



PERSONNEL POLICIES AND PROCEDURES MANUAL

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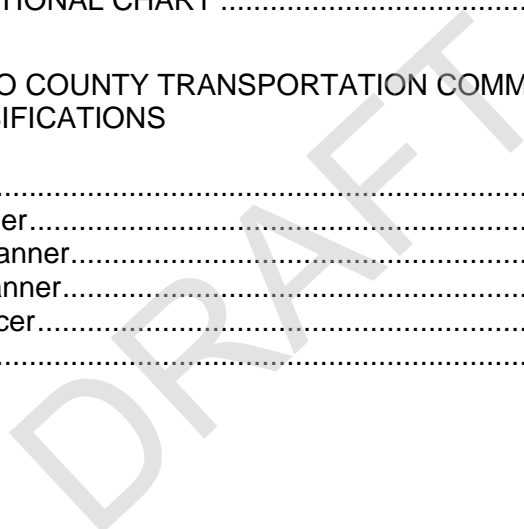
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ARTICLE 1 – INTRODUCTION

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

number of hours in pay status in the pay period.

Part-time employees shall earn vacation with pay and accrue sick leave on a prorated basis based upon the number of hours in pay status in the pay period. In other respects, the provisions of this Manual applicable to full-time employees shall apply to part-time employees unless specifically defined otherwise herein.

8.4.3 Extra-Help Temporary Employees

The Executive Director may authorize the temporary employment of a person as extra help upon a determination that sufficient funds are budgeted. Unless otherwise specified, extra-help temporary employees shall only be paid the flat rate salary step for their classification or the first step hourly rate in the salary range listed for the classification to which he/she is appointed, unless specifically authorized by the Executive Director. To the extent permitted by law, extra-help temporary employees shall not be entitled to accrue sick leave, vacation, or holiday pay, and shall not be eligible for benefits or to participate in the retirement system.

8.4.4 Annual Cost-of-Living Adjustments

~~The Commission in the~~ The annual Draft Overall Work Program and Budget shall consider-include cost-of-living salary increases for employees in full-time, part-time, and extra-help classifications to be considered by the EDCTC. Cost-of-living increases may-shall be computed using the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the Western Region.

8.5 Salary Step Advancement

8.5.1 Merit Salary Step Increases

Eligibility for salary step increases shall be based upon time in classification but advancement to a higher step shall be based upon merit and at the discretion of the Executive Director. Except for employees who receive a flat rate, a full-time or part-time employee shall be eligible for a merit salary step increase as follows, subject to funding availability: After completion of thirteen (13) biweekly pay periods of satisfactory service at Step 1 of the salary range, and upon approval of the Executive Director, an employee shall receive a merit salary step increase. Except as specified above, if an employee is appointed at a step higher than the first step of the salary range for that classification, an employee shall be eligible for the first merit salary step increase after completion of twenty-six (26) full pay periods of satisfactory service.

After the completion of twenty-six (26) biweekly pay periods of satisfactory service in each of the salary steps above Step 1, and at the discretion of the Executive Director, a full-time or part-time employee may be advanced to the next higher step in the salary range of that classification until the top of the range is reached. Extra-help employees are not eligible for merit salary step increases.

8.5.2 Procedure

All merit salary step advancements must be initiated by the Executive Director. Salary step advancements shall be effective on the first day of the biweekly pay period following completion of the required period of service.

8.5.3 Anniversary Date

Changes in an employee's salary because of promotion or upward reclassification will set a new anniversary date for that employee. The salary anniversary date for an employee shall not be affected by a transfer, downward reclassification, or a

demotion.

Changes in salary ranges for a classification as defined in Section 8.8 will not set a new salary anniversary date for employees.

8.6. Salary Step on Promotion

Salary on Promotion

An employee who is appointed to a position in a class allocated to a salary range for which the top step is higher than the top step of the class which the employee formerly occupied shall receive the nearest step within the new salary range which shall not be less than five percent more than his/her former salary step, provided, however, that in no case shall the increased salary be more than the top step in the new range.

The effective date of a promotion shall be the first day of the first full pay period following the appointment. The employee's anniversary date for future merit salary step increases shall be based upon the effective date of the promotion.

If a promotion occurs on the same day a salary step increase is due and approved, the salary step increase shall be computed first and subsequently the increase due to promotion.

Advanced Salary Upon Promotion

Upon promotion of a full-time or part-time employee, the Executive Director may recommend to the Commission that the person being promoted receive one additional step beyond which the employee is entitled, but which in no way exceeds the top of the range.

8.7 Salary on Demotion

Demotion to another Position or Class-Voluntary

An employee who voluntarily demotes to a position of a class having a lower salary range than the class previously occupied by the employee shall have his/her salary reduced to the salary step within the lower range which is closest to, but not exceeding, the salary step received before the demotion.

Salary upon Demotion during Probation

A full-time or part-time employee who, during the employee's probationary period, is demoted to a class which the employee formerly occupied in good standing during the same period of continuous service shall have the employee's salary reduced to the salary the employee would have received if the employee had remained in the lower class. The employee's eligibility for salary step advancement shall be determined as if the employee had remained in the lower class throughout the employee's period of service in the higher class.

Salary upon Involuntary Demotion to a Lower Class

A full-time or part-time employee to whom the circumstances described in the above section do not apply, who is demoted involuntarily to a position of a class which is allocated to a lower salary range than the class from which the employee is demoted shall have the employee's salary reduced to the salary step in the lower range for the new class which is closest to but not exceeding the salary step received before the demotion. The employee's eligibility for salary step advancement shall not change as a result of demotion.

Demotion within a Salary Range

Except for the Executive Director, an employee may only be demoted to a lower salary step within a salary range as a disciplinary action in accordance with Commission rules and

regulations.

8.8 Salary on Transfer

Upon approval by the Executive Director, a full-time or part-time employee may transfer from one allocated position in one class to another allocated position in the same class, or in another closely related class at the same salary range, or a class which has a salary range, the top step of which is within five percent of the top step of the range of the previously occupied class. In such a case, an employee shall be paid at the salary step in the salary range for the new class that is the closest to, but not exceeding, the salary step the employee previously received. For purposes of further annual increase within the salary range, his/her anniversary date shall remain the same as it was before the transfer. The effective date of all transfers shall be the first working day of the period.

8.9 Changes in Salary Ranges

Whenever the salary range for a class is revised, each incumbent in a position to which the revised salary range applies shall remain at the step held in the previous range, unless otherwise specifically provided by the Commission.

8.10 Salary Step on Reclassification

The salary of an incumbent in a position that is reclassified shall be determined as follows:

Lateral Reclassification

If the position is reclassified to a class which is allocated to the same salary range as is the class of the position before it was reclassified, the salary step and anniversary date of the employee shall not change.

Upward Reclassification

If the position is reclassified to a class which is allocated to a higher salary range than the class of the position before it was reclassified, the salary step of the employee shall be governed by Section 8.6, Salary Step on Promotion.

Downward Reclassification

If the position is reclassified to a class which is allocated to a lower salary range than the class of the position before it was reclassified, the employee shall receive the step, if any, in the new range which is the same as but does not exceed the salary he/she was receiving prior to reclassification, and his/her anniversary date shall not change. If the salary step of the employee is greater than the maximum step of the new range, the salary step of the employee shall be designated at a sixth-step rate equal to their salary step prior to reclassification and the salary will be frozen until the top step salary of the new classification equals or exceeds the present salary, based upon cost of living increases. At that time, the employee will be placed on the top step and will become eligible for cost-of-living increases granted to incumbents of that classification.

8.11 Salary Provisions upon Restoration

An employee who has been laid off or voluntarily demoted as a result of layoff, and subsequently restored in their former classification within a two (2) year period from the date of his/her layoff or voluntary demotion, shall receive the following considerations and benefits:

- a. All sick leave credited to the employee's account when laid off shall be restored unless the employee received compensation for such sick leave at the time of the layoff.
- b. All prior service shall be credited for the purpose of determining sick leave and vacation earning rates, ~~longevity pay increases,~~ and time in step.

The employee shall be placed at the step of the salary range that was held at the time of

the layoff.

8.12 Commission Authority to Specify Salary Steps

Notwithstanding anything herein to the contrary, the Commission may, by resolution or contract negotiation, and upon recommendation of the Executive Director, specify that the incumbent of a particular position shall occupy a step on the salary range for that class either higher or lower than that provided for in this Manual.

8.13 Designated Salaries – Employees

The Commission shall establish salary ranges for employees.

ARTICLE 9 – INTERNAL COMMUNICATIONS

Employees who leave the office during working hours shall check out at the receptionist desk located in the front of the Commission offices.

Public information concerning the Commission and its activities shall be coordinated by the Executive Director.

The control and maintenance of all the Commission committee mailing lists shall be the responsibility of the Executive Director or his/her designee. The Executive Director or his/her designee shall maintain the master mailing lists for the Commission. These lists will remain available in the shared contacts for all employees' use.

9.1 Personnel Records

Confidential personnel files shall be maintained for every employee by the Executive Director or his/her designee. The files shall contain the employee's employment letter and all other pertinent information records. Access to these files is restricted. Each employee, or an employee's attorney, shall have access to his/her personnel file under the supervision of the Executive Director. The personnel files for every employee shall be kept on file for six (6) years after the employee's termination date.

It shall be the responsibility of each employee to keep the Executive Director and Administrative Services Officer advised concerning his/her marital status, number of dependents, correct address and telephone number, emergency contact, and any similar information required for the purposes of maintaining personnel records.

The following procedures will be used in case of a dispute over material or information in the employee's personnel file:

- a. Any employee who objects to material or information in the file should forward, in writing, a request for its removal to the Executive Director.
- b. The Executive Director shall, within her/his discretion, grant or deny the request and notify the employee of the decision.
- c. If the decision is favorable to the employee, the material will be removed immediately and destroyed by the Executive Director.

9.2 Petty Cash

~~The Commission will maintain up to two hundred dollars (\$200) in a Petty Cash fund to pay for miscellaneous costs. This fund will be maintained by the Executive Director or his/her representative. All use of these funds will be accounted for in accordance with the Commission's accounting policies.~~

ARTICLE 10 – BENEFITS

10.1 Holidays

10.1.1 Regular Holidays

The Commission will grant paid holiday time off to all regular full-time and part-time employees on the holidays listed below. Part-time employees shall receive holiday pay on a pro-rata basis.

- a. January 1 – New Year's Day
- b. January (third Monday) – Martin Luther King Jr.'s Birthday
- c. *Floating Holiday* in lieu of February 12 – Lincoln's Birthday
- d. February (third Monday) – Washington's Birthday
- e. May (last Monday) – Memorial Day
- f. July 4 – Independence Day
- g. September (first Monday) – Labor Day
- h. *Floating Holiday* in lieu of October (second Monday) – Columbus Day
- i. November 11 – Veterans' Day
- j. November – Thanksgiving Day
- k. November – Friday after Thanksgiving
- l. December 24 – Christmas Eve
- m. December 25 – Christmas Day

~~Special holidays proclaimed by the President of the United States, or the Governor of the State of California may be granted upon approval of the Executive Director.~~

All full-time employees who are on a flexible schedule shall be entitled to the same number of regular paid holiday hours as those employees on a regular workweek schedule.

10.1.2 Day Observed

If any of the above holidays falls on a Sunday, the following Monday shall be observed as the holiday in lieu thereof. If any of the above holidays falls on a Saturday, the preceding Friday shall be observed as the holiday in lieu thereof. In years in which December 24 falls on a Sunday, the Commission shall observe December 26 as a holiday (Tuesday). In years in which December 25 falls on a Saturday, the Commission shall observe December 23 as a holiday (Thursday).

