

**BOLIVAR PENINSULA
SPECIAL UTILITY DISTRICT**

PERSONNEL POLICY HANDBOOK



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1. General Policy

1.01 Purpose

The rules and regulations contained herein are intended to provide meaningful employment opportunities to all segments of the community, and to provide fair and equal opportunity for qualified persons relating to recruitment, selection, placement, training, promotion, discipline, or any other aspect of personnel administration without regard to race, religion, national origin, age, sex, physical handicap, political affiliation, or material status.

1.02 Authority

The rules are intended to comply with the authority provided by, and to be consistent with, all applicable laws of the United States, the State of Texas, and all other rules and regulations of agencies of jurisdiction. Any provision herein found to be inconsistent with the stated intent shall not affect the validity of application of the other provisions.

In cases where federal or state laws or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary to comply with such laws, regulations, or provisions.

1.03 Application

These rules shall apply to all District employees except where otherwise specifically exempted by these rules or by written agreement.

1.04 Division of Responsibility

(a) The Board of Directors of the District shall be the final and sole authority for the adoption and amendment to these Personnel Policies. The Board of Directors may amend, revise or revoke these Personnel Policies without prior notice to or approval of any employee of the District.

(b) The General Manager shall be responsible for the administration of the Personnel Policies. The General Manager shall maintain a complete set of these Personnel Policies for reference by employees. In addition, the General Manager shall provide a complete copy of these Personnel Policies and a copy of any future revisions to these Personnel Policies to all employees upon request. Continued employment by the employee after receipt of any revisions to these Personnel Policies shall constitute acceptance of such revisions by the employee.

(c) THE POLICIES, PROCEDURES, RULES AND REGULATIONS CONTAINED HEREIN ARE NOT A PART OF ANY EMPLOYMENT RELATIONSHIP OR CONTRACT BETWEEN THE EMPLOYEE AND THE DISTRICT. THIS POLICY HANDBOOK PROVIDES GENERAL GUIDELINES ONLY AND NONE OF ITS PROVISIONS ARE CONTRACTUAL IN NATURE. NO MANAGER, SUPERVISOR OR REPRESENTATIVE OTHER THAN THE DISTRICT'S BOARD OF DIRECTORS HAS THE AUTHORITY TO ENTER INTO ANY AGREEMENT GUARANTEEING EMPLOYMENT FOR ANY SPECIFIC PERIOD OF TIME OR TO MAKE ANY WRITTEN OR ORAL PROMISES, AGREEMENTS OR COMMITMENTS CONTRARY TO THIS POLICY. FURTHER, ANY EMPLOYMENT AGREEMENT ENTERED INTO BY THE BOARD OF DIRECTORS IS NOT ENFORCEABLE UNLESS IN WRITING. ALL EMPLOYEES ARE HIRED AT WILL AND MAY BE DISMISSED WITH OR WITHOUT CAUSE.

2. Hiring Practices

2.01 Basis

No discrimination will be allowed against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of personnel administration based upon race, age, religion, color, handicap, national origin, sex, political affiliation or belief, or any other non-merit factor. Personnel decisions will be made only on the basis of occupational qualifications and job-related factors such as skill, knowledge, education, experience, and ability to perform a specific job. Initial employment with the District shall be based on ability and fitness as evidenced by any combination of:

- (a) Education and knowledge;
- (b) Experience and training;
- (c) Investigation of character (background check) and motor vehicle driving record;
- (d) Physical Examination including X-rays;
- (e) Performance testing and other requirements as necessary;
- (f) Drug testing;
- (g) Bonding;

Falsification of job application may be cause for immediate dismissal with loss of all accrued employment benefits.

2.02 Application or Resume

Each applicant for employment may be required to submit a written application or resume and other pertinent information regarding training and experience. The General Manager shall make appropriate inquires to verify experience, character, and suitability of any applicant. Prior to actual date of employment, qualified applicants must furnish written proof that they are a citizen or national of the United States, or a lawful permanent resident of the United States or an alien authorized to work until a specified date.

2.03 Appointment

The Board of Directors will hire a General Manager, upon completion of the selection process with the best qualified applicants.

(a) Relocation Expense for the General Manager

The District shall pay relocation expense for the General Manager as follows:

(1) The General Manager shall obtain three bids from bonded moving companies for the packaging of household and personal belongings (excluding automobiles), the removal of appliances, the transportation of the items to the new location, and the unpacking and hookup of appliances.

(2) The General Manager may have the lowest bidder move his belongings or may elect to receive that amount of money and perform the move him/her-self.

(3) There shall be no reimbursement for storage.

(4) The District will pay for lodging and reasonable meal expense until the General Manager is settled into the new location, for a period not to exceed two weeks.

(b) Termination Allowance

This section applies only to the General Manager. In the event the General Manager's employment is terminated by the Board of Directors for performance the Board determines to be unsatisfactory, the General Manager shall be paid a termination allowance amounting to three months' salary. Payment shall be made in a lump sum

within two weeks after termination. In the event the General Manager is terminated for misconduct, there shall be no payment of any kind.

The General Manager has exclusive authority to select and employ personnel, within the limits of these policies and the overall comprehensive budget. (See Section 18 for Drug Policy).

2.04 Three Month Evaluation, Initial Employment Period or Promotion

The initial three months of employment with the District or the initial three months following promotions will be a probationary period to be utilized for observing the new or promoted employee's work and for securing the most effective adjustment of a new employee to his or her position with the District.

In cases of newly hired employees, after the initial three-month probationary period, the General Manager will prepare a report evaluating the employee's performance. The employee and his/her Supervisor shall sign the evaluation. If the employee's performance merits continued employment, he or she will receive an automatic \$1.00 raise in hourly pay and become eligible for all benefits.

In cases of promoted employees, the initial three-month evaluation period will be used to determine if performance merits continued employment into the promotional position. No hourly increase will be given after the 90 day period. If performance does not merit continued employment in the promotional position, efforts will be made to return the employee to the previous position from which he/she served. However, if no vacancy exists, the employee will be separated from employment with the District.

2.05 Vacancies

Vacancies are filled on the basis of merit, whether by promotion or by appointment. Selection of the best qualified person is made only on the basis of occupational qualifications and job-related factors such as skill, knowledge, education, experience, and ability to perform the specific job.

2.06 Qualifications

The District maintains a job description which establishes the required knowledge, skills, and abilities for each job position and the acceptable levels of experience and training for each. The job description sets forth the minimum acceptable qualifications to fill and maintain the position.

2.07 Disqualification

An applicant is disqualified from employment by the District if he or she (1) does not meet the minimum qualifications for performance of the duties of the position involved, (2) knowingly has made a false statement on the application form, (3) has committed fraud during the selection process, or (4) is not legally permitted to hold the position.

3. Job Performance

3.01 Job Descriptions

(a) Job descriptions are merely an indication of an employee's predominant duties and in no way restricts Management in the assignment of any work.

(b) The General Manager shall prepare job descriptions for all classes of employees. These job descriptions shall be reviewed at least annually to ensure that they adequately and efficiently reflect the duties and responsibilities most advantageous to the performance of the business of the District. Employees will be expected to perform the duties specified by such job descriptions.

(c) The job description for each employee's position will be (1) given to each employee, (2) reviewed by the employee, and (3) placed in the employee's personnel file with a certification executed by the employee certifying that the employee has reviewed it together with the supervisor or manager and received a copy of the job description.

(d) In the absence of any request for clarification, each employee is considered to understand the responsibilities assigned to the position which he or she occupies. (See Appendix A for Individual Job Descriptions)

3.02 Performance Evaluation

(a) The General Manager or his/her designee shall prepare a written performance evaluation and shall conduct a performance interview with each employee at any time during an employee's tenure but no less than once every twelve months.

(b) The General Manager shall provide a copy of the written performance evaluation to each employee and shall place a copy of the written performance evaluation acknowledged by the employee's signature in each employee's personnel file.

(c) All employees may respond in writing to any performance evaluation conducted by the Manager. This written response shall be placed in the employee's personnel file.

3.03 Promotion

Promotions and salary increases shall be based on performance, evaluated merit, and availability of funds.

3.04 Outside Employment

Employment by the District shall be considered as the primary responsibility of all employees. See also Section 4.03 herein.

4. Employee Responsibilities

4.01 General

The District is a Public Utility whose purpose, among others, is to provide water service to its Customers. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are required to carry out efficiently the work items assigned as their responsibility, to maintain good moral conduct, and to do their part in maintaining good relationships with their supervisors and fellow employees, the public, and other employees and officials. **Failure to maintain a professional attitude with supervisors, co-workers, and/or the public is grounds for termination.**

4.02 Timeliness

Employees are to be punctual in reporting for work, keeping appointments, and meeting schedules for completion of work.

An employee who expects to be late or absent from work must report the expected tardiness or absence to his or her supervisor or the General Manager immediately. **Excessive tardies and/or absences are subject to disciplinary action(s) up to and including termination.**

4.03 Outside Activities

Employees may not engage in any outside employment, activity, or enterprise determined by the General Manager (1) to be a conflict of interest with the District as described in section 4.04; or (2) to affect the employee's job performance adversely. It is not permissible for employees to work for contractors of the District and/or developers in the District and employees will not pull a permit under any license holder for work that is subsequently subject to District inspection. **Additionally, employees may not represent the District through public appearances, written or oral communications without prior approval from the General Manager.**

4.04 Conflict of Interest

An employee may not: (1) solicit or accept or agree to accept a financial benefit, that might reasonably tend to influence his or her performance of duties for the District or that he or she knows or should know is offered with intent to influence the employee's performance; (2) accept employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of official duties; (3) accept outside employment or compensation that might reasonably tend to impair independence or judgment in performance of duties for the District; (4) make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the District; or (5) solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as a District employee in favor of that person.

4.05 Political Activities

(a) District employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

(b) A District employee's political activity, not in violation of this section, shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave request, or in applying any other employment practices to the employee.

(c) Employees are prohibited from engaging in political activities while on duty and/or while in District uniform. Additionally, employees are prohibited from using District resources for political activities.

4.06 Gifts

(a) District employees shall not accept any form of a gift where it is evident that the purpose of the gift is to influence the outcome of District affairs.

(b) District employees shall not accept any gift valued at more than \$25.00 from any person who falls in the following categories:

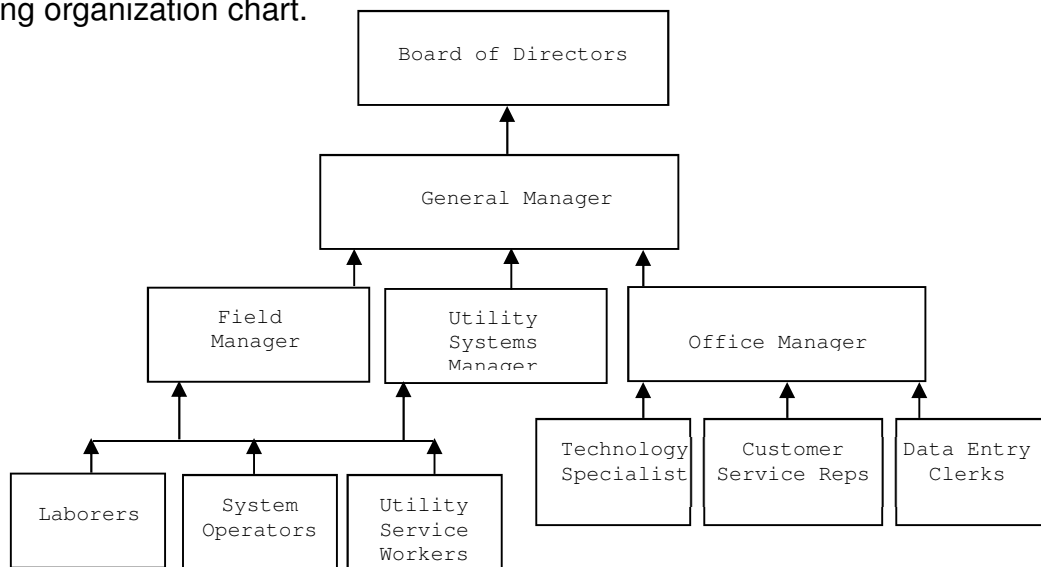
- Persons or entities subject to inspection, license or permit issued by the District.
- Persons or entities that are seeking or who hold contracts, purchase orders or other business interests with the District.
- Persons or entities who have claims or litigation pending against the District, including legal counsel who represent the claimants or litigants.
- Persons or entities who stand to profit or receive an advantage from any District action.

(c) "Gift" is defined as any benefit received by an employee, including but not limited to goods, services, money, lodging, transportation, discount, rebate, or any form of compensation that can be considered an economic gain.

(d) Exceptions to this policy include gifts received solely from relatives and exceptions approved by the District's Board of Directors where it is determined that the District stands to benefit by having an employee attend an event sponsored by an agency conducting business with the District.

4.07 Communications

All Communications should follow the lines of organization as outlined in the following organization chart.



Matters that involve the District's policy, operations and organization are brought before the Board of Directors by the General Manager or by a person designated to do so by the General Manager.

Communication with the public about the District's business or problems is the responsibility of the General Manager. Employees are to refer the public to the General Manager if a question is non-routine, controversial, or outside to the scope of the employee's normal duties. Employees may, from time to time, be given directions from persons other than their immediate supervisor. (i.e. Office Manager, Plant and Field Manager.) In such cases, the employee must immediately notify his or her immediate supervisor about the direction, its purpose and the relevant facts of the situation.

4.08 Use of Equipment

Employees shall treat all equipment, tools, supplies and other District property with care, respect, safety and consideration for economy. Personal use **and/or unauthorized use** of District **vehicles**, equipment, supplies, and tools is strictly prohibited and grounds for termination.

