. Monday to 11:59 p.m. the second Sunday thereafter and including the normal eighty (80) hour bi-weekly pay cycle.

PAY STATUS means whenever an employee is at work, absent on a paid holiday, absent on leave with pay, or absent on authorized compensatory time off.

PROMOTION means the change of an employee to a position in a class allocated to a salary range where the top step is higher than the top step of the class which the employee formerly occupied.

RECLASSIFICATION means the act of changing the allocation of a position by raising it to a higher class or reducing it to a lower class on the basis of significant changes in the nature, difficulty, or responsibility of duties performed in the position.

REGULAR EMPLOYEE means an employee who has satisfactorily completed the initial Introductory Period and who is not temporary, intermittent, or a student intern.

RETIRED EMPLOYEE means an employee who elects to retire after five (5) years employment with the Commission ~~and has reached the age of 55.~~

SATISFACTORY SERVICE means meeting the work, performance, and conduct standards established by the Commission. Eligibility as to periods of service required for merit step advancements shall be verified by the Executive Director.

TEMPORARY EMPLOYEE means an employee who is hired for a pre-established period. Temporary employees may work full-time or part-time. Temporary employees may be dismissed at any time, with or without cause. (See Article 9, Disciplinary Actions).

VETERAN means a person satisfying the definition specified in the Military and Veterans Code.

WORK WEEK means a forty (40) hour week. For purposes of computing overtime, the work week for employees on a standard schedule is a seven (7) day period beginning 12:00 a.m. on each

Monday and ending 11:59 p.m. on each Sunday. Employees, however, may select ~~among~~from flexible scheduling plans as approved by the Executive Director. In such cases, the work week will be modified from this standard week.

ARTICLE 3 – GENERAL PROVISIONS

3.1 New Employees

The Introductory Period for newly hired employees is six (6) months (180 calendar days). This is the time-limited period of paid service, ~~that~~which is an extension of the examination process required before an employee gains regular employee status. It is intended to give new full-time and part-time employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations.

The Executive Director uses this period to evaluate employee capabilities, work habits, and overall performance. If any deficiencies become apparent that were not evident during the hiring process, the Introductory Period is the time to address the issues. Small problems can hopefully be resolved quickly with guidance. Any major problems that appear during this period may indicate that the employee should not continue employment with the Commission. The Introductory Period may be extended up to one (1) year at the discretion of the Executive Director.

If it is clear to management that an employee will not successfully pass the Introductory Period, it is not necessary to wait for the conclusion of the Introductory Period to discharge the employee. Upon satisfactory completion of the Introductory Period, most employees enter the “regular” employee classification.

During the Introductory Period, employees accrue sick time and vacation. Health, dental, vision and life insurance benefits will begin on the first day of the month following the date of hire. Employees can use accrued vacation after six (6) months of successful service. Sick time off may be taken as it is accrued after the employee has two (2) full bi-weekly pay periods of continuous service with the Commission.

On the reporting day, the new employee will be briefed on the employee benefits available and on all standard administrative procedures. The new employee will be provided with a copy of these personnel policies. New employees are responsible for reading all instructional materials and asking questions on areas that need further clarification.

3.2 Performance Evaluation and Work Planning

On-the-job training and work progress should be followed carefully and checked frequently enough to know that the employee understands the job and how it relates to the Commission as a whole. Work planning and performance review are continuous processes and should be documented and discussed with the employee as often as necessary. However, at a minimum, a work planning and performance evaluation shall occur at least once a year for all employees. This evaluation ~~will should~~ occur on the employee's anniversary date for the first year and then in January the following years. Evaluations will occur in January for all employees- on the employee's anniversary date-.

The Executive Director may propose a Performance Improvement Program to improve deficiencies in performance. Such a Performance Improvement Program is to be considered part of the evaluation program and is not considered disciplinary action.

3.3 Continuing Education/Training Programs

If an employee has been directed by the Executive Director to take courses to improve work productivity and/or work habits (e.g., either through the semi- or annual performance evaluation or through a counseling session), the Commission will pay for the approved training course(s).

3.4 Internship Program

The Internship Program was created to enable the Commission to recruit, train, and develop an intern's skills in order to prepare him/her for professional, entry-level employment with the Commission or another transportation organization. An intern is considered an extra-help, temporary employee and the provisions of Section 8.4.3 apply. This program does not guarantee an intern regular employment with our agency, but rather it attempts to assist in an intern's career development to become an experienced, knowledgeable, and qualified individual capable of competing in the professional job market. When there is a Commission employment vacancy, the qualified intern would be encouraged to apply and would be afforded the same full and equal consideration for employment as any other applicant under consideration.

ARTICLE 4 – PERSONNEL RECRUITMENT AND SELECTION PROCEDURES

All employee selections and promotions shall be made according to merit, qualifications, and the job requirements as ascertained by a competitive interview process or, in some instances, through a direct appointment. The policies and procedures outlined below shall not supersede established policies regarding Equal Employment Opportunity.

4.1 Filling Vacant Positions

Whenever a position vacancy occurs, it may be filled in one of the following three ways:

- a. Open Recruitment: All interested people are eligible to compete for a vacant position.
- b. Internal Recruitment: Provided certain criteria are met, only current Commission employees are eligible to compete for a vacant position.
- c. Direct Appointment: A direct appointment of a current Commission employee to a vacant position, without open or internal recruitment.