10.1.3 Floating Holidays

Each regular employee who has successfully completed his or her Introductory Period shall be granted two floating holidays per calendar year. Regular part-time employees shall receive floating holiday pay on a pro rata basis. Floating holidays may be scheduled at the employee's discretion during the year in which they are earned, subject to the supervisor's approval. Floating holidays shall not be taken in increments of less than one working day. If a floating holiday is not taken within the year in which it is earned, the floating holiday is lost. Floating holidays accrued but not used at the time an employee leaves the Commission shall be paid to the employee.

10.2 Vacations

For purposes of this section, one (1) year shall be equivalent to twenty-six (26) biweekly pay periods of continuous service.

10.2.1 Accrual Rates and Maximum Accumulation

Full-time and part-time employees (except "extra help" temporary employees) shall accrue and accumulate vacation leave with pay as follows:

Each employee with less than four (4) years continuous service shall accrue vacation credit at the rate of .03875 an hour for each full hour in pay status. (Equal to 3.1 hours for full-time in a full pay period). In no case shall an employee with less than four (4) years continuous service accumulate more than 240 hours vacation leave.

Each full-time and part-time employee with over four (4) years continuous service shall accrue vacation credit at the rate of .05875 hour for each full hour in pay status. (Equal to 4.7 hours per full-time in a pay period). In no case shall an employee with more than four (4) years continuous service accumulate more than 320 hours vacation leave.

Each full-time and part-time employee with over eleven (11) years continuous service shall accrue vacation credit at the rate of .07750 hour for each full hour in pay status. (Equal to 6.2 hours per full time in a pay period). In no case shall an employee with more than eleven years (11) continuous service accumulate more than 320 hours vacation leave.

10.2.2 Provisions

Accrued vacation leave shall be accumulated from each qualified full-time or part-time employee's anniversary date. Qualified new employees shall be entitled to use accrued vacation leave upon satisfactory completion of the Introductory Period. Upon termination of an employee's employment, for any cause, the employee shall be paid for any unused vacation hours accumulated, up to the maximum amount permitted to be accumulated. No employee shall receive any payment in lieu of vacation while remaining a Commission employee.

10.2.3 Vacation Scheduling

It is the policy of the Commission that employees take their vacation each year; provided, however, that for reasons deemed sufficient by the Executive Director, an employee may take less than the normal vacation accrued that year. All vacations shall be taken at such times during the calendar year as may be approved by the Executive Director.

In the event an employee is not permitted to take all of the vacation to which he or she is entitled in a calendar year, the employee shall be permitted to accumulate the unused portion to the employee's credit, provided that the employee shall not have a total vacation credit of more than the maximum allowed herein.

All requests for vacation leave must be approved by the Executive Director. The Executive Director is responsible for ensuring that the employee is eligible for the vacation requested. No person shall be allowed vacation in excess of that actually accrued at the time such vacation is taken.

It shall be the responsibility of the Executive Director to ~~require~~request vacation leave be taken in order to avoid excessive accumulation or forfeiture.

10.2.4 Donation of Vacation Time

An employee may donate accumulated vacation time to another employee who has exhausted his/her sick leave and vacation leave due to an extended or catastrophic illness. Such donations shall be made on a form prescribed by the Commission and shall be in eight (8) hour increments. The hours donated will be deducted from the donating employee's accumulated balance and credited to the accumulated vacation account of the employee receiving the donation. If the donation of hours

is accepted, the accepting employee shall be responsible for payment of any applicable taxes. Commission shall withhold any amounts authorized or required by law.

10.2.5 Exclusion

Extra help temporary employees shall not be subject to the provision of this Section. Extra help, or other employment time, shall not count towards the required continuous service for vacation benefits.

10.3 Sick Leave

10.3.1 Accrual

Every regular full-time or part-time employee shall accrue sick leave at the rate of .04625 per hour in pay status, calculated on the basis of actual service (3.7 hours earned per full pay period paid). Sick leave shall not accrue when an employee is on leave of absence with or without pay.

10.3.2 Eligibility

A full-time or part-time employee shall not be entitled to use accrued sick leave with pay until the employee has two (2) full bi-weekly pay periods of continuous service with the Commission.

10.3.3 Usage

Employees are entitled to use accrued sick leave, with the approval of the Executive Director, to a maximum of the time accrued, for the following conditions:

- a. The employee's illness, injury, disability, or exposure to contagious disease, which incapacitates him/her from performance of duties.
- b. The employee's receipt of required medical, dental, or optical care or consultation.
- c. The employee's care of a member of the immediate family who is ill or disabled.
- d. ~~The employee's preparation for or attendance at the funeral of a member of the immediate family. Immediate family means parent, spouse, son, daughter, sibling, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, or grandchildren by blood or marriage.~~

10.3.4 Integration with Other Benefits

Workers' Compensation

A full-time or part-time employee of the Commission who is entitled to receive temporary disability indemnity under the California Labor Code (Workers' Compensation) may elect to take only that portion of the employee's accumulated leave balances as when added to the employee's disability indemnity will total the employee's full pay.

10.3.5 State Disability Insurance

A full-time or part-time employee of the Commission who is entitled to receive State Disability Insurance may elect to take only that portion of the employee's accumulated leave balances as when added to his/her SDI will equal one hundred (100) percent of the total base salary. It is the employee's responsibility to file for State Disability and make all arrangements with the Executive Director for leave integration.

The Commission will provide to each employee, beginning the first of the month following employment, a long-term disability insurance policy in an amount and subject to such terms as may be established by the Commission.

10.3.6 Administration of Sick Leave

Employees upon return to work will be required to submit a sick leave request form or record of sick leave use to his/her department head for approval. The Executive Director may request information in order to aid in the determination of whether the sick leave use is legitimate. The Executive Director may require a physician's statement or acceptable substitute from an employee who applies for sick leave, or make whatever reasonable investigation into the circumstances that appears warranted before acting on a sick leave request.

The Executive Director may require a prescribed affidavit or medical report form. When an employee is absent for longer than ten (10) consecutive working days, the employee may be required to submit a statement from the employee's physician releasing the employee for normal duty.

When an employee has been determined to have used sick leave for illegitimate purposes, the Commission may recover such funds.

~~When medical documentation is submitted by the employee as proof of illness, the Executive Director may review such medical documentation based on the available medical evidence and his/her knowledge of the physical and mental requirements of the employee's occupation to determine whether the employee's illness or injury was sufficient as to justify the employee's absence from the work site.~~

10.3.7 Incapacity to Perform Duties

If the Executive Director has reasonable cause to believe that an employee is not capable of properly performing the duties of the position, the appointing authority may require ~~the employee submit to a fitness for duty determination, the employee to absent himself/herself from work until the incapacity is remedied.~~ During such absence the employee may utilize any accumulated paid leaves.

10.3.8 Payment for Unused Sick Leave

In order to receive payment for unused sick leave at the time of retirement, lay-off, or voluntary termination, all Commission employees, unless otherwise stated in contract or Letter of Employment, must have five (5) or more years of Commission service.

- a. Employees with over five (5) years of service shall receive 20% of their unused sick leave paid.
- b. Employees with over ten (10) years of service shall receive 40% of their unused sick leave paid.
- c. Employees with over fifteen (15) years of service shall receive 70% of their unused sick leave paid.
- d. Employees with over twenty (20) years of service shall receive 100% of their unused sick leave paid.
- e. In the event an employee dies while in active service with the Commission their sick leave payoff will be made in accordance with the above schedule and the limitations of this Section and will be paid in the same manner as the final check.

The maximum number of hours paid shall not exceed five hundred (500). Employee's last hourly rate of pay shall be used in computing payment.

10.3.9 Exclusions

Extra help temporary employees are excluded from the provisions of this section.

10.4 Management Administrative Leave

Management Administrative leave of 40 hours per year is provided to regular full-time FLSA exempt employees. Regular part-time FLSA exempt employees are provided annual administrativemanagement leave on a pro rata basis. Such leave shall not be carried over from one fiscal year to another. Payment for unused administrativemanagement leave during the fiscal year may be requested in eight (8) hour increments with appropriate notification to the Executive Director. Any eligible employee who does not use the full entitlement of administrativemanagement leave by June 30 of each year may be paid at the base hourly rate for any remaining unused administrativemanagement leave.

10.5 Jury Duty

Any employee who shall be summoned for attendance to any court for jury duty during his/her normal working hours shall be deemed to be on duty and there shall be no loss in salary, but any jury fees received by him/her shall be paid forthwith to the Commission to be deposited to the Commission's General Fund. Such an employee shall notify the Executive Director immediately upon receiving notice of jury duty.

10.6 Court Appearances

Any employee who shall be called as a witness arising out of, and in the course of the employee's Commission employment or prior employment, shall be deemed to be on duty and there shall be no loss of salary, but any witness fees received by him shall be paid forthwith to the Commission.

Any employee who shall be called as a witness arising out of, and in the course of the employee's Commission employment during the employee's off duty hours shall be compensated for the time spent.

Employees called for any other witness duty shall receive unpaid time off in accordance with law. Any employee called for witness duty shall notify the Executive Director immediately upon receiving notice of such duty.

10.7 Leave of Absence with Pay

The Executive Director may place an employee on a leave of absence with pay (suspended with pay) for a period not to exceed ten (10) working days. Such leave may be extended with justification for a period up to an additional ten (10) working days. This leave (suspended with pay) shall be used when an employee is under investigation or for other necessary or urgent need such as when the employee's continued presence at the work site may be hazardous or disruptive.

10.8 Leave of Absence without Pay**10.8.1 Conditions**

Leave of absence without pay may be granted to any employee upon the specific written request of the employee and with the prior written approval of the Executive Director for the following purposes:

- a. Family and Medical Leave Act (FMLA) in accordance with law;
- b. Pregnancy Disability Leave (PDL) in accordance with law;
- c. California Family Rights Act (CFRA) in accordance with law;
- d. Other personal reasons which do not impair the effectiveness of the Commission.

At the request of the employee, the Executive Director may extend a leave of absence for an additional three (3) months if conditions warrant such an extension.

10.8.2 Revocation of Leave of Absence

A leave of absence may be revoked by the Executive Director upon evidence that the cause for granting the leave of absence was misrepresented or has ceased to exist.

10.8.3 Reinstatement upon Termination of Leave of Absence

Upon the expiration of the leave of absence, the employee shall be reinstated to his/her former position at the same step in the salary range.

10.8.4 Non-Qualifying Service

Leave of absence without pay shall not be counted as qualifying service for purposes of accruing vacation, sick leave, and annual salary adjustments.

10.8.5 Vacation and Sick Leave Usage

Employees who are granted a leave of absence without pay shall have the option to exhaust any accumulated vacation time or to leave such vacation time in their accumulated account. Employees requesting a leave of absence due to illness or disability may use any accumulated sick leave prior to the requested beginning date of such leave.

10.8.6 Payment of Insurance Premiums

- a. An employee taking a leave of absence as allowed per FMLA, PDL or CFRA law for a period not to exceed four (4) months in any one (1) year period shall receive health, dental, vision, and life insurance coverage to the same extent that the employee would receive this coverage if the employee ~~was~~ were not on leave.
- b. All other employees on unpaid leave and wishing to maintain health, dental, vision, and life insurance shall be responsible for paying the full monthly premium payments at the time and in the manner provided for by the Commission.