4.09 Use of District and Privately-Owned Vehicles

(a) Vehicles provided by the District will be treated with care and shall be given proper preventive maintenance. Such vehicles may not be used for personal use. Vehicle speed limits and all other legal restrictions shall be observed. District vehicles shall not be driven after consumption of any alcoholic beverages or drug use.

(b) No hourly employees shall drive their personal vehicle on District business without prior authorization.

(c) An employee may not use a District vehicle outside the employee's normal working hours without prior approval from his/her supervisor. Additionally, employees may use a District vehicle for authorized official District business only.

(d) Employees must notify the General Manager immediately after being stopped by law enforcement officials for any traffic violation or accident involving a District vehicle. Notification must be in writing and a copy of the citation must be attached.

(e) The General Manager and/or the District's Insurance Company may periodically check the driving record of employees permitted to drive a District vehicle. Any employee whose driver's license is suspended or otherwise determined to be invalid may be subject to termination. Employees must notify the General Manager immediately of any change in the status of their driver's license and/or insurability.

(f) No District vehicle shall transport unauthorized personnel. Unauthorized personnel are defined as any person that is not a District employee or otherwise legally engaged in the conduct of District business.

4.10 Property Control

No employee shall use any property of the District for personal use. Personal use of District property is grounds for immediate dismissal.

4.11 Appearance

All employees are expected to maintain a neat and clean personal appearance. Standards of dress shall be according to the District's needs and policies. Employees that are provided uniforms by the District are required to wear the uniform during working hours unless prior permission is granted by the General Manager. Employees are not to wear uniforms when not at work. Uniforms shall be supplied to employees in accordance with Section 9.03 of this Policy Handbook.

4.12 Volunteerism

Employees are encouraged to volunteer for services in their community. However, employment by the District shall be considered as the primary responsibility of all employees. Should a need arise for an employee to leave his/her position with the District during working hours for volunteer work, employees must obtain approval by the General Manager or designated representative before leaving work. Employees must clock-out prior to leaving and will not be paid for the time he/she is not at work. Upon return to work, the General Manager must be notified immediately. The General Manager maintains the right to refuse an employee's request to leave work for a volunteer position. Use of District property and/or vehicles during volunteer work is grounds for dismissal.

5. Types of Employment, Compensation and Advancement

5.01 Categories of Employment

There are three categories of employment with the District:

Regular Full Time Exempt

A regular full time exempt employee is employed to hold an authorized exempt position and is expected to expend hours required fulfilling the needs of the District. These employees are salaried staff employees and are not subject to overtime pay. These employees are eligible for all District benefits.

Regular Full Time Non-Exempt

A regular full time non-exempt employee is employed to hold an authorized position that requires a regular schedule of forty hours per week. These employees are paid based on the number of hours worked in a week. For hours worked over 40 hours, they are paid 1 ½ times their hourly rate of pay. These employees are eligible for all District benefits.

Part Time

A part time employee is employed to hold an authorized position that involves a regularly scheduled work week of less than forty hours per week. They are paid based on hours worked in a week and are subject to 1 ½ pay for overtime, for hours worked over 40 hours in a work week. These employees are not eligible for benefits, except at the discretion of the General Manager, part time employees may be provided uniforms.

Temporary

A temporary employee is employed to hold an authorized position that involves a short-term employment of a specific length of time. These employees are not eligible for benefits. They are paid based on hours worked in a week and are subject to 1 ½ pay for overtime, for hours worked over 40 hours.

5.02 Pay Periods and Check Delivery

- (a) The pay period for the District is weekly.
- (b) Payroll checks shall be issued every Wednesday for work reported and completed the previous week prior to payday for days worked Saturday through Friday. If payday falls on a holiday, checks will be issued on the last working day preceding the holiday.
- (c) Paychecks will not be issued other than on the days set out above without approval of the Board of Directors or its designated management representative(s).
- (d) Pay periods for the General Manager will be set by the District's Board of Directors.

5.03 Rate of Compensation

(a) Starting levels of compensation may be approved by the Board of Directors from time to time upon recommendation by the General Manager.

(b) Adjustments to employees' rates of compensation may be made at the time of budgeting by the Board of Directors. It shall be at the discretion of the General Manager as to the amount of the adjustment that an employee receives, if any.

5.04 Deductions

(a) Deductions will be made from each employee's pay for the following:

- (1) Federal Income Tax
- (2) Social Security
- (3) Any other deductions required by law.

(b) In accordance with the policies and general procedures approved by the Board of Directors of the District, deductions from an employee's pay may be authorized by the employee for:

- (1) Group health/medical insurance for dependents
- (2) Retirement
- (3) Such other deductions as may be authorized in writing by the employee.

5.05 Classification and Pay Plan

(a) The District pay plan is based on individual employee performance and is administered by the General Manager.

Each year on April 31st any wage increase approved in the budget for the following year may be distributed to employees by the General Manager and will reflect in the pay period immediately following January 1st. Employees may or may not receive the entire amount approved in the budget.

Salary changes for the General Manager are administered by the Board of Directors. The General Manager administers the salary of exempt subordinates reporting to him/her.

(b) Employees that earn a new license as a requirement of the District will receive a \$1.00 per hour increase for each level of certification received. Proof of receipt of the license is required prior to the effective date of the increase. Except for an "A" license which will be addressed as needed.

5.06 Cost of Living Allowance

Cost of living may be adjusted annually at the time of budget approval based upon the consumer's price index. Approved cost of living adjustments will become effective April 31st of each year that it was approved in the budget.

5.07 Merit Increases

Merit increases may be granted for exceptionally good and consistent performance. They are not used to recognize increased duties and responsibilities (a promotion) and are granted without regard to cost-of-living factors or longevity. Merit increases recognize outstanding performance evaluation of the employee and may be awarded by the General Manager within the limitations of the budget.

5.08 Promotions

(a) A promotion is a change in the duty assignment of an employee from a position in one classification to a position in another classification in a higher position requiring higher qualifications and involving greater responsibility. A promoted employee may receive a pay increase.

(b) Upon promotion, an employee's performance will be reviewed at the end of three months. The employee may be returned to a lower job classification at any time during or after the three month period at the discretion of the General Manager.

5.09 Lateral Transfer

A lateral transfer is the movement of an employee between positions in the same pay group within the District. Lateral transfers are subject to a three month probationary period as stated in 2.04.

5.10 Demotions

A demotion is a change in duty assignment of an employee from a position in one classification to a position in another classification in a lower pay group. An employee who is demoted will have his or her pay reduced. Demotions may be made for the purpose of voluntary assumption of a less responsible position; as a result of a reclassification of the employee's position; or as a disciplinary measure. All demotions will be approved or initiated by the General Manager.

5.11 Longevity Pay

Longevity Pay for hourly employees may be annually budgeted, based on but not limited to months of service and financial status of the District as determined by the Board of Directors. Each year at the time of budgeting, the Board of Directors may establish a base amount for longevity pay. If established, it shall become a part of the budget. The table below determines the longevity pay received from the base amount by each hourly employee in relation to months of service.

0 - 3 months	= 0
3 - 6 months	= 25% of Base amount
6 - 9 months	= 50% of Base amount
9 - 12 months	= 75% of Base amount
12 months & up	= 100% of Base amount

Longevity Pay for managers may be annually budgeted based on but not limited to months of service and financial status of the District as determined by the Board of Directors. Each year at the time of budgeting, the Board of Directors may establish a base amount for each manager. Longevity pay received by managers will be determined from the table above in relation to months of service.

5.12 Safety Awards

Annual Safety Awards for employees may be annually budgeted. The amount of the award will be determined based on the financial status of the District as determined by the Board of Directors. Each year, at the time of budgeting, the Board of Directors may establish a base amount that will awarded to all employees that meet the established safety goals set by the General Manager.

Employees that meet only a portion of the goals will have the safety award reduced as follows:

100% goals met	= 100% Safety Award
90-99% goals met	= 75% Safety Award
80-89% goals met	= 50% Safety Award
Less than 80%	= No Award

To be eligible for a Safety Award, a full-time employee must be employed by the District for at least 6 months prior to December 1st each year. Part-time employees are eligible if they have worked at least 480 hours between January 1st and December 1st of the current year.

5.13 Nepotism

It is the policy of the District not to engage in nepotism.

6. Work Schedule and Time Reporting

6.01 Work Week

(a) The official work period for District employees is a five-day period, for a minimum work period of forty-hours per week. The time reporting period each week will begin on Saturday and end on Friday.

(b) District personnel will have staggered lunch periods to allow the office to remain open during lunch periods.

(c) Employees are expected to report punctually for duty at the beginning of their assigned workday and work the full workday established.

(d) Because District operations are required during hours other than regular office hours, some employees may be placed on schedules that cover weekends and/or after hours. Employee schedules will be at the discretion of the General Manager and overtime worked will be paid in accordance with section 6.04 of this policy.

6.02 Schedule Adjustments

Only the Board of Directors may make adjustments to the normal hours of operation. The General Manager may make adjustments in scheduling to best meet the needs of the District. In emergency situations, the General Manager may make adjustments to office hours to ensure the safety of employees and customers.

6.03 Number of Hours Worked

The General Manager determines the number of hours worked by an employee for compensation to be received subject to laws governing pay and working hours.

6.04 Overtime

(a) Overtime is a condition of employment.

(b) An employee may be required to work more than the normal number of working hours in the official work period.

(c) For employees who are covered by the overtime provisions of the Fair Labor Standards Act (FLSA), the policy of the District is to pay 1 ½ times their hourly rate of pay for hours worked in excess of the normal number of 40 hours a week.

(d) Overtime is paid based on *hours actually worked*. Employees who use vacation, sick and/ or personal time during a pay week and then accumulate overtime hours will have vacation, sick and/or personal time reduced by the overtime hours, and then will be paid overtime for any hours over forty that were worked.

(e) Executive, administrative, and professional employees are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and are expected to render necessary and reasonable overtime services with no additional compensation. The Board of Directors may give consideration for extra duty for exempt employees for work above and beyond the normal demands of the business.

(f) Each job description designates whether persons hired in that classification are covered by or exempt from the overtime provisions of FLSA.

(g) All overtime must be approved in advance by an employee's supervisor. An employee who is designated as "On-Call" at the time an incident occurs may respond during overtime hours without obtaining approval from his/her supervisor. However, documentation of the incident must be submitted to the office the following business

day. Employees that work unauthorized overtime are subject to disciplinary action up to and including termination.

6.05 Holidays Worked

If a non-exempt employee is required to work during a scheduled holiday, the District is to compensate the employee for the holiday time worked by granting equal time off. If at the discretion of the General Manager, it is not possible to grant the employee equal time off, he/she will be paid for working the holiday plus one and one-half the employee's regular hourly rate for the number of hours worked during the holiday. An employee, who's scheduled off day falls on a holiday, shall be granted 8 hours of compensatory time to be used within the calendar year it is earned.

6.06 Time Reporting

Non-exempt employees, including field personnel, shall punch a time card to keep records of all hours worked. Time cards must be signed by the Employee and the General Manager or his/her designee. No pay checks will be issued until time cards are received by the General Manager. Failure to keep accurate time records or failure to submit time records each week may result in disciplinary action. Punching another employee's time card is prohibited and may result in disciplinary action. Also, falsification of time reporting is grounds for immediate dismissal.

6.07 Attendance Policy

Effective January 1, 2016 the following policy regarding unscheduled leave becomes effective.

Employees of Bolivar Peninsula Special Utility District will be allowed five [5] unscheduled absences in a calendar year period [January–December]. No more than two [2] unscheduled absences will be allowed in any one quarter.

Unscheduled leave will be any absence from work that was not pre-approved by a supervisor or a manager. To be scheduled, leave must be approved in advance. The time between the request submission and the requested time off must be equal, or exceed the length of time off.

For example:

- One (1) day leave requires a minimum of one (1) work day of advanced notice.
- Three (3) days of leave requires a minimum of three (3) work days of advanced notice.
- Two (2) weeks of leave requires a minimum of two (2) work weeks of advanced notice.

Employees requesting less than one day off must provide at least one full day notice. In the case of sickness, the first day will usually be unscheduled and subsequent absence days will be scheduled as long as the employee adheres to district policies regarding calling in.

The District Leave Request Form must be filled out and approved before leave time is considered scheduled. When leave is unscheduled, the employee must complete the leave request form upon return to work.

Division Supervisors have the discretion to approve leave with less than the required notice in unusual circumstances, if the leave will not severely disrupt division operations.

Under this policy, penalties are as follows:

1. First Offense: Verbal and/or written warning.
2. Second Offense: Written warning.
3. Third Offense: May warrant suspension without pay. (3 days)
4. Fourth Offense: May warrant termination.

Tardiness

Water Utilities must depend on its employees to accomplish its goals and maintain productivity. Employees who are habitually late to work effect the assignment of work and productivity of the work unit.

District employees are expected to arrive at the assigned work location on time and be ready to begin work at the beginning of the work shift [7:30 a.m. for most employees]. Ready to begin work means at your assigned work station and ready to work. Employees not at their assigned work station at the shift starting time will be considered tardy.

The procedure for corrective action will normally follow the below listed procedure:

1. Three (3) tardy days in a calendar quarter will justify a verbal warning to the employee.
2. The fourth tardy day in a calendar quarter will justify a written warning to the employee.
3. The fifth occurrence in a quarter may warrant suspension.
4. The sixth occurrence in a quarter may warrant termination.

District Employees that are habitually late by violating the policy in consecutive quarters will be subject to the following corrective action.

1. Tardy in two (2) consecutive quarters justify a three (3) day suspension without pay.
2. Tardy in three (3) consecutive quarters justify a five (5) day suspension without pay.
3. Tardy in four (4) consecutive quarters justify employment termination.

The District realizes that situations do arise that cause a person to be late for work. This policy makes allowances for infrequent occurrences while targeting the habitual violator.