The Executive Director may, at his or her discretion, determine not to fill a vacant position.

4.1.1. Open Recruitment

Open recruitment is a defined process which requires:

- a. the position is advertised to the general public; and
- b. both Commission employees and any interested person are eligible to apply and, if qualified, be considered for the position.

Criteria

Open recruitment shall be applied:

- a. to all position classifications at, or below, the Director level; or
- b. if, under Internal Recruitment, the recruitment criteria are not met; or
- c. if a direct promotion is not requested or approved.

Procedure

The following procedures and requirements shall be followed for open recruitment:

- a. The Executive Director shall ascertain the minimum qualifications and the

- requirements of the position.
- b. A recruitment bulletin (job announcement) will be developed which will contain at a minimum the following information:
 - i. Position title
 - ii. Salary range
 - iii. Brief description of duties to be performed
 - iv. Minimum qualifications (knowledge, skills, abilities, etc.)
 - v. Preferred qualifications
 - vi. Physical qualifications if any
 - vii. Last date applications must be filed with the Commission to be considered for the position
 - viii. Information on where and how to apply
 - ix. General information about the Commission and the fringe benefits

Recruitment bulletins must be posted at the EDCTC office, on the EDCTC Facebook page and website, and advertised in appropriate newspapers and trade papers. EDCTC is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability or genetic information. EDCTC will make reasonable accommodations for the known physical or mental limitations of a qualified person with a disability, who is an applicant or employee, unless undue hardship to EDCTC would result.

The Federal Immigration Reform and Control Act of 1986 (IRCA) requires all employers to verify the identity and legal right to work of all employees. Each person accepting an offer of employment must attest to their identity and legal authorization to work by fully completing an Employment Eligibility Verification Form, U.S. Citizenship and Immigration Services Form I-9.

Applications

Interested people must submit an application to the Commission to be considered for employment. Resumes may not be accepted in lieu of an application. Applications must be filed no later than the established deadline date indicated on the job announcement. The Commission reserves the right to extend the application filing deadline (appropriate notices will be posted indicating the new application filing deadline.)

Supplemental applications may also be required. Applications will be retained by the Commission for a minimum of six months, or according to an approved retention schedule, after the date of hire of the successful applicant.

Application Screening

After the close of the application filing period, the Executive Director or his or her representative(s) will review the applications submitted. Only the most qualified applicants will be invited for personal interviews. The number of candidates selected to be interviewed may vary depending upon the number of qualified applicants, the number of positions available, and available time and resources.

Each application will be reviewed for completeness and the level of qualifications to fill the position. The Executive Director may reject an application for any of the following reasons:

- a. Failure of the applicant to show reasonable conformity with one or more of the announced minimum requirements for the position, such as training and experience.
- b. False statements by the applicant on his or her application with regard to any

material fact.

- c. Physical unfitness of the applicant with respect to the requirements of the position applied for. It is Commission policy to provide reasonable accommodations for disabled persons who qualify for positions with the Commission.

Interviews

The Executive Director or his or her representative will notify applicants to be interviewed and will arrange the date and time of the interview.

- a. Initial interviews will be conducted by an interview panel. Panel members may be comprised of Commission employees or persons from outside agencies. Panel members may be selected based upon their understanding of the job requirements, impartiality, and/or working relationship to the position.
- b. The panelist will use an interview rating sheet to rate interviewees. Questions asked by panelists during the interview must be consistent with the position requirements. Questions of age, race, sex, marital status, and religion are prohibited by law.
- c. Panelists may not rate candidates of whom they are:
 - i) well acquainted socially,
 - ii) a relative; or
 - iii) member of his or her household, i.e., roommate.
- d. Second Interview: Based upon the ratings (ranking), the top candidates may be asked to return for a second interview. The second interview panel may consist of the Executive Director, a staff person, and/or a representative(s) from another agency.

Final Selection

The panel will recommend a final selection to the Executive Director.

Job Offer

All job offers must be made by the Executive Director and verified in writing.

Notification of Candidates

All candidates not selected shall be notified in writing. When feasible, the top three candidates will be personally contacted by the Commission.

4.1.2. Internal Recruitment

Internal Recruitment is defined as filling a vacant position by promoting or laterally transferring current employees.

Procedure/Criteria

Recruitment for positions shall be limited to current Commission employees. A job announcement will be developed and posted on designated bulletin boards throughout the agency only.

Applications

Interested employees must submit a resume and/or application to be considered for the vacant position.

Application Screening

After the close of the filing period, applicants will be evaluated based on their degree of qualifications to perform the job, as determined by:

- a. relevant experience,

- b. past job performance,
- c. recommendation of current supervisor,
- d. qualifications to fill the higher position, i.e., training courses, etc.

Based on the evaluation, the Executive Director or his or her designee will then:

- a. Certify that the employee is qualified to fill the position. If approved by the Executive Director, the interview and final selection may be limited to current employees; or
- b. Make a direct promotion; or
- c. Commence open recruitment procedure.

Interviews

Interviews shall be conducted as outlined under the Interview Guidelines.

Status of Successful Candidate

If the new position is at a higher level, the successful candidate must serve a minimum six-month probationary period in the new position; by the end of this period, a written performance evaluation will be prepared by the Director recommending whether or not the employee should be retained in the new position in accordance with personnel procedures.