10.9 Bereavement Leave

An employee compelled to be absent from duty because of the death of a member of his/her immediate family, as previously defined, may be entitled to not more than five (5) days ~~three (3) consecutive days off, three (3) days of sick leave may be used by the employee and the two (2) other days can be unpaid time or covered by other paid time off with pay~~, upon approval of the Executive Director. Bereavement leave need not be taken as consecutive days off, but can be taken intermittently, but must be fully taken ~~it will be the responsibility of the Executive Director to determine the number of bereavement days necessary for the employee to be absent within three (3) months of the family member's death.~~

~~The Executive Director may reduce the number of days granted for leave for bereavement purposes, if, in his/her opinion, the distance to be traveled does not necessitate the full three days' leave.~~

~~For purposes of this section, immediate family 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.~~

10.10 Health Benefits

Health benefits will be provided to full-time and part-time employees as agreed and set forth in the contract between the California Public Employees' Retirement System (CalPERS)

and EDCTC. Each qualified employee will be entitled to obtain health insurance benefits through the CalPERS (California Public Employees' Retirement System) Health Program for themselves, their spouse, and their dependent children. Each full-time qualified employee will be entitled to dental and vision insurance benefits for themselves, their spouse, and their dependent children. For each qualified full-time employee, the Commission will contribute the Cafeteria Plan benefit budget amount which shall be established as part of the resolution adopting the Overall Work Program and Budget of the Commission and may be amended from time to time. The amount of the Commission's contribution to health, dental, and vision premiums provided to full-time employees shall be pro-rated for qualified part-time employees based upon the number of regularly scheduled hours per week.

Nothing herein shall be construed to vest employees with a certain contribution amount by the Commission for health, dental and vision benefits. The actual amount of the Commission's contribution may be modified from year to year.

10.10.1 Health Benefit Continuation at Termination

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Commission's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage of the Commission's group rates plus an administration fee.

10.11 Life Insurance

The Commission will provide a \$50,000 term life insurance policy for each employee and a \$125,000 term life insurance policy for the Executive Director at no cost to the employee. Accidental Death & Dismemberment coverage shall be included in these Plans. The life insurance benefit will end at employee termination.

10.12 Workers' Compensation Insurance

The Commission will provide Workers' Compensation Insurance as required by State law for the protection of employees in case of accident or injury when on duty. An employee who incurs a work-related injury should immediately report accidents or injuries to their supervisor or the Executive Director.

An employee who incurs a work-related injury as verified by Workers' Compensation Insurance and necessitates an unpaid leave of absence from work shall continue to have

their insurance premiums for health, dental, vision, and life paid by the Commission as set forth above for a period of not to exceed three (3) months.

10.13 Retirement Benefits

Retirement benefits will be provided to full- and part-time employees as agreed and set forth in the contract between the California Public Employees' Retirement System (CalPERS) and EDCTC. The Commission agrees to maintain the CalPERS 2% @ 55 formula, highest one-year final compensation retirement plan [for classic members and the 2% @ 62, highest three--year compensation retirement plan for employees hired after January 1, 2013](#). CalPERS retirement benefits are granted on the condition that there shall not be any significant increase in any annual employee salary for the purpose of increasing

the “final one-year compensation” calculation for retirement benefits under CalPERS.

For employees hired prior to July 1, 2011, the Commission is responsible for the employee’s share of the CalPERS contribution equal to seven percent (7%). For employees hired effective July 1, 2011 or later, the employee is responsible for the employee’s share of the CalPERS contribution equal to seven percent (7%).

The Public Employees’ Pension Reform Act (PEPRA) established a defined benefit of 2% @ 62 for miscellaneous members hired after January 1, 2013. PEPRA members’ contribution rate will be at least 50 percent of the total normal cost for their defined benefit plan.

The Commission will provide health insurance coverage through the CalPERS Health Program for each qualified employee who retires from the Commission within 120 days of separation from the Commission employment. The Commission will contribute to such health insurance program the CalPERS Minimum Employer Contribution amount as prescribed by Government Code section 22892 of the Public Employees Medical and Hospital Care Act (PEMHCA). For the purposes of retirement health insurance coverage, a “retired” employee is defined as a person who has: ~~(1) been a Commission employee for at least five (5) years; and, (2) reached the age of 55.~~

Nothing herein shall be construed to grant retired employees a vested right to the continuation of health insurance coverage by the Commission. If the Commission terminates its contract for coverage for health benefits under the Public Employee’s Medical and Hospital Care Act, or if such coverage is no longer mandated under such Act, the Commission may elect to cease coverage for the retired employees of the Commission.

10.14 Deferred Compensation Plan

The Commission will provide a deferred compensation investment plan to employees as agreed and set forth in the Section 457 Deferred Compensation Plan contract with [Mission Square Retirement \(formerly International City/County Management Association \(ICMA\) Retirement Corporation\)](#). Employees may designate the amount of compensation they wish to contribute to the plan as a specific dollar amount. The designated minimum monthly contribution may not be less than \$25.00.

10.15 Cafeteria Plan

The Commission allows regular full-time and part-time employees to maximize the effectiveness of benefit dollars by participating in the Cafeteria Plan.

Under the Cafeteria Plan, the Commission determines a benefit budget for employees to be directed by the employee. The benefit budget shall be established as part of the resolution adopting the Overall Work Program and Budget of the Commission and may be amended from time to time. For regular part-time employees, the Cafeteria Plan budget will be prorated based on the employee’s regular work schedule.

The following benefits are available to the employees participating in the El Dorado County Transportation Commission Cafeteria Plan:

- a. Major medical benefits under the Health Care Plan Benefit article provided through a contract with CalPERS (or its successor), dental benefits under the Health Care Plan Benefit article provided through a contract with the current providers for dental insurance, and vision benefits under the Health Care Plan Benefit article provided through a contract with the current providers for vision insurance or, upon proof of comparable coverage provided to the

- Administrator that is satisfactory to the Administrator in its sole and absolute discretion, cash in the amount of three hundred dollars (\$300) per month (or such other amount then in effect as announced by the Employer from time to time) in lieu of these benefits under the Health Care Plan Benefit article.
- b. Long-term disability benefits under the Disability Income Benefit article provided through a contract with the California Association of Counties (CSAC), (or its successor), or cash in the amount of ten dollars (\$10) per month (or such other amount then in effect as announced by the Employer from time to time) in lieu of this benefit under the Disability Income Benefit article; and
 - c. Life insurance benefits under the Group-Term Life Insurance Benefit article provided through a contract with the CSAC (or its successor), or cash in the amount of ten dollars (\$10) per month (or such other amount then in effect as announced by the Employer from time to time) in lieu of this benefit under the Group-Term Life Insurance Benefit article.

Employees allocate their Cafeteria Plan budgets on an annual basis to coincide with the beginning of the fiscal year, which occurs on July 1st of each year. Adjustments to the allocations at other times will be accommodated, when possible, based on the requirements of the specific benefit program within the plan.

Nothing herein shall be construed to vest employees with a certain level of benefits or to guarantee a certain contribution amount by the Commission for the employees under the Cafeteria Plan. The actual amount of the Commission's contribution may vary from year to year.

10.16 Tuition Assistance

It is the policy of the Commission to provide tuition assistance for job-related classes in order to assist employees who desire to continue their formal education. All full-time employees, excluding interns, who have been in continuous employment with the Commission a minimum of six (6) months, shall be eligible for tuition assistance. If the employee is a military veteran, he/she shall not be eligible for the tuition assistance until he/she has exhausted the education benefits from the federal government and from the State of California.

Tuition assistance for eligible employees shall be limited to ~~four hundred~~ eight hundred dollars (\$~~400~~800) in any one fiscal year. If tuition assistance funds are not used by an employee, the tuition reimbursement will be used to supplement the agency's general training budget for that fiscal year).

The Commission will pay for the approved courses at the time payment is due for said courses. Should the employee not complete the course(s) for any reason the employee will reimburse the Commission the full course expense including books, materials, or other ancillary costs. Should the employee receive scoring or grading as a measure of successful completion of the course work, the employee must receive a grade of "A or B", satisfactory, or higher. Should the employee receive any grade lower than an "B", the employee will reimburse the Commission as follows:

- a. C – 50% reimbursement to the Commission
- b. D or F - 100% reimbursement to the Commission

Should the employee resign from employment with the Commission within 18 months of satisfactorily completing the education course work, the employee will reimburse the Commission the full percentage of the costs for said course work incurred by the

Commission. Any reimbursements not made by an employee shall be paid to employer prior to separation will be taken out of their final paycheck. All employees participating in this program shall sign an acknowledgement agreeing to repayment of any funds owed to the Commission. The Employee Acknowledgment Form signed by each employee serves as the legal agreement allowing EDCTC to deduct any remaining reimbursements from employees final paycheck.

The Executive Director shall approve all requests for tuition assistance. (Approval for tuition assistance must be granted prior to enrollment in any course). Approval for tuition assistance shall be granted only for courses taken for credit and outside working hours. Requests for tuition assistance must be accompanied by a course description, including cost of tuition. Requests for tuition assistance will be approved only once for the same or similar course, regardless of school.

10.17 Military Service

An unpaid military leave of absence shall be provided to employees for service in the uniformed services, in accordance with the Uniformed Services Employment and Re-Employment Rights Act (USERRA). An employee requiring such leave shall provide the Executive Director with advance written or verbal notice of the need for leave, unless providing such notice is impossible or unreasonable under the circumstances. Upon conclusion of an approved military leave of absence without pay, the employee shall be entitled to return to his/her former (or equal) position in accordance with USERRA requirements.

10.18 Business Travel and Mileage

Where a position requires the driving of an automobile or other vehicle, the employee must have a valid California Driver's License, a good driving record, and is expected to drive the vehicle safely. Upon request, employees shall sign an authorization for management to request review of an employee driving record. The Executive Director, in her/his discretion, may restrict any employee's operation of a vehicle on Commission business.

Employees may utilize private cars for Commission business when authorized. Such employees shall carry sufficient public liability and property damage insurance at least equal to the requirements of the financial responsibility laws of the State of California, Vehicle Code Section 16430. Actual mileage driven on each trip shall be recorded on a monthly expense form. An employee who is required to use the employee's personal vehicle for Commission business shall be reimbursed at the federal rate as determined by the Internal Revenue Service for all miles traveled in the conduct of Commission business. In the event of a vehicle accident while traveling on Commission business, please notify the Executive Director immediately.

An employee may not use a cell phone while driving a motor vehicle on Commission business unless is it designed, configured, and used in a hands-free listening and talking mode.

10.18.1 Meeting and Conference Expenses

Employees may attend meetings, conferences, and required training sessions when deemed essential to the conduct of the work program. The Commission will reimburse actual and necessary expenses for parking, meals, registration, lodging, transportation, and other reasonable costs. Receipts for all expenditures must be attached to expense forms. Expenses incidental to travel, such as parking meters, pay phones, etc., wherein receipts are impossible to obtain, shall be reimbursed upon submission of an itemized list of these expenditures. In no case will reimbursement be made for the purchase of alcoholic beverages. Each

meeting or conference shall be authorized in advance by the Executive Director.

10.18.2 Agency Credit Card

The Commission maintains an agency credit card solely for the use of Commission employees for Commission-related travel, meetings, and authorized expenses. Use of the agency credit card shall be authorized in advance by the Executive Director. Receipts for all expenditures must be submitted to the Administrative Services Officer.