7. Absence from Work

7.01 Death In Family

When a death occurs in an employee's immediate family (spouse, employee's or their spouse's child, mother, father, brother, sister, mother-in-law, father-in-law, employee's grandparents, spouse's grandparents, and grandchildren) upon approval of the General Manager, the employee will be allowed time off with pay, not to exceed 3 working days. Any additional leave with pay must come from accrued vacation time.

7.02 Jury Duty

Time off with pay will be allowed to employees called to jury duty. In addition, the employee may retain any compensation received from the court. The employee must present Management with a jury card signed by the court for the dates and hours served. Employees are expected to return to work promptly after released from serving jury duty.

7.03 Voting

Employees are encouraged to vote; however, the employee should perform this civic responsibility on their own personal time. Should this not be possible, the General Manager may arrange time off for the employee to vote.

7.04 Personal Business

An employee's personal business should be attended to during their regular time off. If such personal business cannot be attended to during regular time off, the General Manager may allow an employee time off with or without pay to take care of personal business. An employee may receive up to eight hours of personal time off for each fiscal year. Except in the event of an emergency, at least 24-hour notice must be given to receive time off for personal business.

7.05 Authority for Any Absence from Work

Employees are required to obtain approval from the General Manager for any absence from work. Even in the case of an emergency, the General Manager must be notified as soon as possible for approval to be absent. The General Manager's or immediate supervisor's approval should also be obtained before an employee leaves the job for any purpose other than the performance of assigned duties or lunch.

7.06 Vacation

All regular employees are entitled to vacation after the completion of one year of service. The following vacation eligibility will apply:

- (1) Anniversary of 1 year of service – 5 days
- (2) Anniversary of 2 years of service – 10 days

Employees will then earn one (1) additional vacation day per year of service thereafter up to a maximum of 20 days per year.

Vacations must be taken in the calendar year of eligibility. One week of vacation time

may be carried over into the next year. Adequate notice will be given for any vacation leave. Changes may be made with prior notice. All vacation leave must be approved by the General Manager. (General Manager is an exception as vacation time earned is set by the Board of Directors)

7.07 Absence From Work Because of Sickness or Physical Incapacity

(a) Sickness Pay

All regular full time employees are entitled to receive full pay in case of illness in accordance with the following policies, up to a maximum of 30 days a year. One (1) day is earned each month after that month has been worked and is accumulated each year up to thirty (30) days (maximum 240 hours). Sick time begins accruing after the initial 90 day probationary period.

(b) Sickness While at Work

If an employee becomes ill while at work, the employee must receive approval from the General Manager or their immediate supervisor to be excused from work because of illness. The employee will receive full pay for that entire day, with the actual sick time deducted from sick pay.

(c) Sickness Reported Before Work

If an employee is unable to report to work because of illness, the employee must notify the General Manager or their immediate supervisor as soon as possible and state the cause of illness and where they can be reached. If these requirements are met, the employee will receive full pay for that day.

(d) Sick Pay for Three Days or More

If an employee is sick on three or more consecutive days, the employee will be required to furnish a physician's statement to the General Manager in order to receive sick leave. An employee will not be allowed to return to work until the physician's statement is provided. Employee may be eligible for FMLA (see Section 7.13 for more information).

(e) Notification of Whereabouts While Off Sick

Employees must notify the General Manager or their immediate supervisor where they may be reached while the employee is on sick leave.

(f) Sickness Continuing After Accumulative Time Is Used

Benefits will be retained during an unpaid leave of absence unless otherwise prohibited by the terms of the provisions of the benefits policies. Medical insurance can be continued if paid in advance by the employee. (See 7.09 Leave of Absence Without Pay and Section 7.13 FMLA).

(g) Sick Leave for Family Member

An employee may use up to five(5) days per year of accumulated sick time for an immediate family member. (Spouse, employees or their spouse's child, mother, father, brother, sister, mother in law, father in law, employee's grandparents, spouse's grandparents, and grandchildren)

7.08 Absence from Work for Six Consecutive Months

Any employee of Bolivar Peninsula Special Utility District who is absent from work for six (6) consecutive months will be terminated. No leave of absence may exceed six calendar months for any reason. This policy applies to all employees regardless of the reason(s) for their absence from work.

7.09 Military Leave

Regular employees who are members of the State Military Forces or members of any of the Reserve Components of the Armed Forces of the United States are entitled to leave of absence from their duties, without loss of time or efficiency rating or vacation time or salary, on all days during which they are engaged in authorized training or duty ordered by proper authority, for not more than fifteen days in any one calendar year. Requests for approval of military leave must have copies of the relevant military orders attached. Military leave in excess of fifteen days will be charged to vacation leave or leave without pay.

Regular employees who are ordered to extend active duty with the state or federal military forces are entitled to all of the re-employment rights and benefits provided by law upon their release from active duty.

7.10 Leave of Absence Without Pay

(a) Leave of absence without pay is an approved absence from duty in a non-pay status. Granting a leave of absence without pay is at the discretion of the General Manager, but such leave is not authorized unless there is a reasonable expectation that the employee will return to employment with the District at the end of the approved period. Employees on leave of absence without pay receive no compensation and accrue no benefits. Medical insurance can be continued if paid in advance by the employee.

(b) Leave of absence without pay cannot be granted until all accrued benefits have been used by the employee (i.e. all vacation, sick and/or personal leave).

(c) Upon returning to work after a leave of absence without pay, an employee's service is adjusted to reflect the period of time that the employee used for leave of absence.

(d) A leave of absence without pay may be revoked upon receipt of evidence submitted that the cause for granting such leave was misrepresented, or has ceased to exist.

(e) At the expiration of a leave of absence without pay, if no vacancy exists and a reasonable effort has been unsuccessful to place the employee in another position, the employee will be separated and paid accrued benefits.

(f) A leave of absence without pay cannot be granted for a period exceeding six calendar months. (See Section 7.08 above.)

(g) This section does not apply to leave issued under FMLA (see Section 7.13).

7.11 Perfect Attendance

Employees that have perfect attendance during a calendar year will be awarded three (3) personal days during the following year. The personal days must be used in the year awarded and cannot be carried over to the following year. Perfect attendance is defined as the use of no unscheduled sick leave, the use of no scheduled sick leave over 20 hours, and/or the use of no unpaid leave during a calendar year.

7.12 Abandonment of Position

Unauthorized absence from work for a period of two consecutive working days will be considered by the District as a resignation. If an employee fails to notify the General Manager of an absence for two consecutive days, he/she will be considered by District

as resigned from employment. No accrued benefits will be paid to the employee.

7.13 Family Medical Leave Act (FMLA)

In compliance with the Federal Family and Medical Leave Act of 1993 (FMLA), Bolivar Peninsula Special Utility District (the "District") will grant up to 12 weeks of leave in a 12-month period to eligible employees who have been employed by the District at least 12 months and worked at least 1,250 hours at the District during the 12-month period immediately preceding the leave. Family and medical leave may be granted for one or more of the following reasons:

- Birth of son/daughter and care after such birth;
- Placement of son/daughter for adoption or foster care;
- Serious health condition of spouse, child, or parent of employee; or
- Serious health condition of employee (unable to perform the functions of his or her position).

Leave for birth or placement for adoption can be taken prior to the actual birth or adoption. By the end of the seventh month of pregnancy, pregnant employees must submit to their supervisor a doctor's statement to the effect that they can safely continue to work.

When an employee is taking leave to care for a family member, or due to his/her own serious health condition, the employee may be required to support the leave request with certification from the health care provider. Certification forms can be obtained from the Office Manager. The employee must provide the requested certification to the General Manager either before the leave begins or within a time frame provided by the General Manager that is within at least 15 calendar days of the beginning of the leave unless it is not possible under the circumstances despite the employee's diligent, good-faith efforts. If medical certification is not provided, the leave is not FMLA leave, and the employee will not have the protections of the FMLA.

If the District has reason to doubt the validity of the medical certification, a second opinion at the District's expense may be obtained. If the two opinions differ, a third opinion may be obtained at the District's expense, and will be the final determination. The District may request recertification of a serious health condition no more often than every 30 days unless circumstances described in the certification have changed.

The following terms and definitions are included to further clarify the policy and procedures.

Spouse/dependent: For the purposes of the FMLA, "spouse" is defined in accordance with the applicable state law including common law marriages when recognized by the state. Unmarried domestic partners do not qualify for FMLA leave. Son or daughter is defined under the FMLA to include a child under 18 years or one who is 18 years or older who is incapable of self-care because of a mental or physical disability. The District may request certification of family relationship. The certification may take the form of a statement from the employee or documentation such as a birth certificate or court document.

Serious health condition: A serious health condition is an illness, injury, impairment, or physical or mental condition involving one of the following:

- Inpatient hospital care and any resulting incapacity or treatment;
- any period of incapacity greater than three consecutive days, in conjunction with either treatment two or more times under the supervision of a health care provider, or one visit to a health care provider resulting in a continuing course of treatment;
- any period of incapacity due to pregnancy or prenatal care;
- chronic conditions requiring periodic visits to, or at the direction of, a health care provider that continue over an extended period of time and may cause episodic rather than continuous periods of incapacity (e.g., asthma);
- long-term incapacity due to a condition under continuing treatment by a health care provider but for which treatment may not be effective (e.g., severe stroke); or
- multiple treatments for non-chronic conditions that would result in incapacity for more than three consecutive days without such treatment (e.g., dialysis).

The term "serious health condition" is intended to cover those conditions that affect one's health to the extent that in-patient care is required or continuing treatment by a provider of health care is necessary on a recurring basis for more than a few days for treatment or recovery. The FMLA is not intended to cover short-term conditions for which treatment and recovery are brief.

Examples of serious health conditions include heart attacks, heart conditions, most cancers, back conditions requiring extensive therapy or surgical procedures, strokes, respiratory conditions, appendicitis, pneumonia, emphysema, severe nervous disorders, injuries caused by serious accidents on or off the job, pregnancy, severe morning sickness, need for prenatal care, childbirth, and recovery from childbirth. A serious health condition includes treatment for a serious chronic condition that, if left untreated, would likely result in an absence of work for more than three days.

Substance abuse: Treatment of substance abuse may be included under the FMLA so that an employee can undergo treatment by a health care provider. However, absences because of an employee's use of a substance without treatment does not qualify for FMLA leave. By including substance abuse, the District is not prevented from taking any employment action against an employee who is unable to perform the essential functions of the job provided the District complies with the Americans with Disabilities Act of 1990 (ADA) and does not take action against the employee because such employee exercises his rights under the FMLA.

Parental leave: An employee's entitlement to leave for the birth or placement of a child expires 12 months after the birth or placement. If both parents work for the District, the total amount of combined leave cannot exceed 12 weeks. This limitation applies only for those cases involving the birth or placement of a child. In cases involving sickness, this limitation does not apply.

Intermittent leave: FMLA taken due to the serious health condition of the employee or a member of the employee's family may be taken intermittently or on a reduced leave schedule. There is no minimum limitation on the number of hours of intermittent leave that may be taken (i.e., the leave may be taken in increments of 2 hours, 4 hours) provided proper notice has been given if the need for the leave is foreseeable.

When an employee has requested intermittent leave, the District may transfer the employee temporarily to an alternative position with equivalent pay and benefits if the employee is qualified for the position, and if it better accommodates the recurring periods of leave more so than the employee's current job.

PROCEDURE

I. Calculating the 12-Month Leave Period

Eligible employees are entitled to take up to 12 work weeks of FMLA leave so long as they have worked at least 1,250 hours at the District during the 12 months immediately before commencement of the leave and worked a total of 12 months for the District. The 1,250 hour requirement refers to hours actually worked during the previous 12 months (i.e. excludes vacation, sick, and/or holiday pay).

If the employee meets eligibility criteria for FMLA, the District will use a rolling calendar to determine the amount of FMLA leave available. A rolling calendar is defined as the 12 months measured backward from the date an employee uses any FMLA leave. Example: An employee who has not taken any FMLA leave in the previous 12 months would be entitled to up to the full 12 weeks leave. However, if the employee has used a portion of the 12 weeks in the previous 12 months, the amount of leave will be reduced by that used.

II. Requirement of Using Sick/Vacation Leave

Employees are required to use all accumulated vacation and sick leave, if applicable, when taking leave under the FMLA. Employees are not permitted to use compensatory time during FMLA leave. All leave taken for an FMLA-qualifying reason, paid or unpaid, will count against the employee's 12-week FMLA entitlement. When paid leave has been exhausted, any balance of the employee's 12-week FMLA leave will be unpaid. Employees are entitled only to a combined total of 12 weeks of leave for any FMLA-qualifying reason, whether paid or unpaid. Holidays are included in the count toward the 12-week FMLA entitlement.

The District is not permitted to count paid leave that was not for an FMLA leave purpose against an employee's FMLA leave entitlement. For example, if an employee has taken sick leave on various occasions for a cold or flu, or condition that is not an extended illness, those days may not be counted toward the 12-week entitlement under the FMLA. If, however, the employee is expecting the birth of a child and has taken leave prior to the birth for prenatal care, the District may require the employee to use his or her sick and vacation leave, and limit the total amount of time away from employment to a total of 12 weeks. The District must inform the employee that paid leave must be

taken when an individual requests leave under the FMLA.

If the District fails to advise an employee that he/she is ineligible for FMLA leave within three working days of the date leave is to begin, the employee will be deemed eligible for FMLA leave. The District may not then assert the employee's ineligibility as a basis for denying the leave, and the employee will be protected under the FMLA. When an employee is unable to provide foreseeable notice of the leave, he/she will be deemed eligible if the District fails to notify the worker of ineligibility within three working days of receiving notice of the need for leave.

It is the District's responsibility to designate whether or not the leave (paid or unpaid) will be considered leave taken pursuant to the FMLA. The District will notify the employee in writing of this designation. If the District learns that leave is being taken for an FMLA purpose after leave has begun, the entire portion or some portion may be counted retroactively as FMLA leave (to the extent that the leave qualifies as FMLA leave).