- a. If employee is not recommended for regular status, she or he may be permitted to return to previous position level, if applicable, depending upon:
 - i. whether a vacant position is available for which that person is qualified, and
 - ii. approval by the Executive Director.
- b. If there are no vacant positions which she or he can fill, the employee would be laid off from the Commission and would be given consideration when a vacancy occurs.

4.1.3. DIRECT APPOINTMENT

If in the best interest of the agency, the Executive Director may directly promote, reassign, or transfer employees to positions without being subject to the established recruitment and selection procedures.

Eligible Positions

A direct appointment may only apply to current Commission employees for position classifications below the Director level.

Procedure

The Executive Director can recommend a direct appointment. A memorandum must be prepared justifying the proposed direct appointment and the reasons for not soliciting or considering other candidates. The recommendations for a direct appointment must take into consideration such factors as:

- a. Special needs of the position, department, or project: Current incumbent of a position may have duties and responsibilities far exceeding those reasonably expected of the existing position; appointment to the position in question is justified by program needs, and the incumbent has demonstrated the ability to do the work; the program is expanding and higher level and more complex functions are required; incumbent has been doing closely similar work and has demonstrated capabilities to perform the duties of the new position.
- b. Qualifications and record of performance and accomplishments of the candidate and other capabilities indicating that this person is best qualified for the job.

- c. Special circumstances involving the candidate and office, such as tenure in a position for which the new job is a logical step; and/or the need to fill the position quickly with a person who can be operational with a minimal start-up time.
- d. Special skills or experience of the candidate and/or prior employment which make him/ or her particularly well qualified for the position.

Determination

The Executive Director may:

- a. Approve the direct appointment and issue an inter-office memorandum to that effect;
- b. Disapprove the direct appointment recommendation; and/or
- c. Require internal or open recruitment to fill the position.

Status of Successful Candidate

If the direct appointment is approved, the successful candidate would be placed on a minimum six-month probationary period in accordance with personnel procedures.

4.2. TEMPORARY ASSIGNMENT AND ACTING POSITIONS

If in the interest of the agency, the Executive Director may assign persons to a position temporarily in an acting capacity. Said person may be compensated at a higher rate if approved by the Executive Director.

4.3. COMPLAINT AND GRIEVANCE PROCEDURES

An applicant for a vacancy on the Commission staff who feels she or he was the victim of discrimination should forward a written complaint to the Executive Director.

4.4. DISQUALIFICATION FOR EMPLOYMENT BY REASON OF CRIMINAL RECORD

An arrest or conviction record is not an automatic bar to employment with the Commission. In cases where a conviction in a court of law is related to the position for which the individual is applying, careful consideration will be given to the effect the appointment would have on the operation of the business of the Commission. In such cases, the Executive Director must grant explicit approval prior to the appointment.

4.5. NEPOTISM

Job vacancies are to be filled according to the qualifications of the individual applicants. A relative of an employee, irrespective of title or position of that employee, is to follow the same application procedure and be evaluated by the same criteria as an applicant who is not so related.

Final selection of a successful candidate is based on objective considerations. A relative of an employee will not be favored over another applicant who is better qualified. Neither will a relative be penalized by virtue of the relationship if s/he has the better qualifications. In any event, an applicant will not normally be permitted to be placed in, or transferred to, a division where a relative of a family member is currently employed. The Executive Director reserves the right to make a final decision in this matter.

4.6. INTERVIEW GUIDELINES

~~The employment interview is a key factor in selecting the best-qualified candidate. Interview questions that do not measure a candidate's ability to do the job may discriminate against applicants.~~

The major purpose of the employment interview is to obtain information about the individual to aid the interviewers in making an intelligent decision regarding the suitability of the candidate for the job. Proper interviewing techniques play a large part in obtaining job-related information.

A good job interview should be well planned, and this requires accurate knowledge of the job to be filled. The requirements of the position being filled should be analyzed, and appropriate questions based on these requirements should be formulated and asked of all candidates.

The test for selecting valid interview questions is three-part:

- Is the question related to the duties of the position?
- Is the general type of question applicable to all candidates?
- Does the question prompt the type of information being sought?

These guidelines are intended to assist any interview panelist who interviews candidates in conducting an effective interview and to avoid unrelated and potentially illegal inquiries.

Questions that may adversely affect a specific group place the Commission in a vulnerable position, even if they are asked without ulterior motive. While the following questions are not necessarily discriminatory, they may be used in a manner which violates equal employment opportunity and, therefore, should be avoided:

Age: The Age Discrimination in Employment Act prohibits discrimination on the basis of age against individuals between the ages of 40 and older, and thus, asking a candidate in an interview to disclose age is not a job-related inquiry.

Religion: Title VII of the 1964 Civil Rights Act prohibits religious discrimination. Unless an employer can demonstrate that allowing an employee or prospective employee to practice his or her religion will cause undue hardship on the conduct of the business, the employer must make a reasonable effort to accommodate the religious needs of employees.

Citizenship: Citizenship is not a requirement for working with the EDCTC, as it does not relate to a person's ability to do the job.

Police Records: The Executive Director may conduct background investigations if effective job performance would be affected by a criminal record.

Gender: Interviewers frequently ask questions of women which they do not ask of men. Since these questions do not directly relate to the ability of a woman to do a job, they should not be asked. The following are areas which should not be included in the interview: number of children, ages of children, family plans, childcare arrangements, etc.