ARTICLE 11 – DISCIPLINARY ACTIONS

This Article 11 applies only to regular full-time and regular part-time employees who have successfully completed the Introductory Period described in Article 3.1. The purpose of this policy is to provide firm guidelines that will ensure uniform application of formal and informal discipline involving regular Commission employees. Extra help temporary employees, student interns, and employees subject to an Introductory Period may be dismissed at any time without notice and without the right to appeal.

11.1 Standards

Disciplinary actions of a formal or informal nature will adhere to the following standards:

- a. Performance and behavioral problems will be discussed with employees in a timely manner following their occurrence.
- b. Formal disciplinary action (suspension or termination) is to be in writing and documentation should demonstrate unacceptable performance or behavior of the employee (see below).

11.2 Causes of Disciplinary Action

Disciplinary action against any regular employee shall be for cause, as it may affect work performance and effectiveness within the organization. Cause may include, but not be limited to the following:

- a. Fraud in securing employment
- b. Incompetence, inefficiency, or neglect of duty
- c. Insubordination, willful disobedience of superiors
- d. Dishonesty
- e. Use of alcohol or drugs during business hours
- f. Illegal use or addiction to narcotics
- g. Unauthorized absence from duty or willful abuse of sick leave privileges
- h. Excessive absence because of illness or personal problems
- i. Failure to comply with the Commission's Equal Employment Opportunity policies
- j. Engaging in outside employment which has a detrimental effect on attendance or ability to perform work
- k. Misuse of Commission resources, property, equipment, phones, or supplies for personal use or ~~private business~~ **personal business**
- l. Failure to cooperate reasonably with his/her supervisor or fellow employees
- m. Discourteous treatment of the public or other employees
- n. Failure to adequately observe any rule specifically stated in this manual or as required by the immediate Supervisor
- o. Abusive treatment of superiors or fellow employees
- p. Failure to obey a supervisor's reasonable request
- q. Failure to adequately observe the rules regarding working hours and leave time
- r. Unlawful harassment or abuse, including sexual harassment
- s. Poor work performance
- t. Any conduct tending to bring the reputation of the Commission into disrepute

- u. Conviction of a misdemeanor or felony
- v. Theft
- w. Use of a Commission computer or other electronic communication tool to access, view, download, or otherwise obtain obscene matter as defined in the penal code except as may be allowed to conduct a disciplinary investigation

Responsibility for the administration of discipline rests primarily with the appropriate supervisor. It is a fundamental policy of the Commission to treat its employees fairly; therefore, every effort should be made to ascertain facts before discipline is imposed.

Further, especially in the case of formal discipline, it is important that detailed documentation of facts be provided by the Executive Director or the Executive Director's designee.

11.3 **Procedures**

The Executive Director retains the right to skip steps of the progressive discipline set forth below in cases of significant misconduct. This may include immediate termination subject to the appeals process in cases of especially egregious conduct.

11.3.1 **Oral reprimand**

The employee shall be counseled concerning the unsatisfactory areas of work and shall be informed about methods of improvement, or the Executive Director may issue oral reprimands. Oral reprimands must be documented by the Executive Director and placed in the Executive Director's personal file. In this case nothing will be placed in the employee's personnel file. As noted below in Sections 11.3.3 and 11.3.4, the seriousness of the offense will dictate whether oral or written reprimands or other corrective action is taken prior to initiating action to suspend or dismiss an employee.

11.3.2 **Written reprimand**

In cases where the oral reprimand has not been successful or where the infraction of the rules and regulations has been of a serious nature, the written reprimand shall be employed. The purpose of the written reprimand will be to call the attention of the employee to serious defects in his/her work. The written reprimand should include a detailed statement of the problem and a notation to the effect that the problem was discussed with the employee. The employee must sign the written reprimand, acknowledging a copy thereof. A copy of the written reprimand must be included in the employee's personnel file. Only the Executive Director may issue a written reprimand. The employee may respond to the written reprimand and such response shall be placed in the employee's personnel file.

11.3.3 **Suspension**

An employee may be suspended for an indefinite period of time (not to exceed 30 days) in order to impress upon the employee that continued failure to improve his/her performance may result in dismissal. The Executive Director will issue the suspension. Employees may not use any accrued leave to make up for loss of pay in the event of a suspension. The employee will not earn vacation leave or sick leave while on suspension. (It should be noted here that reprimands are not a prerequisite to a suspension).

11.3.4 **Dismissal**

When reprimands or suspensions fail to affect satisfactory performance, or when the employee infraction is serious as determined by the Executive Director, the

employee shall be subject to dismissal. Reprimands or suspensions are not a prerequisite to a dismissal. When the Executive Director provides an employee with a Notice of Intent to Discipline (see below), the Executive Director shall provide a copy to the Chair of the Commission.

11.3.5 Procedure

Prior to suspending an employee without pay in excess of two (2) days or dismissing an employee for cause, the Executive Director shall comply with the following procedure:

11.3.5.1 The Executive Director must provide any employee that it intends to discipline with a Notice of Intent to Discipline outlining in detail the specific violations of Commission policies, rules, regulations, ordinances, or any state or federal law that the employee is alleged to have violated. In addition, the Commission shall provide the employee written notice of the contemplated action and copies of all materials upon which the proposed discipline is based, or, if too voluminous to copy, notification as to where review of the materials is available.

The Notice of Intent to Discipline may be served on the employee by personal delivery or by U.S. Mail, first class, postage prepaid to the employee's address on file with the Commission. Service is accomplished on the date of personal delivery or the date the Notice is placed in the U.S. Mail, first class, postage prepaid.

11.3.5.2 Within ten (10) working days from the service of the Notice of Intent to Discipline the employee must request in writing a pre-disciplinary or "Skelly" hearing pursuant to *Skelly vs. State Personnel Board* (1975) 15 Cal.3d 194, 124 Cal.Rptr 14. The employee's written request for a Skelly hearing must be addressed to the Executive Director and received by the Commission within ten working days from the date of service of the Notice of Discipline. The employee has the right to be represented by an attorney, or other representative of his or her choice, in all stages of the disciplinary appeal process. The pre-disciplinary Skelly hearing shall be before the Executive Director or his/her designee. Failure by the employee to submit a request in writing for a Skelly hearing to the office of the Executive Director within the ten (10) days shall constitute a waiver of the employee's right of a hearing and the recommended discipline may be imposed immediately by the Executive Director.

11.3.5.3 If at the conclusion of the pre-disciplinary hearing the Executive Director still intends to proceed with Disciplinary action, the Executive Director, or his/her designee shall serve upon the employee a Notice of Disciplinary Action within five (5) working days after the pre-disciplinary hearing. Said Notice shall include any amendments to the charges or penalties made by the Executive Director as a result of the pre-disciplinary hearing. The discipline or termination goes into effect as of the date of the Notice of Disciplinary Action.

11.3.5.4 During the pre-disciplinary process and the appeal process (if any) the employee may be placed on temporary leave of absence with pay, at the discretion of the Executive Director.

11.3.6 Appeal

A regular employee has the right to appeal any disciplinary action involving a dismissal or suspension without pay for more than two (2) days. Within ten (10) working days of being served with the Notice of Disciplinary Action the employee shall submit a Notice of Appeal to the Executive Director. Failure by the employee to submit a Notice of Appeal to the office of the Executive Director within the time period prescribed shall constitute a waiver of the employee's right of an administrative appeal unless otherwise agreed upon in writing between the parties. All time requirements in this section are subject to modification or waiver by mutual written consent of the parties. The Notice of Appeal must be made in writing and must set forth the reasons for the appeal and state with specificity the reasons why the disciplinary action should not be imposed. The employee will be limited on appeal to raising only those issues set forth in the Notice of Appeal. Appeals will be handled in accordance with Section 12.6.

ARTICLE 12 – TERMINATION OF EMPLOYMENT

Termination of employment may be brought about by resignation, dismissal, layoff, retirement, or death. Employment status changes may be brought about by promotion, leave of absence, disciplinary action, demotion, transfer, probation, or suspension.

12.1 Voluntary Separation

An employee who wishes to resign in good standing shall notify the Executive Director in writing at least two (2) weeks prior to his/her final day of work.

12.2 Dismissal

Any regular employee may be terminated for cause at any time by the Executive Director or his/her designee. ("Cause" is further defined in Disciplinary Actions, Section 11.2).

12.3 Death

Upon receipt of a death certificate, the Executive Director shall issue the proper forms to the CalPERS Retirement System to determine benefits which may be payable to survivors. All salary due and payment of any accumulated benefits shall be promptly paid in accordance with the provisions of the Designation of Beneficiary form on file in the employee's personnel file. No payment shall be made to the estate of the deceased until sufficient proof of right to such settlement is received.

12.4 Layoff

Whenever it becomes necessary to terminate an employee due to a lack of funds or because the necessity for a position no longer exists, the Executive Director may declare a position vacant. Employees whose positions are declared vacant shall be notified at least thirty (30) days prior to termination.

12.5 Retirement

When an employee elects to retire, she/he must notify the Executive Director in writing at least one (1) month prior to the effective date of his/her retirement.

12.6 Appeal Procedures

12.6.1 Who May Seek Review and Under What Circumstances

A regular employee who is dismissed or suspended without pay for more than two (2) days may seek a review of that decision from the Administration and Human Resources Ad Hoc Committee (Committee) of the Commission. This Committee will affirm, modify, or reverse the action taken by the Executive Director. The

Committee is the final level of authority at the Commission.

The Committee shall be composed as follows: the Chairperson of the Commission or his/her designee, the Vice Chairperson of the Commission or his/her designee, and a third panel member selected by other two panel members. When a specific disciplinary action or policy is the subject of the review, no one who has participated in the action at a lower level may sit on the Committee.

12.6.2 The Procedures, Time Deadlines, and Format for the Review Process

a. **Written Request**

The employee seeking a review must submit a written request to the Executive Director as set forth in Section 11.3.6 above. The request must be received within ten (10) working days from the date the Notice of Disciplinary Action involving dismissal or suspension without pay of more than two (2) days was served, as set forth in Section 11.3.5.3.

b. **Grounds**

As further specified in Section 11.3.6, the request must state the grounds for the appeal.

c. **Response to Employee Request**

After a valid written request has been received, the Commission shall mail or deliver to the employee, within five (5) working days, a written response establishing the date and time for the matter to be heard by the Committee.

d. **Executive Director's Report**

All written documents generated through the "Skelly" hearing process shall be forwarded to the Committee prior to the review.

e. **Format of the Review**

The format does not follow any rigid or formal rules of evidence. The Committee at its discretion may engage outside assistance to facilitate the review. The Executive Director shall be available for the review. Both parties shall have reasonable opportunity to present facts, witnesses, documents, and evidence relevant to the matter being heard, and to examine witnesses called by the other party. The Committee members may ask questions on their own initiative of all people present at the review. The employee may ask questions of the Executive Director or any person(s) present making an accusation or statement against his interest. The Commission shall have the burden of proving by a preponderance of the evidence that the facts support the charges against the employee and that the penalty is appropriate under the circumstances. Formal rules of evidence shall not apply to the proceedings, but the hearing Committee shall give consideration to the procedures and evidentiary standards established for administrative hearings under Government Code Section 11513.

f. **Audio/Visual Recordings**

The proceedings of the Committee may be recorded by either party with the consent of all parties present.

g. **Representation**

The employee may represent himself or may elect to be represented by another. A representative need not be an attorney; however, the employee may choose to be represented by an attorney. The Commission is not responsible for any costs, fees, or charges made by any representative regardless of whether the decision of the Committee is favorable or unfavorable to the employee.

h. **Continuance**

A matter may be continued by either party, for good cause, for a reasonable time.

i. **Decision of Administration and Human Resources Ad Hoc Committee (Committee)**

The Committee has the authority to sustain, revise, or modify any previous

action taken. The Committee is the final level of authority within the Commission.

j. **Notice of Decision**

Written notice of decision shall be mailed by U.S. Mail, first class, postage pre-paid, to the employee's address on file with the Commission. Said notice of decision shall be mailed within ten (10) working days from the date the Committee heard the matter. The Notice of Decision will be deemed to have been received five (5) working days after the date of mailing by the Commission.