Note: As an exception to this requirement, employees on FMLA leave who are receiving workers' compensation benefits are not required to use paid vacation or sick leave while on FMLA.

III. Premium Payment for Medical Insurance

When an employee is on unpaid FMLA leave, the District will continue to contribute its share of premium sharing for medical/dental insurance as if the employee had continued in employment during the leave. For example, if the employee normally has family medical coverage, the District will continue sharing the cost of the premiums with the employee at the family rate. The employee is required to pay his or her share of the premiums in the same manner required when working. An employee may pay his or her share of premiums of the health plan in a manner set forth by the District, but at minimum monthly payments must be made.

If the employee fails to pay a timely health plan premium, a 30-day grace period will be provided after the agreed upon date for which payment is due. If the employee does not make payment within 30 days, the District will cease to maintain the health coverage on the date the grace period ends. Prior to expiration of the grace period, the District will notify the employee of the discontinuance of insurance coverage.

If the District discontinues health coverage as a result of non-payment of premiums, the employee's group health benefits must be restored to at least the same level and terms as were provided when leave commenced. Therefore, the returning employee will not be required to meet any qualifications requirements, such as a waiting period or pre-existing condition requirements, when the employee has failed to continue his or her health coverage for non-payment of premiums.

If an employee fails to return to work after a period of unpaid family FMLA leave, and the District has paid for maintaining health coverage, the District is entitled to recover the premiums paid unless the reason the employee does not return to work is due to (1)

continuation of a serious health condition that would entitle the employee to FMLA leave, or (2) other circumstances beyond the control of the employee.

An employee is considered to have returned to work after he or she has worked for a period of 30 calendar days. Therefore, an employee who returns to work only one week and then departs is not considered to have returned to work for the purposes of premium payments. The District may recover health insurance premium payments from any sum due to the non-returning employee such as travel reimbursement or paychecks, provided that prior to deducting any amounts, the District consults with the Legal Counsel to ensure that such deduction is appropriate.

IV. Returning Employee

When an employee returns to work under the FMLA, he or she is entitled to be restored to the same position held when the leave started, or to an equivalent position with equivalent pay. An equivalent position is one that has the same pay, benefits, and working conditions, and involves the same or substantially similar duties and responsibilities with the equivalent skill, effort, responsibility, and authority.

V. Posting Notice by Employer

A notice will be posted to notify employees of their rights and responsibilities under the FMLA. The District must provide an employee requesting leave with a written notice detailing the specific expectations and obligations of the employee. The notice detailing the specific expectations and obligations can be obtained from the Office Manager.

VI. Notice by Employee

Employees must give at least 30 days' advance notice to the District of the need to take FMLA leave when it is foreseeable for the birth or adoption of a child or for planned medical treatment. When the need for leave is not foreseeable, such as premature birth or medical emergency, the notice should be given as soon as possible, preferably within one or two business days of when the employee learns of the need for leave. Verbal notice is sufficient to inform the District that the employee will be needing FMLA leave.

An eligible employee who has given notice under the FMLA and has complied with the certification requirements, if needed, may not be denied FMLA leave.

VII. Rights of Employees

Employees who exercise their rights under the FMLA are entitled to do so without restraint and must not be subject to discharge or discrimination by the District. The District may not discriminate against an individual for having filed charges, instituted any proceeding under or related to the FMLA, or given information in connection with an inquiry or proceeding regarding the FMLA.

If the attending physician denies an employee FMLA certification, the District has two business days from their receipt of the denial to notify the employee. Failure to provide

timely notification will provide the employee with FMLA protection.

If an employee's FMLA rights have been violated, the FMLA provides that the employee may file a complaint with the Department of Labor or file a private lawsuit against the employer to obtain damages or other relief.

VIII. Record-keeping Requirements

The following records must be kept by the District regarding FMLA leave:

- Books or records of no less than three years, that contain the basic payroll and identifying employee data, including name, address, occupation, rate of pay, terms of compensation, hours worked, additions and deductions to the wages, and total compensation.
- Dates FMLA leave is taken by an employee. The leave must be designated in the records as FMLA leave.
- Documentation of FMLA leave taken in increments of less than one full day, as well as hours of the leave.
- Copies of the employee notices of leave furnished to the District under the FMLA, if in writing, and copies of all general and specific notices that were given to employees under the FMLA.
- Any documents describing employee benefits or District policies. This includes written and electronic records regarding taking paid and unpaid leave.
- Premium payments of employee benefits.
- Records of any dispute between the employee and the District regarding any designation of leave as FMLA leave including any written statements from the District or employee and the reasons for the designation and disagreement.

IX. Confidential Medical Records

Records and documents relating to medical certifications, recertification, and medical histories of the employee or employee's family members should be maintained in separate files and treated as confidential medical records. Therefore, these records do not go into the employee's personnel file. The medical information may be released only in the following situations:

- to the employee's supervisor or the General Manager if needed to make adjustments in job duties/responsibilities due to work restrictions resulting from the medical condition; or
- to first aid and/or safety personnel if the employee's medical condition might require emergency treatment; or
- to government officials investigating compliance with the FMLA.

X. Coordination with Other Leave Entitlement

FMLA regulations state that if an employer provides more benefits than required by the FMLA, the FMLA will not restrict those benefits. The FMLA does not restrict or modify any federal or state anti-discrimination rules or the employer's obligation to comply with the ADA.

8. Holidays

8.01 General Policy

The following days are observed as paid holidays for the District employees:

New Year's Day

Good Friday

Memorial Day

4th of July

Labor Day

Veterans Day

Thanksgiving Day

Friday after Thanksgiving

Two Days at Christmas

In addition, after one year of service each employee will be allowed to take an additional holiday each year on his/her Birthday.

In order to receive holiday pay, an employee must work on both the day before and the day after the holiday, unless on personal time, compensatory time or vacation. Sick leave shall not be considered as time worked for purposes of this section.

8.02 Holiday Falling on the Weekend

Whenever a holiday listed above falls on a Saturday or Sunday, it will be observed on the Friday preceding or the Monday following.

8.03 Work During Holidays

The General Manager may direct some or all employees of the District to report for work on any holiday. See also paragraph 6.05 of these policies.

9. Benefits

9.01 Group Health, Dental and Life Insurance Plan

The District provides a group Health, Dental and Life Insurance plan for employees after completing their 90 Day Probation Period. Dependent coverage is available at the employee's cost if they choose to have dependent coverage.

Employees that choose this option must pre-pay their dependents insurance premiums for the initial month of coverage. After the initial month the employee may elect to begin weekly payroll deductions for their dependent insurance premiums.

9.02 Retirement Plan

The District provides participation for employees with permanent status in a retirement plan. Upon employee's election to participate in the benefit programs provided by the District, each employee shall be given a booklet or other detailed information about the District's benefit programs in existence at that time.

9.03 Uniforms

(a) It is the policy of the District that certain positions, as designated by the General Manager, may be required to wear a uniform while on the job. This policy applies to all employees that are provided uniforms by the District. The General Manager will identify the positions for which the wearing of a uniform is required.

(b) Employees filling positions designated as requiring the wearing of a uniform must wear issued uniforms on the job on a daily basis once the employees receives his/her initial supply of uniforms. Employees are required to wear full uniform on a daily basis.

(c) When an employee is assigned to a position which has been designated as requiring a uniform, the General Manger will authorize the issuance of uniforms to the employee using a Uniform Inventory Form. The employee must sign for all issued uniforms.

(d) The General Manager will determine the number of uniforms to be issued to each employee.

(e) Employees are personally responsible for the proper care, cleaning, alterations and repair of uniforms issued to them. As a convenience and to provide assistance in maintenance of uniforms, a cleaning service may be available through the District.

(f) Employees may not alter any uniform item without the prior approval of the General Manager.

(g) If uniform item(s) becomes unserviceable (torn beyond repair, unpresentable, etc) the employee must request a replacement through the General Manager.

(h) If an employee loses a uniform item, the employee will be charged the current cost for the item for a replacement. The employee may make payment for the item directly or have the cost withheld from his/her pay.

(i) Upon request of the District or when an employee terminates employment with the District, the employee must return all uniform items to the General Manager no later than the date specified by the District. In cases of termination of employment, uniforms must be returned within three (3) working days from the date of termination. All returned items must be laundered and in good condition.

(j) If the employee fails to return any uniform item(s), the cost of the unreturned item(s) will be deducted from the employee's paycheck in accordance with the Fair Labor Standards Act (FLSA). In cases of termination of employment, the cost of unreturned item(s) will be deducted from the final paycheck if uniforms are not returned within three (3) working days from the date of termination.

10. Continuing Education and Licensing

10.01 Continuing Education Required by the District

(a) When the District requires an employee to attend any education or training course, conference, or seminar, the District will provide the necessary time off with pay and will reimburse the employee for all associated cost including tuition or registration fees. Travel expenses will be reimbursed in accordance with Section 11 of this Policy Handbook.

(b) If an employee receives a certification or license at the expense of the District, the employee will be required to use that certification or license for the benefit and operation of the District.

(c) It is the responsibility of the employee to maintain all licenses paid for by the District. Failure to renew or loss of license will result in immediate loss of compensation for the license and/or may result in termination.

(d) New employees are required to obtain a (D) license within six (6) months of employment or risk being disciplined or terminated.

10.02 Continuing Education in General

Employees are encouraged to further their education and training in areas that will enhance the employee's job performance. Upon receipt of a written request to the District outlining the course of study, length of course or training, and cost of tuition, fees and books, the General Manager will review the request for approval for reimbursement. If the course of study is approved as training for improving the employee's skills in job performance for the District, the employee will be advanced for their tuition, books and fees. Proof must be furnished of satisfactory completion of the course of study or training within thirty (30) days of course completion, or the District will be reimbursed by the employee for the cost of tuition, books and fees charged for the course of study. Satisfactory completion of the course is defined as a grade of C or better, or in cases where the course is graded as "Pass/Fail", a grade of "Pass" must be obtained.

11. Reimbursement of Expenses

11.01 General Policy

The policy of the District is that employees are to be fully reimbursed for necessary and reasonable job-related expenses incurred in the authorized conduct of District business. All requests for reimbursement of expenses are subject to requirements of documentation and reasonableness, and will be honored in conformance with adopted policies and procedures.

11.02 Reimbursable Expenses, General Information

(a) All District paid employee travel must be on necessary District business, the details of which shall be approved in advance by the General Manager.

(b) Expenses reimbursed to employees shall be only for necessary and reasonable actual costs as verified by expense receipts which indicate the date, vendor, explanation and itemization of expenses, and a list of all persons covered.

(c) When receipts are not available, a written statement will be provided containing the information in (b) above, as well as the reason why a receipt was not submitted.

(d) The following expenditures are not reimbursable expenses:

- (1) Personal employee or family expenses
- (2) Sports and entertainment fees
- (3) Donations, contributions and memberships

(4) Any other expenditure not reasonably related to and necessary for the efficient conduct of District business.

(e) When approved in advance by the General Manager, employees shall be paid mileage for personal vehicles at current IRS rate. Employees must provide evidence of liability and property damage insurance prior to such use.

(f) During emergency situations, when time cannot be taken for breaks, the General Manager may authorize meal reimbursements for affected employees.

11.03 Reimbursable Expenses

(a) The General Manager, Plant and Field Manager and Office Manager are encouraged to attend annual conventions, seminars and other meetings concerning the operation of Water Districts.

(b) The General Manager may authorize an employee's attendance to a training session, seminar, or other schooling to benefit their work performance and/or add to their certification for higher grade. If this schooling requires overnight housing and travel expense, the following expenses will be paid by the District:

- (1) Registration fees
- (2) Mileage if personal vehicle is used.
- (3) Employee's lodging expenses
- (4) Per diem for meals
- (5) Airfare if applicable

All expenses may be paid in advance; however, all expenses must be verified with receipts or invoices which indicate the date, vendor, and explanation of expenses after return to work. Employees are required to return the same day the meeting is over unless distance or meeting time is too extensive.

12. Health and Safety

12.01 Safety Policy

It is the policy of the District to make every effort to provide healthful and safe working conditions for all of its employees. The District has adopted a Safety Manual and all employees are expected to work in accordance with its policies and procedures. Failure to work in a safe manner and/or to comply with the District's Safety Policies is grounds for dismissal.

12.02 Employee Responsibilities, Reporting

(a) Employees are responsible for conducting their work activities in a manner that is protective of their own health and safety, as well as that of other employees.

(b) An employee must report every on-the-job accident, no matter how minor, to the General Manager within 24 hours.

(c) Employees shall report immediately to the General Manager any conditions that in their judgment threaten the health and safety of employees or visitors.

(d) Employees are encouraged to make suggestions to the General Manager regarding improvements that would make the District work place safer or more healthful.

12.03 Post Accident Drug Testing

Any employee involved in an on-the-job accident or injury must immediately submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the individual who was injured, but also any employee who potentially contributed to the accident or injury in any way. "Immediately" means within four (4) hours of the incident occurring. An accident subject to drug testing includes any accident that causes an injury or loss of property.

12.04 On the Job Injuries

(a) **Insurance** The District provides workmen's compensation insurance for all of its employees. This insurance provides medical expenses and a weekly payment if an employee is absent from work because of a bona fide, on-the-job, work-related injury for more than seven days.

(b) **Compensation** If an employee sustains a bona fide, on-the-job, work-related injury which renders him or her unfit for performing the duties of the job, the employee will receive pay as follows:

For up to seven days the employee receives his or her regular pay for that period. Beginning on the eighth day and for any day thereafter that the employee is unfit for duty the employee receives payments from the Workmen's Compensation Insurance Carrier in accordance with law. The employee may elect to use accrued sick leave or vacation time to provide additional compensation above the insurance payment in an amount not to exceed his or her normal weekly base pay.