Marital Status: These questions do not indicate job qualifications and are frequently discriminatory.

Education: According to the Supreme Court's decision in *Griggs v. Duke Power Company*, education requirements must be shown to be job-related. The Executive Director establishes minimum requirements, and, therefore, the interview should consider education only as a desirable attribute and not as a minimum requirement.

Physical Disability: Under the Rehabilitation Act and the Fair Employment Practices Act, it is illegal to discriminate against anyone on the basis of a disability. The employer may not assume that a person's handicap will interfere with effective job performance. Each handicapped candidate must be evaluated individually in relation to the job and the employer must try to make reasonable accommodations for a handicapped applicant. However, it is not illegal for an employer to refuse to hire, retain, etc., a handicapped person who is unable to safely perform the duties of the job.

Interviewer-Applicant Relationships

It is important to the credibility of the interview panel and to the success of the selection process that a good rapport be established between the candidate and the interview panel. The relationship you establish with the candidate can significantly enhance or inhibit communication in the interview and thereby increase or restrict the quantity and quality of information you can obtain and use in evaluating candidates.

In addition to enhancing communication, establishing good rapport with the candidates will give the appearance of, as well as the fact of, a fair and complete interview. Often candidates express concerns or file protests based on misunderstandings or misinterpretations of the words or actions of interview panel members. Therefore, please be aware of the effect your actions may have on the candidates to ensure that each interview is conducted properly.

Interviewers can set the tone of the interview, establish good rapport, and make the candidate feel more at ease by conveying to the candidate, through facial expression, eye contact and posture suggests interest in and understanding of what the candidate has to say. Just as positive gestures may enhance the tone of the interview, any nervous habits, such as playing with a pencil and paper, overly relaxed way of sitting, poor eye contact while talking, listening, disinterested, or disapproving facial expressions, etc., may distract the candidate. This can disturb the tone or rapport so that the candidate may believe that he/she did not receive fair consideration.

Listed below are a few suggestions that have shown to be helpful in establishing good rapport with

candidates:

~~Set the candidate at ease by starting the interview with a subject with which the candidate is familiar, such as his or her experience.~~

~~When interviewing candidates from minority groups, you should recognize that language and cultural differences may sometimes inhibit their interview performance. Please help these candidates feel at ease so that they will not be penalized merely for cultural and/or language differences.~~

~~Each interview panelist should participate equally in the interview to convey to the candidate that each rater is interested in and paying attention to what the candidate is saying. Although a rater who may only ask one or two questions may be very observant and make good evaluations of responses made, candidates often feel that lack of participation shows lack of interest or disapproval of the responses. This sometimes serves to make candidates uncomfortable and unsure about their interview performance.~~

~~Keep to the interview schedule as much as possible. The Executive Director or designee will advise you of the schedule during the briefing. All interviews should last approximately the same length of time so that each candidate has the same opportunity to present his or her qualifications. It is also important to keep to the schedule so that candidates do not have to wait too long in the reception area for their interviews. Some candidates feel that waiting too long increases stress and thereby affects their interview performance. In addition, some candidates are fretful that if their interviews are behind schedule the panel may rush through the interview to catch up. Therefore, be aware of the effect you may have on the candidates who may have to wait too long. Should the interviews fall behind, the panel can often make up time and get back on schedule by using the time between interviews for grading and reviewing applications more efficiently.~~

ARTICLE 5 – EMPLOYEE'S HOURS OF WORK AND WORKING CONDITIONS

5.1 Work Schedules

The Executive Director shall fix the hours of work with due regard for the convenience of the public and the laws of the State and the Commission. The Executive Director may change that schedule at his/her discretion. Unless an employee has a reasonable and valid excuse, the employee will:

- a. Work the hours and job duties assigned per the operational needs of the Commission.
- b. Work such reasonable additional hours or job duties as the Commission may reasonably request.
- c. Understand that nothing in these policies shall be construed as a restriction on the Commission's right to schedule workdays and require a reasonable amount of overtime work.
- d. Be expected to perform other job duties as requested, per operational needs of the Commission, at various times as necessary.

5.1.1 Flexible Scheduling/Flextime

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the Executive Director. However, flex time is not available for every position. Such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult the Executive Director to request participation in the flextime program which will be subject to the following:

- a. Flextime will be available on a 9/80 schedule or as may otherwise be approved by the Executive Director.
- b. Any adjustment to flextime due to Holidays or other issues will be taken within the same pay period unless a different schedule is agreed to by the Executive Director.
- c. Where a Holiday falls on a Friday or a 9/80 flexible day falls on a Holiday the flextime shall be adjusted to reflect a regular work schedule (40 hours) and compensation for the day will not exceed eight hours.

5.1.2 Attendance

It shall be the responsibility of each employee to be prompt and in regular attendance on the job. [Attendance may be through virtual or remote telecommuting means upon approval of the Executive Director.](#)

5.1.3 ~~Time Card~~ Timesheets

Each employee shall fill in his/her ~~time card~~ timesheet on a daily basis. ~~Time card~~ Timesheets should be submitted to the Executive Director at the close of each pay period. Overtime work for non-exempt employees must always be approved before it is performed.

It is the employees' responsibility to sign their ~~time card~~ timesheets to certify the accuracy of all time recorded. The Executive Director will review and then sign the ~~time card~~ timesheet before submitting it for payroll processing.