ARTICLE 13 – DRUG-FREE WORKPLACE POLICY

13.1 Introduction

The Commission, as an organization contracting with State and Federal agencies, is committed to providing and maintaining a drug-free workplace consistent with the provisions of the Drug-Free Workplace Act of 1988. Based upon a concern for the employee and the public we serve, the Commission has formulated a policy regarding substance abuse. This policy is designed to ensure a workplace free from the problems associated with substance abuse and assist those employees who seek help in eliminating a problem with or dependency on drugs or alcohol.

The unlawful manufacture, possession, distribution, dispensation, possession, sale, or use of a controlled substance while on duty, while on Commission property, while attending business-related activities, or while using a personal vehicle for Commission business is strictly prohibited and may lead to Disciplinary Action, including suspension without pay or discharge. The Commission may refer the employee to approved counseling or rehabilitation programs.

Alcohol abuse is highly detrimental to the safety and productivity of employees in the workplace. The Commission encourages its employees who ~~drink~~, ~~drink~~ to drink responsibly. Moreover, the Agency strictly prohibits its employees from being intoxicated or impaired by alcohol while on duty, while on Commission property, while attending business-related activities, or while using a personal vehicle for Commission business. The Commission may discipline an employee engaging in prohibited behavior, including suspending the employee without pay or discharging the employee. The Commission may refer the employee to approved counseling or rehabilitation programs.

13.2 Procedure

- a. All employees are required to report to work fit for duty and remain in such condition during the workday. Being intoxicated or impaired by alcohol or under the influence of controlled substances is strictly prohibited.
- b. The use of alcohol on Commission premises is strictly prohibited. Violations will result in disciplinary action determined on an individual basis.
- c. The use, distribution, or possession of controlled substances is prohibited. Employees guilty of manufacture, dispensation, use, possession, or distribution on the job are subject to discharge and/or prosecution.
- d. The use, possession, dispensation, or distribution of controlled substances not in accordance with a prescription for the individual on the job is prohibited and an employee engaging in such behavior is subject to discharge and/or prosecution.
- e. As a condition of employment, each employee must: (1) abide by the Commission's ~~Substance Abuse and~~ Drug Free Workplace policy; and, (2) notify the Executive Director of any conviction for a criminal drug violation occurring in the workplace within five (5) days after such conviction. The Executive Director is required to report such a conviction to the applicable agencies within ten (10) days after receipt of notice of conviction.

13.3 Treatment

- a. Alcohol and drug abuse are recognized as treatable diseases. If an employee seeks assistance in overcoming an abuse problem, the Commission will assist the individual in obtaining help and/or treatment. The responsibility for dealing with the problem rests, however, with the employee.
- b. A request for help will be treated confidentially and, subject to the provisions of this policy, will not affect an employee's future employment and promotional opportunities.
- c. If an individual does not seek help and on-the-job performance is affected, or if job performance, even for an individual under treatment, is affected by continuing abuse or otherwise, the Commission will take disciplinary or other action, if it deems appropriate. The steps outlined in Article 11, Disciplinary Actions, will be followed depending on the facts and circumstances involved in each situation.

ARTICLE 14 – UNLAWFUL HARASSMENT POLICY

14.1 Introduction

The Commission is committed to providing a work environment free of unlawful harassment. Harassment, including sexual harassment, is contrary to basic standards of conduct between individuals and is prohibited by Federal and State law. Neither harassment nor sexual harassment will be tolerated by the Commission. It will, therefore, be a violation of Commission policy for any employee to engage in any of the acts or behaviors defined below, and such misconduct will subject an employee to corrective action up to and including immediate dismissal.

This policy applies to all employees, officers and directors, including managers, supervisors, and Commissioners. Management shall establish appropriate communications to ensure that non-employees (contractors, vendors, trades people, etc.) on the premises are also made aware of and adhere to this policy. [All employees are required to complete harassment prevention training every other year. The online course will be provided by the Commission.](#)

An employee who believes harassment, sexual or otherwise, is or may be occurring, should immediately report the conduct by following the procedure described below, without fear of reprisal. Confidentiality will be maintained to the extent permitted by the circumstances.

14.2 Definitions

- a. **Harassment** – Verbal, physical, or visual conduct of a racial, ethnic, religious, or other type which impairs an employee's ability to perform his/her job.
 - i. [Verbal conduct such as derogatory jokes or comments, slurs, offensive remarks, or unwanted sexual advances/invitations or comments;](#)
 - ii. [Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings, drawings, or gestures;](#)
 - iii. [Physical conduct including unwelcomed touching or threat of unwelcomed touching including shoving, kicking, poking, hugging, intentionally blocking normal movement;](#)
or
 - iv. [Communications via electronic media of any type that includes any conduct that is prohibited by state and/or federal law, or by organization policy.](#)
- a-b. **Sexual Harassment** – Unwelcome sexual advances, requests for sexual favors and other verbal, visual, or physical conduct of a sexual nature which meets any one of the following three criteria:
 - i. Submission to such conduct is explicitly or implicitly made a term as a condition of employment; or
 - ii. Submission or rejection of such conduct is used as a basis for employment

- decisions; or
- iii. Such conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, and that fails to respect the rights of others. Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment include:

- i. **Verbal:** Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, threats.
- ii. **Non-Verbal:** Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.
- iii. **Physical:** Unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.

14.3 **Procedure**

- a. An employee who believes harassment is or may be occurring should immediately report the conduct to one or more of the following: the Executive Director or the Chairperson of the Commission.
- b. A prompt, thorough, and impartial inquiry of the report will be conducted depending on the circumstances. The Executive Director or the Chairperson of the Commission may request that the inquiry be conducted by a neutral party to thoroughly investigate.
- c. To ensure reasonable confidentiality, the person who receives the report is to notify only those people necessary to thoroughly investigate.

~~To ensure protection of the complainant and/or others involved in the investigation from retaliation, any person who engages in retaliating or confronting behavior will be subject to disciplinary action, up to and including immediate discharge from employment.~~

~~The complainant will be informed of the results of the investigation and any action taken.~~

~~If the Commission determines that harassment or other prohibited conduct has occurred, action will be taken in accordance with the circumstances involved. Any employee determined by the Commission to be responsible for harassment or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees can be personally liable for unlawful harassment of coworkers, regardless of whether the Commission knows, or should have known, about the harassment.~~

- d. ~~A Commission representative will advise all parties concerned of the results of the investigation.~~
- e. ~~To ensure protection of the complainant and/or others involved in the investigation from retaliation, any person who engages in retaliating or confronting behavior will be subject to disciplinary action, up to and including immediate discharge from employment.~~
- f. ~~The Commission encourages all employees to report any incidents of harassment or other prohibited conduct forbidden by this policy **immediately** so that complaints can be quickly and fairly resolved.~~
- ~~The employee may also contact state (Civil Rights Department) or federal (Equal Employment Opportunity Commission) agencies for assistance with a complaint of unlawful harassment.~~

~~g.~~

14.4 **Anti-Bullying**

- a. ~~The Commission does not tolerate “bullying” or other abusive conduct. “Bullying” under this policy includes threatening, humiliating, or intimidating conduct; interfering with or~~

“sabotaging” another’s work; and verbal abuse. -Examples of conduct that may be prohibited by this policy include:

- i. Mocking, ridiculing, name-calling
 - ii. Yelling, shouting, screaming
 - iii. Deliberately excluding or isolating a person
 - iv. Spreading rumors or malicious gossiping
 - v. Withholding information or resources
 - vi. Unwanted physical contact or invasion of personal space
- b. If an employee experiences or witnesses conduct the employee believe violates this policy, they should report it immediately to the Executive Director or Chair of the Commission so the Commission can take appropriate steps to investigate and address the situation.-.

ARTICLE 15 – GRIEVANCE POLICY

15.1 Introduction

The purpose of the Commission’s grievance policy is to provide the means for employees and management together to solve grievances in an orderly manner within a reasonable time period and to provide methods of administering employer-employee relations through the establishment of uniform and orderly methods of communication between employees and management.

15.2 Policy Statement

This policy emphasizes open-door practices in which employees have the opportunity to deal directly with their supervisor, the Executive Director, and other members of management regarding complaints or conditions of employment. Each employee is encouraged to discuss work-related complaints or problems with their supervisor and/or management and to have a process to appeal an unfavorable decision to a higher authority.

15.3 Complaints or Problems that are Grievable

Complaints or problems that are grievable may include:

- a. An act, occurrence, or attitude either expressed or implied, resulting in injustice and/or having been oppressed or injured.
- b. A feeling that insufficient consideration has been given to an individual or group alleging that they have been treated improperly or unfairly.
- c. A condition of employment or application of a policy that the employee thinks is unjust or inequitable.
- d. A complaint regarding harassment/sexual harassment where the complainant does not believe that the review under Article 14 adequately addressed the situation.

15.4 Complaints or Problems that are not Grievable

Complaints or problems that are not grievable may include:

- a. Dissatisfaction or a dispute with a performance evaluation or disciplinary action:
 - i. An employee dissatisfied with a performance evaluation shall have the option of writing a letter to be included in the employee’s file expressing the employee’s reasons for the dissatisfaction.
 - ii. An employee who disputes a disciplinary action shall follow the procedures for redress under the section for disciplinary actions.

15.5 Procedure

- a. For the purpose of addressing complaints and problems, the employee must first seek

assistance by contacting the Executive Director, verbally or in writing. The Executive Director will be responsible for handling the complaint as an important business matter, making every effort to resolve the problem through discussion with employees involved with the complaint.

- b. If the employee complaint involves the Executive Director or if the employee does not feel free to express the concerns to the Executive Director, the employee may contact the Commission's Chairperson to investigate the situation and assist in resolving the complaint or mediating the dispute. The employee must put the complaint in writing addressed to the Chairperson of the Commission.
- c. An employee may ask another employee, or another manager, to be present at a complaint discussion with any level of management.
- d. Appeals. If an employee's complaint is not settled satisfactorily with the Executive Director, the employee may appeal the complaint to the Commission's Administrative and Human Resources Ad Hoc Committee. It is expected that the Executive Director will support this appeal process to rectify any remaining dissatisfaction. The Commission's Administrative and Human Resources Ad Hoc Committee will render a decision on the matter after appropriate investigations.

ARTICLE 16 – EQUAL EMPLOYMENT OPPORTUNITY POLICY

16.1 Introduction

The Commission maintains a policy of non-discrimination with respect to employees and applicants for employment. The Commission provides a workplace of equal employment opportunity without regard to race, color, religion, sex, sexual orientation, gender, gender identity, gender expression, national origin, age, physical or mental disability, medical condition, ~~or~~ genetic information, ancestry, marital status, ~~sexual orientation or military and veterans status~~. Our policy also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics.