(c) **Medical Attention** An employee who sustains a bona fide, on-the-job work-related injury may seek medical attention from the medical facility or professional of his or her choice. In the event of an emergency the employee will be taken to the nearest facility known by the supervisor that is capable of taking care of the situation. The District requires statements of medical condition and of release to return to work from the attending physician. An employee may be required to submit to examination by an

independent physician as determined by the General Manager at the District's expense.

(d) **Reporting** While on leave because of a bona fide, on-the-job, work-related injury, an employee must submit written documentation to the General Manager on his or her condition on a weekly basis. Failure to provide the required medical status may result in revocation of the leave and/or immediate dismissal and loss of all accrued benefits.

(e) **Return to Service** All employees must return to work after the approval of the attending physician. Failure to return to work when directed may result in immediate dismissal and loss of all accrued benefits. An employee who is able to return to work in light duty status may be required to work in a different status and perform duties not contained within his or her current classification.

At the time of final release or settlement of a Worker's Compensation Claim, if no vacancy exists and if a reasonable effort has been unsuccessful to place the employee, the employee will be separated and paid accrued benefits.

An employee does not accrue benefits while receiving Workmen's Compensation payments.

13. Discipline

13.01 Introduction

Disciplinary action, up to and including termination, as determined by the General Manager and/or employee's Supervisor may be taken against an employee for actions of the employee including, but not limited to the following:

- (a) Insubordination;
- (b) Excessive absences, absence without leave including absence without permission, failure to notify his or her supervisor of sickness, and repeated tardiness or early departure;
- (c) Endangering the safety of other persons through negligent or willful acts;
- (d) Intoxication or drug abuse, while on duty on District property or in a District vehicle;
- (e) Unauthorized use or abuse of District funds or property;
- (f) Violation of the requirements of these personnel policies;
- (g) Conviction of a felony or crime of moral turpitude, such as fraud, theft, burglary, robbery, perjury;
- (h) Falsification of documents or records;
- (i) Unauthorized use of District information or unauthorized disclosure of confidential information of the District;
- (j) Failure to observe the District's policies regarding communications with District Customers and the public (see communications in employee responsibilities chapter);
- (k) Incompetence or neglect of duty.
- (l) Disruptive, abusive, and/or discourteous behavior, Sexual Harassment.
- (m) Failure to perform assigned job tasks or duties of position.
- (n) Failure to pass a drug test.
- (o) Drinking alcohol while on duty.

13.02 Progressive Discipline

The General Manager may take disciplinary action, including dismissal, affecting an employee at any time. The severity of the discipline depends upon the nature of the infraction. The District may, but will not necessarily follow the progressive discipline system presented below:

- (a) Oral warnings
- (b) Written warnings
- (c) Temporary Suspensions
- (d) Reduction in pay without demotion
- (e) Demotion
- (f) Separation by involuntary dismissal

Disciplinary action shall be accomplished or preceded by written notice to the employee involved. Notice includes a description of the action and, except in the case of dismissal, states the likely consequences of further unsatisfactory performance or conduct. Written notice of disciplinary action is included in the employee's personnel file.

Disciplinary action does not automatically or permanently disqualify an employee from consideration for future promotion, pay increases, commendations, or other beneficial official personnel actions.

14. GRIEVANCES

14.01 Policy

It is the policy of the District to prevent the occurrence of grievances and to deal promptly with those that occur. No adverse action will be taken against an employee for reason of his/her exercise of the grievance policy. Grievance hearings will only be held in cases where there is a valid grievable issue as defined in section 14.02.

14.02 Grievable Issues

- (a) For an action to be considered a grievable issue, an employee must file a written request within ten (10) days of the action taking place.
- (b) Employees that are within a three-month probationary period (new hires and promotions) are not eligible to file a grievance.
- (c) Employees may file a grievance regarding the following items:
 - Disciplinary Action taken against the employee who files the grievance
 - Employee Evaluation
 - Unsafe working conditions

14.03 Procedure

- (a) The employee must first request an *Informal Grievance Hearing*. The employee shall request a conference with the General Manager to resolve the grievance. If the informal conference with the General Manager does not resolve the problem(s) satisfactorily to the employee, he or she may file a formal grievance.
- (b) The employee must request a Formal Grievance Hearing within ten (10) days following the Informal Grievance Hearing. To be considered, formal grievance requests must be in writing, signed by the employee, and include the resolution to the grievance that the employee is seeking.
- (c) The formal grievance request must be presented to the employee's supervisor unless the grievance is against their supervisor. If so, the written grievance shall be presented to the General Manager.
- (d) The General Manager shall then provide a copy of the grievance request to the President of the Board within ten (10) days of receipt from the employee.
- (e) The President of the Board of Directors shall appoint three Directors to review valid employee grievances. If the three Directors believe the employee has a valid grievance, they will set a conference date for the hearing. The hearing will be held within thirty (30) days following the date the President received the grievance request.
- (f) If the committee does not believe there is a valid grievance, they will communicate this decision to the President of the Board. Within ten (10) days the President of the Board will communicate the committee's decision to the employee in writing.
- (g) Within ten (10) days following the formal grievance hearing, the President of the Board will communicate the committee's decision to the employee in writing.
- (h) The decision of the committee regarding all grievances is final.
- (i) Communication by the employee with any member of the Board of Directors of the District regarding the grievance shall be cause for immediate dismissal with loss of all accrued employment benefits.

15. Personnel Files

15.01 General

(a) All personnel files, with the exception of the General Manager's file, are maintained by the General Manager. The General Manager's personnel file shall be maintained by the Board of Directors of the District. All written material pertaining to all employees shall be placed in the employee's personnel file.

(b) No information from any record placed in an employee's file will be communicated to any person or organization except by the General Manager or an employee authorized to do so by the General Manager.

(c) An employee or his or her representative designated in writing may examine the employee's personnel file upon request during normal working hours at the District office.

(d) Employees are expected to inform the General Manager of any changes in or corrections to information recorded in their individual personnel file such as home address, telephone number, person to be notified in case of emergency, or other pertinent information.

(e) Information contained in an Employee's Personnel File is Public Information in accordance with the Public Information Act unless otherwise exempted by the Act.

15.02 Contents of Personnel File

An employee's personnel file contains:

- (1) An employment record;
- (2) A copy of the employee's application for employment;
- (3) A signed copy of the employee's acknowledgment of receiving a copy of the personnel policies manual, the job (class) description for the position he or she currently occupies, and a copy of the District's personnel evaluation form;
- (4) Other actions affecting the employee's status;
- (5) Annual Salary;
- (6) Employment Category;
- (7) Position Title and Classification;
- (8) Pay group and rate;
- (9) Performance evaluation records;
- (10) Records of any citations for excellence or awards for good performance;
- (11) Records of disciplinary action;
- (12) Records of time off taken; and
- (13) Any other pertinent information having bearing on the employee's status.

16. Separations

16.01 Types of Separation

All separations of employees are designated as one of the following types:

- (1) Resignation;
- (2) Retirement;
- (3) Reduction in Force;
- (4) Dismissal;
- (5) Disability; or
- (6) Death

16.02 Resignations

(a) An employee who intends to voluntarily resign must notify the General Manager in writing at least ten working days prior to the last day of work. Employees who voluntarily resign with at least ten days notice will receive payment for accrued benefits in accordance with Section 16.06 of this Policy Handbook.

(b) If an employee voluntarily resigns from employment with less than ten working days notice, he/she will not receive payment for accrued benefits as indicated in Section 16.06 of this Policy Handbook.

16.03 Retirement

The Board of Directors of the District may approve the continuation of employment of persons beyond the end of the fiscal year in which their 70th birthday occurs. Action by the Board is upon request of the employee and recommendation of the General Manager. Extensions are reviewed by the Board of Directors of the District annually and may be renewed only on a year-to-year basis.

16.04 Employment at Will

ALL EMPLOYEES ARE EMPLOYED AT WILL AND MAY BE DISMISSED WITHOUT CAUSE AT ANY TIME DURING THEIR EMPLOYMENT.

16.05 Death

If a District employee dies, his or her estate receives all pay due and any earned and payable benefits as of the date of death.

16.06 Calculation of Separation Pay

Upon separation from District employment, regular employees who have completed at least twelve months of continuous employment and have provided at least ten working days notice to the District will be paid for unused vacation. Payment for such vacation will be included in the employee's final paycheck. The employee will receive his or her final paycheck on the scheduled payday immediately following the employee's last workday.

Employees who have completed at least twelve months of continuous employment and are terminated from employment by the District will be paid for unused vacation. Payment for such vacation will be included in the employee's final paycheck. The employee will receive his or her final paycheck on the scheduled payday immediately following the employee's last workday.

17. Miscellaneous Matters

17.01 Credit Cards

District credit cards shall not be used for personal convenience of an employee. Credit card purchases shall be documented with invoices or receipts attached to the monthly statement.

17.02 Long Distance Telephone Calls

(a) Long distance telephone calls on District business shall be made on the District phones. Personal calls will not be paid for by the District without approval by the General Manager.

(b) A log may be kept of all long distance calls made on forms provided by the District.

(c) Long distance telephone expenses shall be kept to a minimum by eliminating unnecessary calls, advance planning and abbreviated discussion.

17.03 Purchasing

(a) All purchases shall be made in accordance with the District's Purchasing Policy.

(b) The Board of Directors will set the purchasing limit for the General Manager.

(c) A petty cash fund of \$400.00 shall be maintained. Such account shall be kept balanced with explanatory receipts for all expenditures in accordance with the District's Petty Cash Policy.

17.04 Service Awards

Service awards will be presented to employees for every 5 years of service at a rate of \$100.00 per year of service. For example, at five years of service an employee will receive \$500.00, at ten years of service an employee will receive \$1000.00, at fifteen years of service an employee will receive \$1500.00, etc. Service awards will be presented at the next monthly Board of Director's meeting following the anniversary date.

18. Harassment Policy

18.01 Harassment Policy Statement

The Bolivar Peninsula Special Utility District is committed to providing a work environment which is free of unlawful harassment and intimidation. District policy prohibits harassment because of sex (including sexual harassment, harassment due to pregnancy, childbirth or related medical conditions and gender harassment) and harassment because of race, religion, color, national origin, medical condition, physical or mental disability, age or any other basis protected by federal, state, or local law, regulation, or ordinance. **ALL SUCH HARASSMENT IS ILLEGAL.**

The Bolivar Peninsula Special Utility District's anti-harassment policy applies to all individuals involved in the operation of the District, and prohibits unlawful harassment by an employee, including officers, supervisors and co-workers, or by any vendors and/or independent contractors and their employees.

Non-employee violators of this policy are subject to expulsion from the District's facilities when harassment occurs on company premises. The District may discontinue service to violators of this policy. Furthermore, the District may report violators to the appropriate authority for civil or criminal action. The District prohibits retaliation of any kind against employees, who, in good faith, bring harassment complaints or assist in investigating such complaints.

18.02 Examples of Prohibited Unlawful Harassment

Prohibited unlawful harassment because of sex, race, religion, color, nation origin, medical condition, physical or mental disability, age, marital status or any other protected basis includes, but is not limited to, the following behavior:

- Verbal actions such as slurs, derogatory comments or jokes, epithets or unwanted sexual invitations, advances or comments;
- Visual conduct such as sexually-oriented and/or derogatory photographs, posters, drawings, cartoons, gestures, e-mails or web sites;
- Physical actions such as unwanted touching, assault, blocking another's way or interference with work because of sex, race, or any other protected category;
- Threats or demands to submit to sexual advances or requests as a condition of continued employment, offers of employment benefits in return for sexual favors, or to avoid some other negative employment action; and
- Retaliation against any employee for making an allegation of harassment or for participating in such an investigation.

18.03 Procedure for Reporting Harassment

Any employee who believes that he or she is the victim of any type of harassment, including sexual harassment, should immediately report such actions to their Supervisor, or General Manager. If an employee's immediate Supervisor or the General Manager is involved in the alleged harassment, it is unnecessary to make a report to that individual. The report should be made to a member of the Board of Directors of the District. Employees are encouraged to promptly report the alleged harassment within three calendar days of the offense. It is not necessary to file an informal complaint or a formal grievance to complain of sexual harassment. The District will take all complaints seriously and handle complaints as promptly, thoroughly and confidentially as possible. The District will clearly inform the employee of his or her rights to assistance and how to preserve and protect those rights.

18.04 Investigating Alleged Harassment

The Bolivar Peninsula Special Utility District will fully and effectively investigate any report of alleged harassment and will take appropriate corrective action depending on the severity of the conduct. This can include disciplining or discharging any individual who is found to have violated this prohibition against harassment. The complaining employee will be informed of the action taken. An employee who engages in acts of harassment contrary to this policy may be personally liable in any legal action brought against them.

Interviews, allegations, statements and identities will be kept confidential to the extent possible and allowed by law. However, the District will not allow the goal of confidentiality to be a deterrent to an effective investigation, and it may be necessary to reveal certain information to various state or federal agencies or courts.

Employees should also be aware that as an employer, the District has a duty to prevent and correct harassment even when the complaining employee asks that no action be taken and that the complaint be kept confidential.

No information related to the complaint or any investigation will be filed in the personnel files of the employees involved. Rather, these reports will be kept separately in a confidential file held by the General Manager or a member of the Board of Directors. At the end of each inquiry, the General Manager or a member of the Board of Directors will prepare a report that sets forth the dates that various witnesses and parties were interviewed, summarizes witnesses' statements, describes factual issues on which the parties disagree, offers his or her conclusions, and outlines the actions taken by the District.

If the investigation reveals that the harassment occurred, the parties will be informed that immediate and appropriate corrective action, up to and including termination, will be taken. The discipline will be proportional to the severity of the conduct. The alleged harasser's employment history and any similar complaints of prior unlawful harassment will be taken into consideration. Disciplinary measures may include counseling, sexual harassment or diversity training, suspension, transfer, demotion or discharge. These remedial measures are intended to place the complaining employee in the position in which he or she would have been had the harassment not occurred.