5.1.4 Overtime – Non-Exempt Employees

The Fair Labor Standards Act (FLSA) requires that work performed by non-exempt employees in excess of forty (40) hours in a seven (7) day work period be paid or receive compensatory time at a rate of time and one half the employee's regular rate of pay. Whether an employee is exempt (salaried) or non-exempt (hourly) is determined by the type of duties they perform. A list of exempt and non-exempt positions is attached in Appendix B – Job Classifications.

- a. Non-exempt employees receive overtime pay at the rate of one and one-half times their regular pay after forty (40) hours work in a seven (7) day workweek.
- b. Non-exempt employees working a flexible schedule approved by the Executive Director may work a modified workweek.
- c. For the purposes of this policy, time worked includes only those hours in which the employee performs authorized services for the Commission.
- d. Holidays, vacation, sick leave, jury duty, and other leave are not considered work time for the purposes of this policy.
- e. Time worked as overtime shall not be used to earn fringe benefits or to serve out probation or merit increase periods.
- f. Overtime shall be reported in increments to the nearest one-tenth of an hour.

All staff are responsible for ensuring that advanced work planning is done so that overtime is kept to a minimum. However, when it becomes absolutely necessary to work overtime, prior approval must be obtained from the Executive Director.

5.1.5 Clarification of Working Hours for Non-Exempt Employees

Unless instructed otherwise, actual working hours during a work day/workday are considered to be those hours that an employee is required to be at a workstation and available to work. This represents any time spent at designated or required work station(s), working on assignments, and/or awaiting additional work assignments from supervisory staff. Unless authorized, overtime will not be calculated for the time an employee spends before and after his/her normal working hours.

5.2 Overtime – Exempt Employees

Employees in positions that have been designated by the Commission to be exempt within the meaning of the Fair Labor Standards Act shall be considered salaried employees and subject to the following provisions:

- a. Exempt employees are not eligible for overtime pay.
- b. Employees, as designated above, will be paid a bi-weekly salary.
- c. Time off for illness, injury, and medical appointments will be charged to sick leave, if available.
- d. Whole days off will be charged to vacation or management leave, if available.
- e. Absences of a workday or more for personal reasons will be deducted from the weekly salary unless forty (40) hours have already been worked in that work week (vacation or management leave can be charged).
- f. With the approval of the appointing authority, absences of less than one workday will not be deducted from an employee's bi-weekly salary.
- g. Exempt employees shall work the necessary hours to perform their duties and responsibilities and shall not be entitled to receive overtime compensation.

5.3 Rest Periods

Each employee is allowed two (2) 15-minute rest period breaks per day. The breaks are not cumulative and cannot be combined. They may not be skipped in order to leave early or earn overtime pay. It is required by law that these breaks are taken, and it is the employee's responsibility to take all breaks allowed. Unused breaks may not be accumulated and used at a future date or used to lengthen assigned lunch breaks. If they are not taken, they are lost. Unless under urgent circumstances, supervisors must allow employees an opportunity to take the required breaks.

5.4 Meal Periods

Employees will be allowed a meal period of not less than thirty (30) minutes, nor more than one (1) hour, scheduled approximately at the midpoint or middle of a full work shift. Combining meal periods, "banking" meal periods from day to day, saving to shorten workdays or requesting compensatory time or overtime for work performed during meal periods, shall not be allowed unless specifically authorized.

5.5 Working Hours

The Commission's normal business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, and closed during the lunch hour. In the event of loss of power due to a Pacific Gas and Electric Public Safety Power Shutoff, or weather related event, the EDCTC office will be closed. During such outages, EDCTC staff will, whenever possible, work remotely or telework from a place of residence.

5.6 Abandonment of Position

- a. When, ~~an employee does not report for duty when scheduled for three consecutive days or shifts, in the opinion of the Executive Director,~~ an employee has abandoned his/her position, the Executive Director shall notify the employee that the Commission has determined that he/she has abandoned his/her position and that the employee has ~~five two (52)~~ working days upon receipt of the notice to contact the Commission regarding his/her intent to return to work. Such notice shall be in writing and sent by certified mail or personal service to the last address listed in the employee's personnel records.
- b. Abandonment of position may include, but it is not limited to: situations where an employee fails to respond within ~~five two (52)~~ working days of notice of abandonment of position; where an employee fails to return to his/her employment upon the conclusion of any authorized leave of absence; where an employee fails to properly notify by telephone or in writing his/her immediate supervisor of absence due to sickness or injury; or, where an employee fails to keep his/her immediate supervisor informed of his disability status on a daily basis unless otherwise directed.
- c. Abandonment of position shall constitute an automatic voluntary resignation from service.

5.7 Loss Reimbursements

The Commission will not reimburse in any manner or form personnel employed by the Commission for any personal objects, possessions or clothing which are lost or damaged, either while on duty or off duty, as an employee of the Commission unless the employee can prove liability rests with the Commission. Personal objects, possessions, and clothing are items purchased and maintained by the employee and not purchased and maintained by the Commission.

5.8 Dress Code

Employees are expected to dress in a manner fitting and proper for appearing before the public who enter our offices. Extremes in dress will not be accepted. It shall be the responsibility of the Executive Director to inform the employee when his/her style of dress is inappropriate or disruptive.