Equal employment opportunity (EEO) is defined as the right of all persons to be accorded full and equal consideration for employment, retention, and advancement on the basis of merit. It is the responsibility of all supervisors to ~~assure~~ ensure the application of the EEO policy in their area of control. ~~—~~

16.2 Policy Statement

It is a basic policy of the Commission to provide equal employment and advancement opportunities to all persons without regard to ~~race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, or genetic information. any trait or characteristic that is protected by federal, state and local laws, as listed above.~~ This policy applies to all aspects of personnel policy and procedures.

16.3 Policy Elements

- a. No discriminatory practice toward employees or applicants will be tolerated. Any employee, supervisor, or manager involved in any such practice faces disciplinary action up to and including dismissal. This includes the use of racial, ethnic, or religious slurs, and sexual harassment.
- b. All Commission personnel, recruitment, and selection policies and procedures will be reviewed to determine that they do not have an adverse effect on any employee or applicant.
- c. Every appointment process will be considered to be an opportunity to further equal employment opportunity goals and will be utilized as such. It is the Commission's goal to achieve a balanced work force by race, ethnicity, and sex.
- d. It is the Commission's policy to consider its own employees first for staff vacancies

before selecting external candidates. Management will internally publicize all career opportunities for the Commission staff. Additionally, assistance will be provided to employees who aspire to develop and advance beyond their present positions.

16.4 Complaint Procedures

If an employee believes they have been subjected to any form of unlawful discrimination, the employee may submit a complaint to the Executive Director or the Chairperson of the Commission. The employee's complaint should be specific and include the names of the individuals involved and the names of any witnesses. If the employee needs assistance with their complaint, the employee should contact the Executive Director or the Chairperson of the Commission. The Commission will immediately investigate and attempt to resolve the situation. The employee may also contact ~~state~~the state (Civil Rights Department) or federal (Equal Employment Opportunity Commission) agencies for assistance with a complaint of unlawful discrimination.

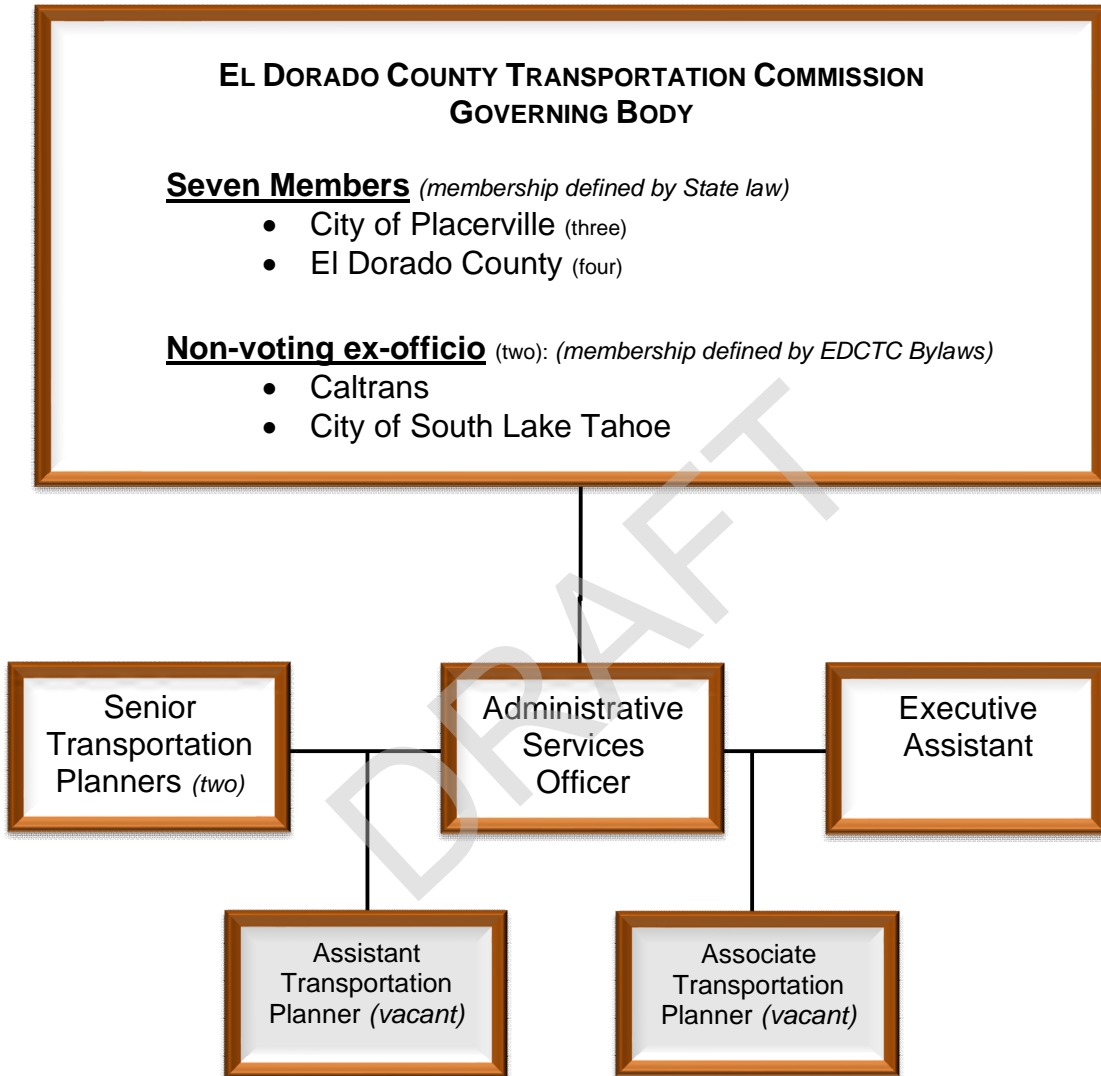
If the Commission determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action ~~also will~~ ~~will also~~ be taken to deter any future discrimination.

Any form of retaliation for reporting discrimination or participating in the investigation of a discrimination complaint will not be tolerated. The Commission will not knowingly permit retaliation by management employees or the employee's coworkers. Any employee who retaliates against another for reporting discrimination or participating in the investigation of a discrimination complaint will be disciplined, up to and including termination.

ARTICLE 17 – RELATIONSHIP OF PERSONNEL MANUAL TO EXECUTIVE DIRECTOR AND OTHER CONTRACT EMPLOYEES

Except where written herein, where a conflict exists between the policies herein and the contract of a contract employee of the Commission, the terms of the contract shall prevail.

APPENDIX A
EL DORADO COUNTY TRANSPORTATION COMMISSION
ORGANIZATIONAL CHART



APPENDIX B

EL DORADO COUNTY TRANSPORTATION COMMISSION

JOB CLASSIFICATIONS

DRAFT



EL DORADO COUNTY TRANSPORTATION COMMISSION

EXECUTIVE DIRECTOR

FLSA - Exempt

Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications may not include all duties performed by individuals within a classification. In addition, specifications are intended to outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.

DEFINITION

Under policy direction of the El Dorado County Transportation Commission Board, directs the activities and operations of all programs; advises and assists the Commission; provides administrative oversight to the operational and policy functions of the Agency; coordinates Agency business with various programs, officials, and outside agencies; provides a variety of other responsible and complex administrative support to the Commission; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS

The Executive Director is the highest administrative management level position in the Commission and has responsibility for the administrative operation of all functions, which may include developing, recommending, and implementing policies, program planning, fiscal management, administration, and operations of all Commission functions and services. The incumbent is responsible for accomplishing the Commission's goals and objectives and for ensuring that the citizens are provided with desired and mandated services in an effective and cost efficient manner. This class is distinguished from the next lower class of Senior Transportation Planner by having overall responsibility of Commission operations.

SUPERVISION RECEIVED/EXERCISED

Receives policy direction from the Transportation Commission. Exercises direct and indirect supervision over all management and staff.

ESSENTIAL FUNCTIONS *(include but are not limited to the following)*

Accepts full responsibility for all Commission activities, programs, and services, including directing the development and implementation of planning, community outreach, and transportation goals, objectives, policies, and procedures; ensures that established goals and priorities are achieved.

Directs and participates in the preparation and administration of the Commission budget; prepares and submits reports of finances and administrative activities to the Commission; keeps the Commissioners advised of financial conditions, program progress, and present and future needs of the Commission.

Reviews and evaluates program service delivery methods and systems within the Commission, including administrative and support systems and internal relationships; identifies opportunities for improvement and implements changes to standard operating procedures to enhance services; reviews and approves in conjunction with the Commission, proposals for major programs and projects, including the Regional Transportation Plan and the Overall Work Program.

Coordinates the preparation of the agenda, along with administrative staff, for the Commission; addresses the Commissioners on behalf of staff; represents the Commission to employees, community groups, individual members of the public, and other governmental agencies; responds to the most difficult complaints and requests for information.

Directs the implementation, maintenance, and enforcement of Commission personnel policies and practices as prescribed by the Commissioners; selects, supervises, trains, and evaluates staff.

Coordinates activities with other jurisdictions; confers with staff concerning administrative and operational problems, work plans, and strategic plans; makes appropriate decisions or recommendations; oversees the preparation and implementation of long-range plans for the Commission, including all transit and transportation plans.

Serves as a resource for the Commissioners, agency personnel, staff, other organizations, and the public; coordinates pertinent information, resources, and work teams necessary to support a positive and productive environment.

Attends and participates in professional and community meetings as necessary; stays current on issues relative to public transportation planning and relative service delivery responsibilities; responds to and resolves sensitive and complex community and organizational inquiries, issues and complaints; establishes and maintains a customer service orientation within the Agency organization.

Monitors and keeps informed of current trends in the field of transportation planning, including legislation, court rulings, professional practices, and techniques; evaluates their impact and recommends policy and procedural modifications accordingly.

Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, EDCTC management and staff, and the public.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement, and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near and far vision in reading written reports and work-related documents. Acute hearing is required when providing phone and personal service. The need to lift, drag and push files, paper, and documents weighing up to twenty-five pounds is also required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such ~~accommodations~~accommodation.

QUALIFICATIONS *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that would provide the knowledge, skills, and abilities necessary is considered qualifying; a typical applicant possesses a bachelor's degree from an accredited university with major coursework in transportation planning, engineering, public administration, or a closely related field. A master's degree is preferred. A strong candidate will have ten years of progressively responsible management, supervisory, and professional experience in governmental multi-modal transportation planning, program management and public administration. In addition, the applicant will have a successful track-

record with promotion, administration and implementation of complex transportation plans, programs and projects.

License/Certificate:

Possession of, or the ability to obtain, a valid class C California driver's license. Possession of a certification as an American Institute of Certified Planner (AICP) is highly desirable.

KNOWLEDGE/ABILITIES/SKILLS *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Principles and practices of municipal management; public administrative methods, procedures, organizations, and functions; modern principles and practices of urban and regional transportation planning, policy development, and project implementation; principles and practices of municipal budgeting and finance; methods and techniques for goal setting and program evaluation; local and state legislative processes; principles of effective public relations and interrelationships with community groups and agencies, the private sector and other levels of government; methods and techniques of supervision, training and motivation; applicable federal and state laws, rules and regulations; methods and techniques of scheduling work assignments; standard office procedures, practices, and equipment; methods and techniques for record keeping and report preparation and writing; occupational hazards and standard safety practices.

Ability to:

Plan, direct and oversee all aspects of the Commission; provide effective leadership and coordination for all programs and projects; develop and administer sound goals, objectives, policies, and methods for evaluating achievement and performance levels; properly interpret and make decisions in accordance with laws, regulations, and policies; prepare clear and comprehensive written reports; serve effectively as the administrative agent of the Commission; represent the Commission to the general public and representatives of other agencies; facilitate group participation and consensus building; plan, organize, train, evaluate and direct work of staff; interpret, explain and apply applicable laws, codes, and regulations; read, interpret, and record data accurately; organize, prioritize and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue, and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.