Exercising rights under this policy does not in any way affect an employee's right to seek relief through the Texas Commission on Human Rights, the Equal Employment Opportunity Commission, or a court of proper jurisdiction for any complaint for which a remedy is provided under state or federal law.

18.05 Retaliation

The Bolivar Peninsula Special Utility District will not tolerate retaliation against any employee for making an allegation of harassment or for participating in such an investigation. Retaliation in any form is prohibited. Any employee who violates this policy is subject to disciplinary action up to and including dismissal.

It is the responsibility of each employee to be aware of the details of the foregoing policy.

19. SEXUAL HARASSMENT POLICY

Policy: The District's Policy is that all employees should be able to enjoy their work environment free from unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. The District has a zero policy for vulgar, abusive, humiliating or threatening language, practical jokes, or inappropriate behavior in the workplace. The District will not tolerate the harassment of any employee or non-employee by another employee or non-employee, supervisor, manager or director for any reason. Harassment of a sexual nature is a violation of various state and federal laws which may subject individual harasser to liability for any such unlawful conduct.

Discussion: The purpose of this Policy is to ensure that all employees know and understand the District's philosophy and liability with regard to sexual harassment and know what measures to take when observing behavior that indicates sexual harassment

Sexual Harassment is any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Procedures:

1. Presentation of a Complaint.

- a) An employee who is subject to sexual harassment or knows of such acts within the District's employment may provide such facts to any management authority that he/she feels comfortable.
- b) The recommended procedure for handling sexual harassment complaints is through normal supervisor channels beginning with the immediate supervisor.
- c) In cases where the complaint directly involves the immediate supervisor, the employee may present the complaint to the District's General Manager. If the complaint involves the District's General Manager, then the complaint may be presented to any member of the Board of Directors who shall thereupon notify the Board's President. The Board's President shall then forward the complaint to the Personnel and Policy Committee, which has been constituted and ordered to receive such complaints and to make recommendations to the full Board on any action that might be needed to be taken as to such complaint received against the District's General Manager.

2. Recording Complaints.

- a) Records of all allegations of sexual harassment shall be maintained in a separate filing system and shall not become part of the employee files.
- b) The final outcome of disciplinary action taken shall be filed in that employee's file, but the specifics shall be maintained separately as stated in paragraph 2.a above.
- c) All allegations and investigations shall remain confidential.

3. Identification of Sexual Harassment Conduct.

- a) Sexual harassment does not refer to occasional compliments of a socially acceptable nature.

- b) Conduct will constitute sexual harassment when:
 - i. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment;
 - ii. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual;
 - iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- c) Sexual harassing conduct may include, but is not limited to the following, which are given as examples:
 - i. Repeated offensive sexual flirtations, advances or propositions.
 - ii. Continued or repeated offensive verbal abuse of a sexual nature.
 - iii. The display of sexually suggestive objects or pictures.
 - iv. Any offensive or abusive physical conduct of a sexual nature.
- d) Conduct of a sexually harassing nature, whether committed by supervisory personnel, non-supervisory personnel, or non-employees in the workplace is specifically prohibited.

4. Penalty.

Any employee found in violation of this policy may be subject to disciplinary action including termination. Disciplinary action shall be determined by the District's General Manager based on the totality of the circumstances involved in the conduct identified in a complaint, but an employee is not entitled to an oral reprimand, a written reprimand, or suspension on a first incidence of sexual abuse, and employees are advised that an initial incident of sexual harassment may include termination as disciplinary action as determined by the District's General Manager. If the disciplinary action is to be taken against the District's General Manager, then the same procedures as set forth in this paragraph as to an employee will apply to the District's General Manager except that the action shall be determined by the board of Directors of the District in regards to complaints against the District's General Manager. The enforcement of disciplinary action shall be subject to any grievance procedures that an employee would be otherwise entitled to receive in accordance with a violation of personnel policies under the Personnel Policy Manual of the District.

20. Workplace Violence

POLICY: It is the District's goal to provide a work environment that is free from violent behavior and threats of violence. Violent behavior and threats of violence are unacceptable conduct and are prohibited. Intimidating, coercing, threatening, discriminating against, or taking reprisal against an employee for assisting with an investigation of a complaint or for reporting violent behavior or threats of violence is prohibited.

DEFINITIONS:

Threat: An expression of intent to inflict something harmful. An indication of impending danger or harm; to give signs or warnings of impending danger or harm. Threats can be verbal and/or non-verbal gestures. (Threats of violence against another person are a violation of the law. It is the District's policy to report all threats of violence to law enforcement officials.)

Workplace Violence: Hitting, shoving, pushing, kicking and sexual assaults; this also includes verbal outbursts and can happen in the form of threats, harassment, abuse and intimidation. Behavior that is hostile or aggressive physical contact with another person, a statement or body gesture that threatens harm to another person, or a course of conduct that would cause a reasonable person to believe that he or she is under threat of harm.

COVERAGE: This policy covers all full-time, part-time and temporary employees. The policy also applies to any vendor, contractor or other individual performing work or services for the District and any other person that is on District property.

RESPONSIBILITIES OF EMPLOYEES: Employees have the following responsibilities:

1. Know and abide by the policy on workplace violence;
2. Immediately notify your supervisor or the General Manager when he or she is a target of workplace violence or threats of violence, or if you are aware of violent behavior or threats directed at others. An employee who believes that immediate action is required to respond to a threat to life or to a situation that could result in serious bodily harm should call 911 and notify his/her supervisor or the General Manager immediately thereafter.
3. Cooperate with those investigating workplace violence incidents.

RESPONSIBILITIES OF SUPERVISORS AND MANAGERS: Supervisors and managers have the following responsibilities:

1. Know and abide by the policy on workplace violence;
2. Be alert to potential instances of violent behavior or threats of violence;
3. Take immediate action, including calling 911 if appropriate;
4. Immediately notify the General Manager or the President of the Board upon receipt of an allegation of workplace violence or upon observation of behavior, verbal exchanges, etc. that indicate workplace violence may occur or may have occurred;
5. Cooperate with those investigating workplace violence complaints;
6. Take prompt disciplinary action, as appropriate;
7. After a complaint of workplace violence has been substantiated, monitor the situation if necessary to ensure that the behavior has stopped;
8. Take reasonable action to prevent or stop retaliation.

RESPONSE TO INCIDENTS: Supervisors and Management must take action when a non-employee, such as a vendor, contractor, or customer exhibits violent behavior or threatens an employee or other non-employee, or when an employee exhibits violent behavior or threatens a non-employee. Such action may include removal of the individual from the workplace and/or calling law enforcement. In cases that involve a non-employee, the supervisor shall report the incident to the General Manager who then notifies the non-employee's employer.

DISCIPLINE: Failure to comply with the provisions of this policy may result in discipline, up to and including termination from employment. Non-employees are subject to prosecution allowed by law.

NOTE: An internal investigation and/or disciplinary action does not preclude an independent police investigation or criminal prosecution where such is warranted.

21. Weapons Policy

Except as provided in this policy, employees are not permitted to carry (either openly or in a concealed manner) any firearms while on the District's premises, while at work locations on District business, while in District vehicles, or while acting as a District representative at any work-related activities, meetings, or functions. Employees are permitted to transport and store in a safe and discreet manner a legal firearm and ammunition in a personal vehicle while the vehicle is in the employee parking area. This policy is intended to comply with all applicable state laws concerning employee rights to possess and carry firearms and shall be interpreted and enforced accordingly.

Based upon the passage of House Bill 910 (effective January 1, 2016) codified as Texas Government Code Chapter 411, employees, with or not licensed pursuant to said chapter are prohibited from possession without permission, dangerous weapons (of any kind) or firearms (of any kind) while on duty or while in District-owned vehicles. Permission to possess a handgun pursuant to Texas Government Code, Chapter 411, may be given by the District Manager or his designee. If permission is given by the District Manager or designee, such permission shall be given only to an employee for conceal/carry of a handgun. Permission shall be subject to a concealed handgun licensee providing written proof of a valid Texas handgun license. Permission may be made with restrictions or conditions as allowed by law. Permission may be withdrawn, in writing, at any time, with or without cause and shall terminate without notice if an employee's conceal/carry license is suspended, revoked or expired. An employee is obligated to notify the District Manager immediately upon suspension, revocation or expiration of the employees conceal/carry license. The employee shall be required to execute an employee permission to carry request form prior to initiating any conceal/carry of a handgun pursuant to this policy.

22. Drug Policy

(a) It is the goal of Bolivar Peninsula Special Utility District (the "District") to provide a safe and drug-free work environment for our employees and our customers. With this goal in mind and because of the serious safety and performance consequences of drug abuse in the workplace, we are establishing the following policy for current and future employees of the District. The District explicitly prohibits:

1. The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on company or customer premises or while performing an assignment.
2. Being impaired or under the influence of legal or illegal drugs or alcohol away from District or customer premises, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the District's reputation.
3. Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from the District or customer premises, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the District's reputation.
4. The presence of any detectable amount of prohibited substances in the employee's system while at work, while on the premises of the company or its customers, or while on company business. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

Bolivar Peninsula Special Utility District will conduct drug testing under the following circumstances:

1. **PRE-EMPLOYMENT TESTING:** After an offer for employment has been made by the District, an employment candidate must submit to a drug test at the District's expense. Failure to take or pass the drug test will automatically withdraw the District's offer for employment.
2. **RANDOM TESTING:** Employees may be selected at random for drug testing at any interval determined by the District's General Manager.
3. **FOR CAUSE TESTING:** The District may ask an employee to submit to a drug test at any time it appears that the employee may be under the influence of drugs or alcohol, including but not limited to the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity; unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol; negative performance patterns or excessive and unexplained absenteeism or tardiness.
4. **POST ACCIDENT TESTING:** Any employee involved in an on-the-job accident or injury will be required to immediately submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the individual who was injured, but also any employee who potentially contributed to the accident or injury in any way. "Immediately" means within four (4) hours of the incident occurring.

(b) If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, the employee may be subject to appropriate disciplinary action, up to and including discharge from employment with the District. In such a case, the employee will be given the opportunity to explain the circumstances prior to any final employment action becoming effective.

(c) Employee Assistance: Abuse of alcohol and drugs is recognized as a pervasive problem that affects the District as well as society and creates a need for guidelines regarding assistance. Accordingly, when it is determined that an employee is suffering from an alcohol or drug abuse problem, efforts will be made to assist the employee using community resources. However, this does not preclude, under the policy, the District's right to administer discipline up to and including discharge for on-the-job conduct even though it is related to the use of alcohol or drugs. Employees must realize that if they seek assistance, the matter will be kept in confidence and shared only on a need-to-know basis.

Employees who successfully complete counseling and/or rehabilitation may be tested periodically and on an unannounced basis, (breath scan or similar test, urine and/or blood) by the District to ensure that they stay drug/alcohol free. If they subsequently have a positive test for drugs/alcohol, they will be immediately discharged.

23. Cell Phone Policy

This employee cell phone use policy is effective as of the **1st** day of **January 2014**

Company Cell Phones

- Employees provided with company cell phones must respect that these phones are meant for business purposes.
- Employees are encouraged to use their company cell phones sparingly when it comes to personal calls and texts.
- Employees must not make international calls using their company cell phones, unless those calls are explicitly for business purposes.
- Employees understand that the company cell phones are property of the company and are therefore revocable at any time.

Cell Phone Use while at work

- Personal cell phone calls are to be kept to a minimum during office hours and must never disrupt the work of the employee or those around him/her.
- Employees must avoid loud or distracting ringtones and should instead keep their phones on silent or vibrate whenever possible.
- We recognize that most cell phones these have cameras, but taking pictures while at work is not allowed, unless directed by Management.
- Use of personal cell phones while at work is prohibited, except for emergencies, during the morning and afternoon breaks and the lunch hour.

USE OF A CELL PHONE IN A COMPANY OWNED VEHICLE IS EXPRESSLY PROHIBITED UNLESS A HANDS-FREE DEVICE IS USED.

DRIVING WHILE TEXTING AND/OR TALKING ON THE PHONE IS INCREDIBLY DANGEROUS, EVEN IN YOUR OWN PERSONAL VEHICLE.

Penalties for Violating the Cell Phone Policy

1st Offense – The employee will receive a verbal reprimand, and a note will be placed in the employee's file.

2nd Offense – The employee will not be able to bring a personal cell phone onto company property or in company vehicles for two (2) consecutive weeks.

3rd Offense – The employee shall be placed on unpaid leave for two (2) days. In addition, the penalty for the second offense above shall apply.

APPENDIX A

JOB DESCRIPTIONS

General Manager

DEFINITION:

Performs highly responsible professional, administrative and technical work involved in planning and directing the activities of the District. The Manager is responsible for the overall goals, efficiency and effectiveness of the District. An employee in this class manages the District by implementing and assuring compliance with policies of the Board of Directors; directs and coordinates financial controls, programs and practices; recommends policy and procedures concerning system operation and management.

Work involves the responsibility for long range and current planning and of all contract engineering projects. The employee delegates day-to-day activities to supervisory staff, and performs unusual tasks which require a high degree of skill and technical knowledge personally. The employee exercises independent judgment and discretion on all technical matters within the District guide lines set by the Board of Directors.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

The General Manager plans, organizes, directs and coordinates allocating and using materials, equipment and personnel to provide effective, efficient and economical water service. This includes selecting, training, assigning and evaluating personnel; preparing and administrating operating and maintenance budgets; developing operating policies and procedures involving operational procedural and customer service problems and preparing performance and operational reports.