5.9 Accidents

In the case of an accident involving Commission property, the Executive Director should be contacted immediately. In the event an employee is injured on the job, the employee shall report the accident immediately to the Executive Director.

5.10 Personal Visits

It is expected that employees will keep personal visits from family and friends to a minimum. Should it become necessary that an employee have a personal visitor, and the visit cannot be arranged during a lunch or break period, the visit should be conducted as quickly as possible at the employee's desk.

5.11 Smoking and Vaping

In keeping with the Commission's intent to provide a safe and healthful work environment, smoking ~~and vaping are~~ prohibited within 100 feet of the workplace. This policy applies equally to all employees and visitors.

5.12 Lactation Accommodation

The Commission will comply with all applicable requirements of Assembly Bill 1025 ~~and as amended~~, Lactation Accommodation Bill. ~~Following prior notification to the Executive~~

~~Director or his/her designee, employees wishing to express milk for their infant children while at work. This includes but is not limited to employees needing to express milk who may use their office or designated break room for this purpose and have access to refrigeration. Employees shall may use their normal break time to express milk, but any time used outside of . Any time taken to express milk that is not authorized break times shall be unpaid.~~

5.13 **Telephone Usage**

The telephone provided by the Commission is for use in conducting Commission business. The use of these telephones during business hours for local personal calls shall be held to a minimum. Personal long distance phone calls may not be charged on Commission phones.

5.14 **Commission Property**

There will be no use of Commission resources for personal use without the prior, expressed, written consent of the Executive Director. Commission resources include, but are not limited to, computer hardware and software, computer peripheral (including printers, "mice", modems, etc.), copy machines, office supplies, telephones, presentation materials, and audio-visual equipment. Commission resources also include staff time and wages that are charged to work program elements.

5.15 **Computer, Internet, and E-Mail Usage: Communication Tools**

The computer system (including e-mail, the Internet, computer files and software), the telephone system (including voicemail), and all other means of electronic communication (collectively "communication tools") are Commission property provided to employees to ~~carry out~~ conduct Commission business. Employees shall use professionalism when using communication tools. Personal use of communication tools shall be held to essential personal business and kept as brief as possible. Employees may not use a password, access a file, or retrieve any stored communication without authorization. All passwords must be made available to Commission management. The EDCTC password management plan requires passwords be to be changed every 90 days. This includes passwords related to accessing Microsoft Office 365, computers located in the EDCTC office, and EDCTC computers located in each employees' residence.

Information contained in communication tools is not private. To ensure compliance with this policy, the use of communication tools may be monitored by the Commission at any time. The Commission has the right to access any and all files, messages, materials, or any other information contained in communication tools. Employees should be aware that even when information has been deleted or erased, it may still be retrieved.

The Commission strives to maintain a workplace free of harassment and sensitivity to the diversity of its employees. Therefore, the Commission prohibits the use of communication tools in ways that are disruptive, offensive to others, or harmful to morale. Neither e-mail nor any other communication tool may be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters. Employees should notify the Executive Director upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

5.16 **Telework**

Definition

Telework - An alternative work mode in which the employee works in a designated area outside their principal work location.

Purpose

An arrangement that allows EDCTC employees to work in an area outside their principal work location within the EDCTC physical office, teleworking is a cooperative arrangement between employees and the Executive Director. Teleworking is not to be confused with alternative work schedules or flexible schedules, although some teleworkers will have alternative work schedules or flexible schedules; not all who have such schedules will be teleworkers. Teleworking benefits employees, departments, and the community, including:

- a. Enhanced ability to function during an emergency when the principal work location is inaccessible
- b. Increased productivity: easier to focus, less distractions, and interruptions
- c. Improved recruitment and retention of highly qualified employees
- d. Improved employee morale, flexibility, and job satisfaction.
- e. Reduced employee absenteeism
- f. Reduced employee commute time and costs
- g. Decreased energy consumption, air pollution, traffic

Authority

Administration of the Telework Policy is under the authority of the Executive Director. Salary, benefits, and work status will not change due to involvement in the Telework Program. Removal or denial by the Executive Director of a telework schedule will not be viewed as a punitive action.

Eligibility

An employee of EDCTC may be eligible to telework if:

- a. Their work can be performed at a remote location during a regularly scheduled workday or portion thereof.
- b. Their workload, the workload of other EDCTC employees, or workload of outside agencies will not be compromised because of teleworking
- ~~c. They have passed probation. Special circumstances may be addressed by the Director.~~
- ~~d.c.~~ An employee may not be a good candidate for teleworking if:
 - i. Their work is entirely, or primarily, location-dependent, or requires access to resources that are not allowable or practical from a remote location.
- ~~e.d.~~ Their presence is required at his/her principal work location for coordination and participation in team-based, quick-reaction, and/or turnaround tasks, or to address unscheduled events.
- ~~f.e.~~ Other types of work or work schedules that do not allow them to be away from their principal work location for entire days or portions thereof.
- ~~g.f.~~ The employee would benefit from consistent supervision or monitoring.

Scheduling and Work Hours

Telework days and hours must be agreed upon in advance with the Executive Director. At the discretion of the Executive Director, the actual telework days per week or month may vary depending on the nature of the work. The teleworker must be available to communicate with those with whom he/she normally conducts business by phone, email, and web/audio conferencing during the telework engagement, if required, except for lunch and break periods.