EL DORADO COUNTY TRANSPORTATION COMMISSION

SENIOR TRANSPORTATION PLANNER

FLSA - Exempt

Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications may not include all duties performed by individuals within a classification. In addition, specifications are intended to outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.

DEFINITION

Under direction, coordinates, plans, and participates in the regional planning process; works closely with the Executive Director to formulate, organize, and implement various transportation planning related functions; provides complex staff support to the Executive Director and the Transportation Commission; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS

The Senior Transportation Planner is the advanced journey level class responsible for the development of assigned planning programs and projects. The incumbent also has responsibility for leading and assisting in the work of assigned planning staff. This class is distinguished from the next higher class of Executive Director in that the latter has overall administrative responsibility for the entire Agency.

SUPERVISION RECEIVED/EXERCISED

Receives direction from the Executive Director. Exercises technical and functional supervision over lower-level planning staff, volunteers, interns, etc.

ESSENTIAL FUNCTIONS *(include but are not limited to the following)*

Plans, organizes, and performs complex professional regional transportation planning work, including transportation planning; develops and manages planning programs; develops project agreements; identifies, writes applications, and administers funding and grant projects; plans the work of and manages consultant contracts and assigned project staff.

Provides information and assistance to member agencies, outside agencies and the public regarding planning projects and programs; meets and consults with governmental officials on transportation planning related matters, including transit services, non-motorized transportation, and roadways; coordinates the Commission's citizen participation process.

Assists with and coordinates the development and maintenance of the Regional Transportation Plan and Overall Work Program; makes recommendations on planning policies, procedures and programs; develops proposals for and coordinates new programs and methods for accomplishing planning goals with the Executive Director and Commission.

Prepares complex staff reports, plans and other documents; researches, collects, analyzes and presents planning data; collects complex data for special reports and projects; makes public presentations on planning projects and programs; prepares maps and other graphic tools for presentation and inclusion in reports.

Participates in and coordinates transportation and related planning studies; works directly with and oversees the activities of consultants retained by the Agency; develops, implements and monitors federal and state long term planning documents; manages funding allocations for assigned program areas; coordinates and implements environmental review procedures; develops both short and long range transportation plans.

Demonstrates a full understanding of applicable policies, procedures and work methods associated with assigned duties; responds to complex questions and concerns from member agencies, outside agencies and the general public; provides information as is appropriate and resolves public service issues.

Establishes positive working relationships with representatives of community-based organizations, other agencies, EDCTC management and staff, and the public.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS

Position requires prolonged sitting, and occasional standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near vision in reading correspondence, statistical data, and using a computer. Acute hearing is required when providing phone and personal service. Additionally, the incumbent in this position may work outdoors in all weather conditions, including wet, hot, and cold. The nature of the work also requires the incumbent to drive motorized vehicles. The need to lift, drag, and push files, paper and documents weighing up to 25 pounds is also required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such ~~accommodations~~accommodation.

QUALIFICATIONS *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for a **Senior Transportation Planner**. A typical way of obtaining the required qualifications is to possess the equivalent of one year of experience in regional/municipal planning at the Associate Transportation Planner level, and a bachelor's degree in urban or regional planning, public administration, or related field.

License/Certificate:

Possession of, or ability to obtain, a valid Class C California driver's license. Possession of a certification as an American Institute of Certified Planner (AICP) is highly desirable.

KNOWLEDGE/ABILITIES/SKILLS *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Principles, practices and techniques of developing, implementing, and maintaining regional transportation plans, programs and projects; statistical methods and research techniques applicable to the preparation of transportation planning documents and funding requests; techniques for analyzing data and trends; techniques and processes involved in the preparation and implementation of long range plans; basic principles of mathematics; applicable federal, state and local laws, codes and regulations, including C.E.Q.A.; methods and techniques of

scheduling work assignments; standard office procedures, practices and equipment; modern office practices, methods and equipment, including a computer and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling and grammar; occupational hazards and standard safety practices.

Ability to:

Perform and oversee regional transportation projects and programs; apply policies, procedures and standards pertaining to the transportation planning process; analyze complex data and prepare concise, clear and effective reports; make public presentations; perform mathematical calculations quickly and accurately; interpret, explain and apply applicable laws, codes and regulations; read, interpret and record data accurately; organize, prioritize and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; follow written and oral directions; attend evening meetings as required; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Operate a variety of office equipment, including a computer and variety of software applications; Operate multimedia equipment for presentations (i.e. overhead projector, PowerPoint, etc.)

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EL DORADO COUNTY TRANSPORTATION COMMISSION

ASSOCIATE TRANSPORTATION PLANNER

FLSA - Exempt

Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications may not include all duties performed by individuals within a classification. In addition, specifications are intended to outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.

DEFINITION

Under general supervision, performs complex professional transportation planning work or project development and administration; prepares and administers transportation funded plans and programs; provides assistance to member agencies in the development of grant proposals; coordinates and serves as a lead for assigned or special projects; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS

The Associate Transportation Planner is the journey level class in the professional planning series in which incumbents are expected to independently perform the full scope of assigned duties. Incumbents in this position work independently in the research, analysis and administration of transportation plans and programs and the application for grants and funding.

This classification is distinguished from the next lower classification of Assistant Planner by the assignment of more complex duties and lead supervisory responsibilities for specific programs and projects.

SUPERVISION RECEIVED/EXERCISED

Receives general supervision from the Executive Director or Senior Transportation Planner depending upon assignment. Incumbents in this classification do not routinely exercise supervision but may serve in a lead capacity for specific projects.

ESSENTIAL FUNCTIONS *(include but are not limited to the following)*

Performs complex professional transportation planning work or funding/grant development and administration; prepares and administers transportation funded plans and programs; assists in the development of project agreements; prepares maps, graphs, models, grant applications and reports; participates in and serves as a lead on assigned special studies and projects.

Provides information and assistance to member agencies, outside agencies and the public regarding laws, regulations, standards, policies, and procedures related to the submission of plans, processing of applications and implementation requirements; performs field inspections; ensures that transportation plan and grant/loan requirements are met; communicates and coordinates with other staff and outside agencies.

Prepares staff reports, resolutions, proposals, grant applications, letters, public hearing notices, and environmental review documents; collects and analyzes complex data for special reports and projects; engages in and conducts citizen participation activities.

Participates in and leads transportation and related planning studies; assists in the development, implementation and monitoring of federal and state long term planning documents; manages funding allocations for assigned program areas; coordinates and implements environmental review procedures; works directly with and oversees the activities of consultants retained by the Agency; assists in the development of both short and long range transportation plans; assists in the operation of the pavement management system and traffic model.

Develops and maintains statistical reporting systems; complies, analyzes, and interprets data relating to a variety of subjects, including, but not limited to environmental conditions, socio-economic, and housing trends; collects, ensures accuracy, and enters data into various systems.

Researches, schedules and prepares project and program funding applications from a variety of sources; coordinates the preparation of funding/grant applications with member agency staff; administers and monitors programs on behalf of partners; works with and oversees the activities of consultants and contractors retained by the Agency; prepares C.E.Q.A. documents.

Demonstrates a full understanding of applicable policies, procedures and work methods associated with assigned duties; serves as project coordinator or team leader on specific projects; provides assistance training for less experienced planning staff; responds to the more complex questions and concerns from member agencies, outside agencies and the general public; provides information as is appropriate and resolves public service issues.

Establishes positive working relationships with representatives of community-based organizations, other agencies, EDCTC management and staff, and the public.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near vision in reading correspondence, statistical data, and using a computer. Acute hearing is required when providing phone and personal service. The need to lift, drag, and push files, paper and documents weighing up to 25 pounds ~~also isis also~~ required. Additionally, the incumbent in this position works outdoors in all weather conditions, including wet, hot, and cold. The nature of the work also requires the incumbent to drive motorized vehicles.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such ~~accommodations~~accommodation.

QUALIFICATIONS *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for an **Associate Transportation Planner**. A typical way of obtaining the required qualifications is to possess the equivalent of two years of experience in regional/municipal planning at the Assistant Transportation Planner level, and a bachelor's degree in urban or regional planning, public administration, or related field. Graduate work may be substituted for one year of experience.

License/Certificate:

Possession of, or ability to obtain, a valid Class C California driver's license.

KNOWLEDGE/ABILITIES/SKILLS *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Principles, practices and techniques of urban and regional transportation planning and project implementation; statistical methods and research techniques applicable to the preparation of transportation planning documents and funding requests; techniques and processes involved in the preparation and implementation of long range plans; principles, practices and methods of funding and grant proposal writing and administration; principle of conducting research and analyzing data and trends; organization, functions and activities of local government; principles and practices of transportation project budget development, implementation, tracking and reporting; principles of mathematics; applicable federal, state and local laws, codes and regulations, including C.E.Q.A.; standard office procedures, practices and equipment; modern office practices, methods and equipment, including a computer and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling and grammar; occupational hazards and standard safety practices.

Ability to:

Apply policies, procedures and standards pertaining to the transportation planning process and or grant/loan programs; analyze complex data and trends and prepare concise, clear and effective reports; prepare a variety of graphs, charts and maps related to statistical findings and information; perform mathematical calculations quickly and accurately; interpret, explain and apply applicable laws, codes and regulations; read, interpret and record data accurately; organize, prioritize and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue, and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Operate a variety of office equipment, including a computer and variety of software applications.



EL DORADO COUNTY TRANSPORTATION COMMISSION

ASSISTANT TRANSPORTATION PLANNER

FLSA – ~~Non~~-Exempt

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DEFINITION

Under immediate supervision, learns to perform and performs professional transportation planning work or project development and administration; gathers and manages data related to transportation plans and programs; provides coordination with partnering agencies in the development of projects; prepares maps, graphs, models, grant applications and reports; coordinates special projects; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS

The Assistant Transportation Planner is the entry level class in the professional planning series that allows the incumbent to develop journey level knowledge and abilities in the field of transportation planning and/or grant administration. Initially, under immediate supervision, incumbents learn to perform and perform a variety of fundamental support activities in the areas of assignment. The classification is alternatively staffed with Associate Planner and incumbents may advance to the higher level after gaining experience and demonstrating a level of proficiency that meets the qualifications of the higher-level class. This classification is distinguished from the next higher classification of Associate Planner in that the latter is responsible for the more complex and difficult duties.

SUPERVISION RECEIVED/EXERCISED

Receives immediate supervision from the Executive Director or Senior Transportation Planner depending upon assignment. Incumbents in this classification do not routinely exercise supervision but may serve in a lead capacity for specific assigned projects.

ESSENTIAL FUNCTIONS *(include but are not limited to the following)*

Learns to perform and performs professional transportation planning work and program funding/grant development and administration; gathers and manages data related to transportation programs; prepares routine maps, graphs, models, grant applications and reports; participates in and coordinates special studies and projects.

Learns to provide and provides information and assistance to member agencies, outside agencies and the public regarding laws, regulations, standards, policies, and procedures related to transportation plans and programs, the submission of plans, processing of applications and implementation requirements; performs field inspections; communicates and coordinates with a variety of outside agencies.