Issues written and oral instruction. Assign duties and examines work for exactness, neatness, and conformance to policies and procedures. Studies and standardizes District policies and procedures to improve efficiency and effectiveness of operating. Provides for the maintenance of all system files and records including but not limited to: operational and maintenance records, sanitary surveys, charter, bylaws, CCN, sampling results, tariff and/or any other rules and regulation adopted by the Board, petitions to courts, court orders, resolutions or judgments, inter-local agreements, contracts with consultants or other third parties. Maintains harmony among workers and resolves grievances. The General Manager is solely responsible for employee hiring, firing, evaluating and salary adjustments. Oversees the development of the Capital Improvement Program or other programs involving District. Oversees the preparation of engineering plans and specifications, bidding, competency of contractors and vendors, and the selection criteria for public contracts. Responds to public or other inquiries relative to department policies and procedures. Evaluates issues and options regarding the District and makes recommendations. Ensure that all collections are made in a fair and equitable manner carrying out the Board's collection and service termination policies. Maintains regular contact with consulting engineers, construction project engineers, City, County, State and Federal agencies, professional and technical groups and the general public regarding activities and services.

Submit monthly reports to the Board concerning system operations, financial status, complaints, regulatory contracts and any other information needed by the Board to fulfill its' responsibilities. The Manager must keep the Board informed of the system's status and its current and projected needs and requirements.

MINIMUM QUALIFICATIONS:

EDUCATION AND EXPERIENCE:

(A) Graduation from a four-year college or university with a degree in engineering, public administration, management or a closely related field; and (B) Extensive professional utility supervision and administrative experience, preferably including experience in water and wastewater; or (C) Any equivalent combination of education and experience.

NECESSARY KNOWLEDGE, SKILLS AND ABILITIES:

(A) Considerable knowledge of principles, practices and methods as applicable in a utility setting thorough knowledge of applicable District policies, laws, and regulations affecting utility activities;(B) Skill in operating a personal computer and related equipment.(C) Ability to communicate effectively, orally and in writing, with employees, consultants, other governmental agency representatives, and the general public.

SPECIAL REQUIREMENTS:

Must possess a valid Texas driver license or have the ability to obtain one prior to employment,

WORK ENVIRONMENT:

The work environment characteristic described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee occasionally works in outside weather conditions. The employee occasionally works near moving mechanical parts and in high, precarious places and is occasionally exposed to wet and/or humid conditions, fumes or airborne particles, toxic or caustic chemicals, risk of electrical shock, and vibration.

The noise level in the work environment is usually quiet to moderate.

Pay Range: **EXEMPT**; Salary and Benefits to be determined by the Board of Directors.

OFFICE MANAGER

DEFINITION

Under the direct supervision of the General Manager, responsible for all aspects of accounts receivable and accounts payable, billing system maintenance activities, account analysis and reconciliation, database administration and troubleshooting. This position has extensive contact with the public and handles customer inquiries and complaints regarding water consumption, water pressure, meter readings, and/or water leak problems, and makes independent interpretations of District's policies to determine appropriate adjustments. Additionally, this position supervises subordinate office personnel.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from the General Manager. Provides supervision to all office employees including Customer Service Representatives, Data Entry Clerks and Technology Specialists.

ESSENTIAL FUNCTIONS

- Supervises the Customer Service Representatives, Data Entry Clerks and Technology Specialists.
- Assists customers with inquiries in accordance with District policies.
- Prepares utility bills for mailing on a timely basis.
- Responds to and resolves customer inquiries and problems regarding billing, high water consumption, water pressure, meter readings, and/or water leaks.
- Maintains computer records of adjustments for general ledger balancing at the end of each month.
- Assists General Manager in preparing annual budgets.
- Acts as District liaison in coordinating and performing elections and maintains records appropriately.
- Performs special projects for General Manager as needed.
- Performs all aspects of payroll and ensures employee time records are accurately maintained.
- Performs human resource functions and ensures District compliance with all applicable State and Federal regulations regarding employment practices.
- Assists District Investment Officer to ensure compliance with applicable State and Federal regulations regarding investments.
- Performs accounts reconciliation for all District funds in a timely manner.
- Maintains insurance requirements for District.
- Sets up and files report for daily back up to tape.
- Prepares and submits monthly and quarterly reports for in-house use and to the accountant as required.
- Attends and prepares minutes of Board Meetings.
- Works with computer support to resolve problems, improve work flow and keep system updated.

- Works cooperatively and effectively with the public and other employees.
- Acts as District's Records Management Coordinator.
- Other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Utility billing procedures and utility billing software.
- Management and supervisory techniques.
- Personal computers and software including Microsoft Office Products, and have a high level of comfort diagnosing problems when software or hardware does not function properly.
- State and Federal regulations regarding office and billing procedures, open meetings, open records and records retention.
- State and Federal election laws.
- Governmental accounting principles and basic mathematics.
- Industry accepted office procedures and standards.
- Human resource functions.
- Basic knowledge of District operations.

Ability to:

- Communicate effectively orally and in writing.
- Effectively use a 10-key calculator, typewriter, and other office machinery.
- Effectively use a personal computer and word processing software.
- Ability to meet deadlines and prioritize work on a daily basis without a great deal of supervision.
- Experience preparing for Board meetings and taking minutes at meetings.
- Ability to create and print computer generated reports and accurately explain information to customers and other District employees.
- Work well with the public and cooperatively with other staff and departments.
- Effectively solve problems and deal with conflict in stressful situations.
- Reconcile general ledger accounts.
- Establish and maintain effective working relationships with those contacted in the course of work.

EDUCATION AND EXPERIENCE

High School diploma or GED and five years of increasingly responsible experience in finance and account administration, preferably in municipal utilities, including two years of administrative and supervisory responsibility. Experience as a utility billing clerk or lead at a local government agency desired. Some college education in accounting or mathematics desired.

SALARY

Salary range: \$30,500 annually / Exempt

CUSTOMER SERVICE REPRESENTATIVE

DEFINITION

To perform clerical and customer service duties in support of utility service activities involving requests for service, payments, billing and handling customer complaints, providing information and maintaining related financial records.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from higher level supervisory or management staff. No supervisory duties exercised.

ESSENTIAL FUNCTIONS

- Provide assistance to citizens with inquiries and complaints; answer customer complaints regarding charges, delinquencies and refunds; identify customer service problems and conduct research to respond in a timely manner.
- Prepare and mail customer billings each month.
- Prepare and process service orders for various District services including water turn-ons and turn-offs, water meter installations, new utility billing accounts and discontinuance of accounts.
- Request verification of meter reads; process paperwork for changes to incorrect bills; authorize credit extensions for customers with past due bills; verify payment of bills and current service status; perform credit and collection duties.
- Prepare work orders for field maintenance staff and communicate results to customer and management as necessary.
- Provide routine activity reports to management.
- Ensure information is provided to the public in accordance with all applicable laws and District policies.
- Ensure District documents and files are maintained in accordance with applicable laws and District policies.
- Act as Petty Cash Custodian and ensure funds are maintained in accordance with District policies.
- Act as a receptionist; answer the telephone and wait on the general public, providing general information on District policies and procedures as required; refer calls to appropriate department personnel.
- Perform a variety of general clerical duties including typing and proofreading a variety of documents, maintaining files and records, inventory and maintaining office supplies, receive, process, and sort incoming mail.
- Operate a variety of office machines including a computer terminal; input and retrieve data and text.
- Procure equipment and supplies as necessary.
- Assist Office Manager with Accounts Payable, meeting agendas and minutes.
- Perform related duties and responsibilities as required.

QUALIFICATIONS

Knowledge of:

- Basic customer relations techniques and modern office practices.
- Word processing and spreadsheet software.
- Principles and procedures of record keeping.
- Mathematic principles.
- English usage, spelling, grammar and punctuation.

Ability to:

- Learn the operations, services and activities of a customer service program.
- Respond tactfully and courteously with the public in answering customer inquiries and complaints.
- Interpret and explain utility policies and procedures.
- Assist Office Manager with all aspects of his/her position.
- Prepare for Board meetings and take minutes.
- Operate a variety of office equipment including a typewriter, calculator, fax machine and copy machine.
- Learn District's billing software and accounts payable software.
- Use common word processing and spreadsheet software.
- Maintain a variety of records and files.
- Perform varied clerical work.
- Perform mathematical calculations quickly and accurately.
- Handle cash and make change accurately.
- Work in situations with hostile customers.
- Understand and carry out oral and written instructions.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Work weekends and overtime if necessary.

EXPERIENCE AND TRAINING:

High school diploma or GED required. A minimum of one year of customer service, data entry and clerical experience is also required.

WORKING CONDITIONS

Office environment; sustained posture in a seated position and continual answering of phones.

SALARY

Salary range: \$8.00 per hour / Non-Exempt

DATA ENTRY CLERK

DEFINITION

To perform data entry from various documents. To provide information necessary for the processing of specific administrative reports forms, certificates, and other documents. Performs routine work in the operation of automatic data entry devices. Performs filing and may assist general public, officials and agencies in retrieving information.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from higher level supervisory or management staff. No supervisory duties exercised.

ESSENTIAL FUNCTIONS

- Performs general data entry activities (inputting/retrieving information) from a variety of source documents.
- Types, proofreads and edits reports, documents and forms.
- Performs rapid and accurate conversion of data from original documents into coded form for input into electronic data processing equipment.
- Verifies converted data for accuracy.
- Enters new information into the computer under well-defined and established procedures.
- May perform general clerical/receptionist functions, i.e. pick up, sort, and distribute mail; operate fax and copiers; file; maintain records; greet visitors; handle incoming phone calls.

QUALIFICATIONS

Knowledge of:

- Basic customer relations techniques.
- Grammar, spelling, punctuation and mathematical functions as might be acquired through specialized training of up to 9 months of education or training beyond the high school level.
- Simple vocational competence in the operation of mechanical or electronic equipment.

Ability to:

- Learn the operations, service and activities of the District.
- Respond tactfully and courteously with the public in answering customer inquiries and complaints. Interpret and explain utility policies and procedures.
- Operate a variety of office equipment including a typewriter, calculator, and computer terminal.
- Maintain a variety of records and files and perform varied clerical duties by multi-tasking.
- Perform mathematical calculations quickly and accurately.
- Work in situations with hostile customers. Understand and carry out oral and written instructions.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.

EXPERIENCE AND TRAINING

High school diploma or GED required. No previous experience required.

SALARY

Salary range: \$6.00 per hour / Non-Exempt

TECHNOLOGY SPECIALIST

DEFINITION

Performs various duties related to installation, maintenance and repair of the District's Local Area Network.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from higher level supervisory or management staff. No supervisory duties exercised.

ESSENTIAL FUNCTIONS

- Designs, maintains, installs and manages District's local area network.
- Installs computers and peripheral equipment for system users.
- Trouble-shoots local area network and personal computers.
- Analyzes, tests and installs new software and upgrades.
- Produces and maintains system and user documentation.
- Responsible for maintaining records regarding technology asset allocation and providing reports to General Manager.
- Produces and maintains system and user documentation.
- Assists in the collection and analysis of information for projected computer applications and requirements.
- Monitors hardware and software efficiency to ensure the continuing needs of the District are met.
- Defines and maintains back-up, restoration and disaster recovery procedures.
- Resolves technical problems for users and support personnel.
- Performs other related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Capabilities of micro-computer and communications hardware utilized by the District.
- Methods and procedures for operations of computers and peripheral equipment.
- Principles of training and providing work direction.
- District policies and procedures and objectives.

Ability to:

- Analyze existing procedures and develop improvements for optimum use of technologies in the District.
- Work effectively and independently in designing and implementing local area network.
- Analyze user needs and develop effective systems and software.
- Communicate effectively both orally and in writing.
- Understand and follow written instructions.
- Prepare clear, complete and concise reports and records.
- Adjust operational schedule according to priority production needs.
- Plan and organize well.
- Analyze situations accurately and adopt an effective course of action.

EXPERIENCE AND TRAINING

Any combination equivalent to: High school diploma or GED and two years (60 semester hours) of college that must include 20 semester hours in computer science, programming or related subject area. Experience with the installation and management of file servers and micro-computer hardware and peripherals. A working knowledge and conceptual understanding of a water utility and its technological needs, key software components such as word processing, spreadsheets and database queries.

SALARY

Salary range: \$8.00 per hour / Non-Exempt

PLANT AND FIELD MANAGER

DEFINITION

Under the direction of the General Manager, responsible for overall field operations including water treatment, distribution system, meter reading and equipment maintenance. Responsible for supervision and scheduling of field personnel, ensuring compliance with all applicable State and Federal regulations regarding drinking water, assists with inspections, prepares reports and assists with budgeting. Also coordinates and ensures proper repair and preventive maintenance of the District water system and equipment. Responsible for maintaining accurate records of all plant and field inventory items, reporting and maintaining all operational records in accordance with State and Federal regulations and for ensuring employees are properly trained and perform in safe work practices.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from the General Manager. Provides supervision to all field employees including System Operators and Utility Service Workers.

ESSENTIAL FUNCTIONS:

- Supervises, trains and delegates workload to employees involved in the operation and maintenance of the District's systems and facilities.
- Provides routine reports to the General Manager regarding daily operations and maintenance.
- Schedules personnel properly to ensure operations continue efficiently twenty-four hours daily with minimum overtime.
- Performs activities, reads instruments, and maintains records and reports to ensure compliance with State and Federal rules and regulations.
- Responsible for the development and implementation of a preventative maintenance schedule for water system facilities and equipment.
- Assists in the development of the annual operating budget.
- Responds to citizen complaints relative to the operation and maintenance of the water system.
- Assures testing and sampling requirements of the State and Federal agencies are met and documented properly.
- Supervises and performs maintenance of grounds, buildings, and equipment.
- Trains employees in operations and maintenance activities and in safe working practices.
- Ensures equipment and inventory is maintained and accounted for.
- Assists field personnel with all aspect of operations and maintenance of the District's water system.
- Reads maps and key sheets related to pipeline locations and assists customers and vendors with line location.
- Oversees multiple projects simultaneously.
- Operates equipment in the installation and repair of water lines, pipe and other facilities.
- Ensures work orders are delegated and performed in a timely manner.
- Performs related duties as assigned.