If the teleworker encounters constraints that prohibit him/her from continuing the telework engagement (e.g., required equipment fails), the teleworker must either report to their primary work location to continue working, or notify his/her department head or designee to determine if alternate work can be done to continue the telework engagement. Alternatively, with Executive Director approval, the employee may take remaining time off via vacation or personal leave time.

Teleworkers will be as accessible as their onsite counterparts during agreed upon regular work hours, regardless of work location. The business needs of the primary work location may take precedence over regularly scheduled telework days, whereas a teleworker may be required to be onsite.

A teleworking employee must perform work during his/her scheduled teleworking hours. Teleworking employees may take care of personal business during unpaid lunch periods, as they would at the principal work location.

Agreement Options

Teleworking agreements can be on a regular and recurring or an occasional basis.

- a. **Regular and Recurring Telework Agreements** Regular and recurring means that an employee works away from the principal work location on an established day or days, and on a recurring schedule. Employees who telework on a regular and recurring basis must be available to work at the principal work location on teleworking days if needed. Requests by employees to change their regularly scheduled telework days must be approved by the Executive Director.
- b. **Occasional Telework Agreements** Occasional means an employee works away from their primary work location on an infrequent, one-time, or irregular basis. This option provides an ideal arrangement for employees who generally need to be in the primary work location, but who sometimes have projects, assignments, or other circumstances that meet the eligibility criteria.

Evaluation

The Executive Director will review the work results with the teleworker on a regular basis to ensure that work expectations are being met. The Executive Director will conduct evaluations of the Telework Policy to determine if changes or telework termination is required. Employees will be expected to take part in the evaluation process to help provide feedback and suggestions.

Evaluations will include measurements of commute travel saved by teleworking. Evaluation measurements will include, but are not limited to, [staff retention and morale](#), productivity, quality of work, responsiveness, sick leave use, and availability/flexibility to agency needs.

ARTICLE 6 – SAFETY AND ILLNESS PREVENTION PROGRAM

It is the policy of the El Dorado County Transportation Commission (EDCTC) to provide a safe workplace for all of its employees. EDCTC management strives to provide a workplace that is as free as possible from conditions and acts that may result in injuries or illnesses.

6.1 Responsible Party

The Administrative Services Officer (ASO) is responsible for implementing and maintaining the EDCTC safety program. Employees will be verbally instructed in safe work practices. The ASO will maintain a log of instructions provided to employees.

6.2 Annual Review

On an annual basis, the ASO will review any accidents that have occurred during the previous year. During this annual review, the ASO will review any accident investigations or reports to make sure that a good faith effort to identify the causes for the accident has occurred. The ASO is responsible for doing an accident investigation and making a good faith effort to correct the conditions or action that led to the accident.

6.3 Inspection

- 6.3.1** On an annual basis a physical inspection will be conducted by the ASO. This inspection will be reviewed by the Executive Director. The ASO and the Executive Director will be responsible for the correction of the hazards identified by this inspection. Any new hazards will be added to Section 6.6 Safety Standards.
- 6.3.2** In addition to these formal inspections, ASO is responsible for doing an annual informal safety inspection. Correction of any newly discovered hazards will be done by either one or a combination of the following: abatement, safeguarding, personal protective equipment, or training.

Communication and training of new processes, new procedures, new equipment, safety activities, hazards and safe work practices will be done by one or a combination of the following: one-on-one conference with the Director and the employee, training sessions, postings on the EDCTC employee bulletin board, or a paper copy provided to the employee.

6.4 Training

Training will be provided to all new employees and employees given new job assignments. The pertinent supervisor is responsible for his/her employees following safe and healthy work practices. Safety will be enforced through disciplinary action or by means of a safety incentive program.

6.5 Reporting of Hazards/Accidents

All employees are encouraged to report any unsafe acts or conditions. Employees may do this by submitting a suggestion in writing to the ASO or by notifying his/her immediate supervisor. These suggestions will be reviewed by the ASO and the Executive Director. The responsibility of acting on the suggestions lies with the Executive Director.

On an annual basis, the Administrative Services Officer will review this safety program to make sure that it is being maintained.

6.6 Safety Standards

- a. Food and drinks should be kept a safe distance from computer terminals.
- b. Objects that could damage equipment should not be placed on computers or cables.
- c. Keep all work areas clean. Use the compressed air and glass wipe provided to keep computer keyboards and screens clean.
- d. Observe proper posture to avoid back and muscle aches. Utilize wrist rests as required for computer keyboards and mice.
- e. Limit computer input sessions to 60-minutes. Break long projects by taking short walks.
- f. All computers should be equipped with anti-glare screens or other anti-glare technology.
- g. Be sure your hands are dry when operating any electrical equipment.
- h. If equipment failure occurs, unplug the equipment immediately if it is safe to do so.
- i. Immediately notify your supervisor if any problems or accidents occur.
- j. Keep all desk drawers and cabinet doors closed to avoid tripping hazards.
- k. Electric cords and phone cables must be secured to prevent tripping hazards.
- l. Storage areas must be kept clean and orderly.
- m. Employees shall not use flammable items, such as candles. Flammable materials must be stored in metal cabinets.
- n. All boxes, files, paper, etc. must be removed from any area where they could constitute a tripping hazard and kept away from electrical cords.
- o. Employees must be instructed in fire emergency situations.