Develops and maintains statistical reporting systems; complies, analyzes and interprets data relating to a variety of subjects, including, but not limited to environmental conditions, socio-

economic, and housing trends; collects, ensures accuracy and enters data into various systems. Assists in the preparation of staff reports, resolutions, proposals, grant, and funding applications, letters, public hearing notices, and environmental review documents; collects and analyzes basic data for special reports and projects; engages in citizen participation activities.

Prepares reports and maps; does drafting and illustrating for reports; performs less complex technical planning activities required for the formulation of plans and projects; assists local and state agencies with transit, bike and roadway systems; assists in the development of both short- and long-range transportation plans; assists in the operation of the pavement management system and traffic model.

Demonstrates a basic understanding of applicable policies, procedures and work methods associated with assigned duties; may serve as project coordinator or team leader; responds to questions and concerns from member agencies, outside agencies and the general public; provides information as is appropriate and resolves public service issues.

Establishes positive working relationships with representatives of community-based organizations, other agencies, EDCTC management and staff, and the public.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near vision in reading correspondence, statistical data, and using a computer. Acute hearing is required when providing phone and personal service. The need to lift, drag, and push files, paper and documents weighing up to ~~25~~twenty-five pounds also is required. Additionally, the incumbent in this position works outdoors in all weather conditions, including wet, hot, and cold. The nature of the work also requires the incumbent to drive motorized vehicles.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such ~~accommodations~~accommodation.

QUALIFICATIONS *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for an **Assistant Transportation Planner**. A typical way of obtaining the required qualifications is to possess the equivalent of a bachelor's degree in urban or regional planning, public administration, or related field.

License/Certificate:

Possession of, or ability to obtain, a valid Class C California driver's license.

KNOWLEDGE/ABILITIES/SKILLS *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Basic principles, practices and techniques of urban and regional transportation planning and project implementation; statistical methods and research techniques applicable to the preparation of transportation planning documents and funding requests; basic principles,

practices and methods of grant proposal writing and administration; local, state, federal, corporate and non-profit grant and funding sources; organization, functions and activities of local government; basic principles of mathematics; basic understanding of applicable federal, state and local laws, codes and regulations, including C.E.Q.A.; methods and techniques of scheduling work assignments; standard office procedures, practices and equipment; modern office practices, methods and equipment, including a computer and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling and grammar; occupational hazards and standard safety practices.

Ability to:

Learn and apply policies, procedures and standards pertaining to the transportation planning process and funding programs; analyze basic data, recognize and interpret trends and prepare concise, clear and effective reports; perform mathematical calculations quickly and accurately; interpret, explain and apply applicable laws, codes and regulations; read, interpret and record data accurately; organize, prioritize and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue, and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Operate a variety of office equipment, including a computer and variety of software applications.

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EL DORADO COUNTY TRANSPORTATION COMMISSION

ADMINISTRATIVE SERVICES OFFICER

FLSA – ~~Non~~-Exempt

Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities that are associated with specified positions. Therefore, specifications may not include all duties performed by individuals within a classification. In addition, specifications are intended to outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.

DEFINITION

Under general direction, plans, directs, and performs all duties related to accounting, funding and revenue collections, grant administration, billing, budgeting, and auditing; oversees all human resources functions, including benefits, recruitment and selection, and all related files; performs other related duties as assigned.

DISTINGUISHING CHARACTERISTICS

The Administrative Services Officer is a single position supervisory class in which the incumbent is expected to perform work in all areas of accounting and human resources and coordinate work with outside contractors. This class is distinguished from the next higher class of Executive Director in that the latter has overall administrative responsibility for the entire Agency.

SUPERVISION RECEIVED/EXERCISED

Receives general direction from the Executive Director. Exercises direct and indirect supervision over assigned staff.

ESSENTIAL FUNCTIONS *(include but are not limited to the following)*

Plans, organizes, and manages all accounting functions; implements, monitors, controls, and maintains accounting programs, including accounts payable, payroll, and accounts receivable; prepares regular and special financial reports; oversees human resource related activities, including benefits administration.

Prepares a variety of accounting reports; prepares complex financial reports on special assignments; assists with and oversees accounts receivable, accounts payable, bank deposits, billing, and payroll; oversees and coordinates with consultants for the annual audits; prepares the annual State Controller Report.

Maintains general and subsidiary ledgers; reconciles a variety of computer reports; prepares work papers, financial statements, and other reports for federal, state, and other agencies; signs purchase orders; monitors spending.

Assists in the annual budget preparation, including the development of spreadsheets; works with staff to collect and compile budget information; develops the cost allocation plan; reviews budget expenditures; prepares budget revisions; researches and provides budget information to Caltrans as needed.

Prepares requests for proposals; conducts consultant selection process; monitors consultant billing.

Manages the financial aspects from fund agreement to quarterly reimbursement requests and certification of expenditures for a variety of transportation related program activities.

Participates in the recruitment and selection process; develops advertisements; conducts new employee orientations; administers health and dental benefits.

Assists the Executive Director in the formation of administrative policies and practices.

Recommends human resource related policies, ~~rules~~rules, and practices; maintains personnel files; ensures that pay increases are properly entered into the payroll system; keeps informed of all laws relating to human resources; coordinates and administers the Workers' Compensation program.

Establishes positive working relationships with representatives of community-based organizations, other agencies, EDCTC management and staff, and the public.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near vision in reading correspondence, statistical data, and using a computer. Acute hearing is required when providing phone and personal service. The need to lift, drag and push files, paper, and documents weighing up to twenty-five pounds is also required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such ~~accommodations~~accommodation.

QUALIFICATIONS *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for an **Administrative Services Officer**. A typical way of obtaining the required qualifications is to possess the equivalent of three years of increasingly responsible professional accounting experience, including the maintenance of financial, budget, fiscal, and related statistical records, and a bachelor's degree in accounting, business or public administration, or a related field.

License/Certificate:

Possession of, or ability to obtain, a valid Class C California driver's license.

KNOWLEDGE/ABILITIES/SKILLS *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Generally Accepted Accounting Principles (GAAP) and Basic Principles of Accounting as applied to Governmental Accounting Standards (GASB); principles and practices of government accounting, auditing, reporting and budgeting; grant and fund administration; principles and practices of financial programs; principles and practices of human resources,

including recruitment, benefits, and personnel file management; methods and techniques of research and analysis of information and statistical data; basic principles of mathematics; applicable federal, state and local laws, codes and regulations relating to transportation programs; standard office procedures, practices and equipment; modern office practices, methods and equipment, including a computer and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling and grammar; occupational hazards and standard safety practices.

Ability to:

Develop, examine and verify financial documents, reports and transactions; prepare a variety of budgets, financial statements, reports and analyses; analyze, post, balance and reconcile financial data, ledgers and accounts; oversee all recruitment and selection services; oversee benefit administration and all personnel files; perform mathematical calculations quickly and accurately; interpret, explain and apply applicable laws, codes and regulations; read, interpret and record data accurately; organize, prioritize and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue, and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Operate standard office equipment, including a computer and ~~varietya~~ variety of word processing and software applications, including financial and accounting programs.

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EL DORADO COUNTY TRANSPORTATION COMMISSION

EXECUTIVE ASSISTANT

FLSA – ~~Non~~-Exempt

Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications may not include all duties performed by individuals within a classification. In addition, specifications are intended to outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.

DEFINITION

Under general supervision, performs a wide variety of routine and complex office and administrative support tasks and duties in support of the Executive Director and other staff; acts as secretary to the Commission; assists the public and partnering agencies by providing information personally or directing information requests according to established procedures; sorts, logs, and maintains records and other documents; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS

The Executive Assistant is a single position classification in which the incumbent is expected to independently perform the full scope of assigned duties. Incumbent performs a full range of office and administrative support duties, including organization and coordination of workload, maintenance of a calendar, scheduling of appointments, and preparation of reports and other documents. This classification is distinguished by the performance of sensitive and confidential duties related to the administrative support of the Executive Director, the Commission, and other professional staff.

SUPERVISION RECEIVED/EXERCISED

Receives general supervision from the Executive Director. The incumbent does not routinely exercise supervision.

ESSENTIAL FUNCTIONS *(included but are not limited to the following)*

Performs a wide variety of routine and complex office and administrative support tasks and duties in support of the Executive Director and Commission; assists the public by providing information personally or directing information requests according to established procedures.

Performs a wide variety of sensitive and confidential routine and complex office, clerical, and administrative support tasks and duties, including scheduling appointments, arranging meeting locations, and tracking project status.

Serves as Secretary to the Board: records actions taken and arranges for recording actions in the official records; distributes documents resulting from Board action; certifies the authenticity of actions and Resolutions and prepares certified copies; prepares and publishes legal and informational notices on behalf of the Commission; prepares, distributes, and posts Board meeting agendas in accordance with legal requirements.

Demonstrates an understanding of applicable EDCTC policies, procedures, and work methods associated with assigned duties; responds to questions and concerns from the general public;

provides information as appropriate; receives visitors and telephone calls, directing them to the appropriate information source; represents the Commission to all callers and visitors in a professional and customer-friendly manner.

Uses computers to enter and prepare a variety of documents, including general correspondence, reports, memos, proposals and fliers from rough drafts or verbal instructions; assists in the formatting of reports; proofreads documents and correspondence; operates other automated office equipment; types drafts, creates documents from draft or verbal instructions, and prepares a wide variety of finished documents; independently responds to e-mail.

Assists with accounting duties: cash receipts, deposit of receivables, and reconciliation of petty cash.

Coordinates facilities maintenance, computer maintenance, and records retention; performs computer backup and offsite storage.

Maintains and updates the EDCTC Web site; reviews, updates, purges, writes, and edits copy for the site; posts agendas and meeting notices. Maintains and updates the agency Facebook page.

Establishes positive working relationships with representatives of community organizations, state/local agencies, EDCTC management and staff, and the public.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily office activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near and far vision in reading correspondence, statistical data and using the computer, and acute hearing is required when providing phone and personal service. The need to lift, drag, and push files, paper, and documents weighing up to twenty-five pounds is also required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such [accommodations/accommodation](#).

QUALIFICATIONS *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for an **Executive Assistant**. A typical way of obtaining the required qualifications is to possess the equivalent of five years of significant, directly related, and progressive administrative and clerical support experience, and an [Associate Degree/associate degree](#).

License/Certificate

Possession of, or ability to obtain, a valid class C California driver's license.

KNOWLEDGE/ABILITIES/SKILLS *(The following are a representative sample of the knowledge, abilities, and skills necessary to perform essential duties of the position.)*

Knowledge of office, administrative and clerical policies and procedures; basic understanding of the principles of governing codes and ordinances; basic principles of mathematics; applicable federal, state, and local laws, codes and regulations; methods and techniques of prioritizing and organizing assignments; standard office procedures, practices, and equipment; modern office equipment, including a computer and applicable software; methods and techniques for record

keeping and report preparation and writing; proper English, spelling, and grammar; occupational hazards and standard safety practices.

Ability to provide complex administrative support to the Executive Director and other Commission employees; take action minutes and prepare related resolutions, and documents; read, understand, and review documents for accuracy and relevant information; use applicable office terminology, forms, documents, and procedures in the course of the work; maintain complex office and confidential records and files; meet critical deadlines; deal successfully with the public, in person and over the telephone; respond to community issues, concerns, and needs; perform mathematical calculations quickly and accurately; interpret, explain, and apply applicable laws, codes and regulations, including open meeting requirements; read, interpret, and record data accurately; organize, prioritize, and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze complex issues, develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to operate standard office equipment, including a computer and variety of word processing and software applications; operate Web development software.

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