QUALIFICATIONS

Knowledge of:

- TCEQ rules relating to public utility systems.
- District rules, regulations, and policies.
- The operation and maintenance of the water treatment and distribution systems.
- Management and supervisory techniques.
- Safe working practices.

Ability to:

- Operate various water treatment equipment and machinery and perform operation and maintenance requirements relative to the treatment and distribution system.
- Establish and maintain effective working relationships with subordinates, fellow employees and the general public.
- Read, comprehend and interpret O & M manuals, process, electrical, mechanical and structural drawings.
- Deal with the public, contractors, suppliers and representatives of regulatory agencies courteously and tactfully.
- Perform mathematical computations including addition, subtraction, multiplication, division, fraction and percentage calculations.
- Communicate, read, write, and understand English at a level necessary for efficient job performance.
- Make water taps, repair system lines and other construction work as needed.

EDUCATION AND EXPERIENCE:

Any combination equivalent to: High School Diploma or GED, a minimum five years previous experience in water utility operations and maintenance, two years previous supervisory experience.

LICENSES AND OTHER REQUIREMENTS:

Valid State of Texas Class C driver's license and clear driving record. Required to and maintain a minimum Class "C" TCEQ issued water license within one year of taking the position.

WORKING CONDITIONS

Environment

Outdoor work environment; operate equipment to conduct work; seasonal heat and cold or adverse weather conditions; noise from equipment operation.

Physical Abilities

Climbing in and out of equipment; heavy lifting; standing for extended periods of time; dexterity of hands and fingers to operate equipment; kneeling or crouching to perform trench work, ability to climb towers and other tall facilities.

SALARY

Salary Range: \$30,500 annually / Exempt

UTILITY SYSTEMS MANAGER

DEFINITION

Under the direction of the General Manager, responsible for automated systems and maintenance of equipment at water plant sites, meter reading and equipment, security equipment, SCADA and billing system. Responsible for supervision and scheduling of personnel, reporting to State and Federal agencies regarding drinking water, assists with inspections, prepares reports and assists with budgeting. Coordinates and ensures proper repair and preventive maintenance of the District automated equipment and ensures instrumentation is maintained and calibrated as required by State regulations. Responsible for maintaining accurate records of all maintenance in accordance with State and Federal regulations and for ensuring employees are properly trained and perform in safe work practices. Oversees District cross-connection and back flow prevention program.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from the General Manager. Provides supervision to field employees including System Operators, Utility Service Workers and Laborers.

ESSENTIAL FUNCTIONS:

- Supervises, trains and delegates workload to employees involved in the operation and maintenance of the District's systems and facilities.
- Provides routine reports to the General Manager regarding daily operations and maintenance.
- Ensures testing equipment is maintained and calibrated routinely.
- Designs, maintains, installs and manages District's local area network.
- Installs computers and peripheral equipment for system users.
- Trouble-shoots local area network and personal computers.
- Analyzes, tests and installs new software and upgrades.
- Produces and maintains system and user documentation.
- Responsible for maintaining records regarding technology asset allocation and providing reports to General Manager.
- Assists in the collection and analysis of information for projected computer applications and requirements.
- Monitors hardware and software efficiency to ensure the continuing needs of the District are met.
- Defines and maintains back-up, restoration and disaster recovery procedures.
- Resolves technical problems for users and support personnel.
- Performs other related duties as assigned.
- Completes reports to be submitted to regulatory agencies and maintains records in accordance with the District's Record Retention Policy.
- Schedules personnel properly to ensure operations continue efficiently twenty-four hours daily with minimum overtime.
- Performs activities, reads instruments, and maintains records and reports to ensure compliance with State and Federal rules and regulations.
- Oversees all aspects of District's security systems.
- Responsible for the development and implementation of a preventative maintenance schedule for water system facilities and equipment.
- Assists in the development of the annual operating budget.
- Responds to citizen complaints relative to the operation and maintenance of the water system.
- Assures testing and sampling requirements of the State and Federal agencies are met and

- documented properly.
- Supervises and performs maintenance of automated equipment.
- Trains employees in operations and maintenance activities and in safe working practices.
- Ensures equipment and inventory is maintained and accounted for.
- Assists field personnel with all aspect of operations and maintenance of the District's water system.
- Oversees multiple projects simultaneously.
- Performs the installation and repair of pumps, motors and other electrical equipment.
- Ensures work orders are delegated and performed in a timely manner.
- Performs related duties as assigned.

QUALIFICATIONS

Knowledge of:

- TCEQ rules relating to public utility systems.
- District rules, regulations, and policies.
- The operation and maintenance of the water treatment and distribution systems.
- Management and supervisory techniques.
- Safe working practices.

Ability to:

- Operate various water treatment equipment and machinery and perform operation and maintenance requirements relative to the treatment and distribution system.
- Establish and maintain effective working relationships with subordinates, fellow employees and the general public.
- Read, comprehend and interpret O & M manuals, process, electrical, mechanical and structural drawings.
- Deal with the public, contractors, suppliers and representatives of regulatory agencies courteously and tactfully.
- Perform mathematical computations including addition, subtraction, multiplication, division, fraction and percentage calculations.
- Communicate, read, write, and understand English at a level necessary for efficient job performance.
- Make water taps, repair system lines and other construction work as needed.

EDUCATION AND EXPERIENCE:

Any combination equivalent to: High School Diploma or GED, a minimum five years previous experience in water utility operations and maintenance, two years previous supervisory experience.

LICENSES AND OTHER REQUIREMENTS:

Valid State of Texas Class C driver's license and clear driving record. Required to and maintain a minimum Class "C" TCEQ issued water license within one year of taking the position.

WORKING CONDITIONS

Environment

Outdoor work environment; operate equipment to conduct work; seasonal heat and cold or adverse weather conditions; noise from equipment operation.

Physical Abilities

Climbing in and out of equipment; heavy lifting; standing for extended periods of time; dexterity of hands and fingers to operate equipment; kneeling or crouching to perform trench work, ability to climb towers and other tall facilities.

SALARY

Salary Range: \$30,500 annually / Exempt

SYSTEM OPERATOR

DEFINITION

Performs a variety of duties in the operation of the District's water plants and distribution system including operations, maintenance, repairs and reporting. Other responsibilities include the installation, repair and preventive maintenance of the District water mains and services; operate and maintain a variety of equipment utilized in the maintenance and repair of District water lines and related systems. Performs work orders and meter reading in a timely manner.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from higher level supervisory or management staff. No supervisory duties exercised.

ESSENTIAL FUNCTIONS

- Performs operations and maintenance of District water plants and distribution system.
- Assists in the development and implementation of a preventative maintenance schedule for equipment and instrumentation.
- Responds to citizen complaints relative to the operation and maintenance of the water treatment plant.
- Monitors quality of water and ensures compliance with TCEQ and USEPA requirements.
- Performs activities related to the installation, repair and maintenance of pumps, instrumentation, and other equipment.
- Maintains laboratory test equipment in proper working order.
- Ensures sampling requirements are performed in accordance with TCEQ requirements.
- Assists in training new employees in the operation and maintenance of the water and distribution systems.
- Performs laboratory sampling and testing including chlorine residuals, pH and other related tests.
- Performs maintenance of District grounds, buildings, and equipment.
- Assists customers in a professional manner and may be required to answer technical questions regarding the District's system.
- Performs activities, reads instruments, and maintains records and reports relative to compliance with State and Federal requirements.
- Performs meter readings in an accurate and timely manner.
- Operates and maintains a variety of equipment utilized in the maintenance and repair of District water lines including dump truck, backhoe and other heavy equipment.
- Operates water line monitoring equipment and inspect new and used pipe; identify maintenance and repair needs and notify supervisor as required.
- Read maps and key sheets related to pipeline locations.
- Install and maintain service connections as necessary including taps.
- Performs other duties and responsibilities as required.

QUALIFICATIONS

Knowledge of:

- TNRCC rules relating to public water systems.
- District rules, regulations, and policies.

- Laboratory procedures, water treatment plant maintenance activities, equipment, and materials used in the plant.
- State, local, and Federal laws relative to the operation and maintenance of the water plant and distribution system.

Ability to:

- Operate the various water treatment plant equipment and machinery, and perform operation and maintenance requirements relative to the water plant and distribution system.
- Establish and maintain effective working relationships with fellow employees and the general public.
- Read, comprehend and interpret O & M manuals, process, electrical, mechanical and structural drawings.
- Deal with the public and general contractors and suppliers courteously and tactfully.
- Perform mathematical computations including addition, subtraction, multiplication, division, fraction and percentage calculations in English and metric.
- Communicate, read, write, and understand English at a level necessary for efficient job performance.
- Work a rotating shift that may include weekends and overtime.

EDUCATION AND EXPERIENCE:

High school diploma or GED required. Minimum one year previous experience in water utility operations and maintenance.

LICENSES AND OTHER REQUIREMENTS:

Valid State of Texas Class C driver's license with a clear driving record. Must obtain and maintain a minimum Class C Water license issued by the TCEQ. Must be available to work weekends and overtime as required.

WORKING CONDITIONS

Environment:

Outdoor work environment; operate equipment to conduct work; seasonal heat and cold or adverse weather conditions; noise from equipment operation.

Physical Abilities:

Climbing in and out of equipment; heavy lifting; standing for extended periods of time; walking for extended periods; capable of bending and stooping frequently; dexterity of hands and fingers to operated equipment; kneeling or crouching to perform trench work; climb towers, tanks and other high structures.

SALARY

Salary range: \$8.50 per hour / Non-Exempt

UTILITY SERVICE WORKER

DEFINITION

Performs work in the repair, maintenance, and care of the District's system, grounds, structures, and equipment. May also perform meter reading and construction tasks for the water system and facilities.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from higher level supervisory or management staff. No supervisory duties exercised.

QUALIFICATIONS

Knowledge of:

General maintenance techniques; tools, materials, and equipment used in horticulture and standard building trades; use of lawnmowers and other grounds maintenance machinery and basic customer relations techniques.

Ability to:

Use common hand tools; operate machinery and equipment; deal effectively and courteously with the public; learn the operation of handheld computer equipment; perform basic mathematical equations accurately; drive a vehicle; work in adverse weather conditions; be able to walk for extended periods and bend frequently; read numbers on meters and correctly enter readings into hand held computer. Must also be able to work overtime and weekends as required.

Physical Requirements:

Medium work requiring the ability to lift up to 30 pounds. Work requires climbing, balancing, stooping, kneeling, crawling, reaching, standing, walking, pushing, pulling, lifting, and grasping; vocal communication is required for expressing or exchanging ideas by means of spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for use of measuring devices, operation of motor vehicles or surroundings and activities; the worker is subject to inside and outside environmental conditions, extreme cold, extreme heat, noise, vibration, hazards, atmospheric conditions, and oils.

EXPERIENCE, TRAINING AND LICENSING REQUIREMENTS

High School Diploma or GED and possession of a valid State of Texas driver's license with a clear driving record. One year previous experience in construction, maintenance or other related field. Must obtain and maintain a minimum Class D Water license issued by the TCEQ within 12 months of employment.

SALARY RANGE

Salary range: \$8.50 per hour / Non-Exempt

LABORER

DEFINITION

Reads meters at customer sites and may perform work required for the maintenance, repair, and improvement of buildings, equipment, and grounds.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from higher level supervisory or management staff. No supervisory duties exercised.

QUALIFICATIONS

Knowledge of:

Basic mathematical skills like addition, subtraction, multiplication and division.

Basic maintenance and repair. Some basic knowledge of carpentry, painting, plumbing, electrical, furniture repair, and other tasks of similar nature.

Ability to:

Use common hand tools; operate machinery and equipment; deal effectively and courteously with the public; learn the operation of handheld computer equipment; perform basic mathematical equations accurately; drive a vehicle; work in adverse weather conditions; be able to walk for extended periods and bend frequently; read numbers on meters and correctly enter readings into hand held computer. Must also be able to work overtime and weekends as required.

Physical Requirements:

Medium work requiring the ability to lift up to 30 pounds. Work requires climbing, balancing, stooping, kneeling, crawling, reaching, standing, walking, pushing, pulling, lifting, and grasping; vocal communication is required for expressing or exchanging ideas by means of spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for use of measuring devices, operation of motor vehicles or surroundings and activities; the worker is subject to inside and outside environmental conditions, extreme cold, extreme heat, noise, vibration, hazards, atmospheric conditions, and oils.

EXPERIENCE, TRAINING AND LICENSING REQUIREMENTS

Entry level position. No experience or training required.

SALARY RANGE

Salary range: \$7.25 per hour / Non-Exempt

APPENDIX B

Employee Certification Receipt of Policies

RECORD OF RECEIPT OF PERSONNEL POLICY HANDBOOK:

I _____ acknowledge receiving the Bolivar Peninsula Special Utility District Personnel Policy Handbook.

I CLEARLY UNDERSTAND THAT THIS POLICY HANDBOOK DOES NOT CREATE A CONTRACT FOR EMPLOYMENT WITH THE DISTRICT, AND THAT THE DISTRICT MAY CHANGE OR MODIFY THE POLICIES AND PROCEDURES IN THIS HANDBOOK AT ANY TIME, WITH OR WITHOUT PRIOR NOTICE. I HAVE READ AND UNDERSTAND THE POLICIES OUTLINED IN THE DISTRICT PERSONNEL POLICY HANDBOOK, AND AGREE TO BE BOUND BY THE DISTRICT'S RULES AND REGULATIONS DURING MY EMPLOYMENT WITH THE DISTRICT. I UNDERSTAND THAT VIOLATING THE POLICIES AND RULES SET OUT IN THIS HANDBOOK MAY LEAD TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

EMPLOYEE SIGNATURE

DATE