- p. All employees must be instructed on the location of the medicine chest and directed to read related instructions before using any of the medicine chest contents.
- q. Hot plates, coffee makers, portable fans, portable heaters, and other electrical appliances must be properly wired and turned off when not in use.
- r. Aisles and passageways must be clear to provide easy movement and air circulation.
- s. Wash all office cups and dishes with soap and hot water after use.
- t. Employees shall utilize frequent hand washing with soap and warm water to prevent the spread of germs and bacteria in the workplace.
- u. Flashlights will be available throughout the office.

ARTICLE 7 – CONFLICT OF INTEREST

Conflict of interest is defined generally as acting in any way contrary to the best interest of the Commission. Employees are expected to exercise good judgment and discretion in evaluating any particular activity so as to avoid any actual or apparent conflict of interest. No employee shall take any action on behalf of the Commission, which they know, or reasonably should know, violates any applicable law or regulation. This will obviously include such activities as kickbacks, bribery, falsehood, misrepresentation, and divulging non-public information to organizations that could potentially benefit from exclusive information. Employees are urged to conduct their activities in such a manner as to comply with the spirit, as well as the letter, of this policy.

Employees shall be free from any personal influence, interest, or relationship that might conflict with the best interests of the Commission. Acceptance of entertainment, travel, or gifts of a character which might reasonably be deemed by others to affect the judgment or action of an employee in the performance of his employment with the Commission would violate this policy. [Employees must comply with the applicable limitations and reporting requirements of the California Political Reform Act, and Government Code section 1090 et seq..](#)

When writing personal letters, articles to be published, and when participating in public affairs, staff members are cautioned to avoid embarrassing situations for the writer or participant and the Commission. Personal letters may not be written on Commission letterheads for obvious reasons. Endorsements, testimonials, publications, and participation in public affairs should be undertaken cautiously lest they be misinterpreted as endorsements by the Commission.

This policy in no manner prohibits membership in any political organization, attendance at meetings, expression of views on political matters nor voting with complete freedom. Employees are in fact encouraged to actively support their individual political beliefs on their own time as long as these opinions are not represented as the official viewpoint of this Commission. Therefore:

- a. Staff members may not use their position with the Commission to promote any specific political action, candidate, or belief.
- b. Staff members may not use their Commission titles in either written or verbal communications concerning political activities or beliefs.
- c. Staff members may not use Commission letterhead stationery for personal and/or political correspondence.
- d. Supervisory employees shall not attempt, through any means, to coerce other staff members into working for or accepting their political beliefs or candidates.
- e. Staff members may not conduct personal political activity of any kind during working hours, nor use any Commission property, resources, or office supplies, while engaged in personal political activity.

The Commission does not encourage employees to engage in outside employment. No employee shall engage in outside employment which requests or requires employment with the Commission as a prerequisite for said outside employment, creates a conflict of interest, or interferes with the employee's efficiency and quality of work. The name and location of any outside employer shall be

filed with the Executive Director by the employee within three days after beginning such outside employment. This is a confidential file, which shall be reviewed by legal counsel annually to assure there is no conflict of interest.

Any questions regarding a potential conflict of interest or outside work shall be discussed in advance with the Executive Director.

ARTICLE 8 – ADMINISTRATION OF SALARY

8.1 Standard Salary Ranges

Unless as otherwise required by law or policy, a standard salary schedule consisting of either flat rates or seven steps of hourly and equivalent monthly salary rates in dollars for employees in full-time positions shall be established annually by the Commission in the Overall Work Program and Budget. Annual, monthly, and ~~hourly~~biweekly salary rates are listed for the purpose of convenience in quotation of salaries. Computations for purposes of paying employees shall be on the basis of hourly rates.

Except as otherwise provided by law or ordinance, officers and employees shall receive the hourly rate provided in the salary range that has been adopted by the Commission by Resolution, or contract, for their respective classifications of positions.

8.2 Payroll Records

The office of the Commission shall be the office of record with respect to maintenance of payroll records to implement the payroll provisions of all ordinances and resolutions. Departmental payroll records shall be maintained in forms provided or approved by the Executive Director. The payroll records for every employee shall be kept on file for six (6) years after the employee's termination date.

8.3 Pay Date

All employees are paid every other Wednesday by direct deposit following the close of the biweekly pay period. In the event that a regularly scheduled payday falls on a day off such as a holiday, employees will receive pay on the last day of work before the regularly scheduled payday. If a regular payday falls during an employee's vacation, the employee's paystub will be available upon return from his or her vacation.

Pay dates will be posted on the shared calendar available to all employees.

8.3.1 Pay Advances

The Commission does not provide pay advances on unearned wages to employees.

8.4 Full-time, Part-time, and Extra-Help Employees

8.4.1 Full-Time Employees

A full-time employee shall receive the full amount of salary based upon the step in the range for the classification to which the employee is assigned by his/her appointment, if the total hours in pay status for the biweekly pay period as shown equals or is greater than eighty (80) hours. A full-time employee who is not in pay status for eighty (80) hours for a particular biweekly pay period shall be entitled only to the total hours in pay status. Employees who are exempt under FLSA shall receive a bi-weekly salary which is based upon multiplying the hourly salary step rate by 80.

8.4.2 Part-Time Employees

A part-time employee shall receive that portion of the salary based upon the step in the range for his/her classification to which the employee is assigned and the

