



**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
560 Magnolia Avenue, Beaumont, CA 92223

**PERSONNEL COMMITTEE MEETING AGENDA**  
**Monday, May 17, 2021 - 5:30 p.m.**

**TELECONFERENCE NOTICE**

*This meeting is hereby noticed pursuant to  
California Government Code Section 54950 et. seq. and  
California Governor's Executive Orders N-29-20 and N-33-20  
Personnel Committee members will attend via Zoom video conference*

*To access the Zoom conference, use the link below:*  
<https://us02web.zoom.us/j/84318559070?pwd=SXlzMkZCMGh0YTFIL2tnUGlpU3h0UT09>

**To telephone in, please dial: (669) 900-9128**  
**Enter Meeting ID: 843 1855 9070**  
**Enter Passcode: 113552**

*For Public Comment, use the “**Raise Hand**” feature if on  
the video call when prompted. If dialing in, please **dial \*9**  
to “**Raise Hand**” when prompted*

*Meeting materials will be available on the BCVWD's website:*  
<https://bcvwd.org/document-category/personnel-committee-agendas/>

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**Call to Order: Chair Covington**

**Announcement of Teleconference Participation**

**Roll Call**

	<b>John Covington</b>
	<b>Andy Ramirez</b>

	<b>David Hoffman (alternate)</b>
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**Teleconference Verification**

**Public Comment**

**PUBLIC COMMENT: RAISE HAND OR PRESS \*9 to request to speak when prompted.** At this time, any person may address the Personnel Committee on matters within its jurisdiction which are not on the agenda. However, non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

1. **Adjustments to the Agenda:** In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
  - a. Item(s) to be removed or continued from the Agenda
  - b. Emergency Item(s) to be added to the Agenda
  - c. Changes to the order of the agenda
2. **Acceptance of Personnel Committee Meeting minutes:**
  - a. April 19, 2021 (pages 4 - 6)

## **ACTION ITEMS**

3. **Update on the status of the Memorandum of Understanding (MOU) with the Employee Association** (No Staff Report)
4. **Policies and Procedures Manual Updates / Revisions** (pages 7 - 18)
  - a. Policy 3000 Employee Status
  - b. Policy 3001 Employee Information and Emergency Data
  - c. Policy 3002 Employee Groups
5. **Report from Human Resources Department** (pages 19 - 22)
6. **Report / Update from BCVWD Employees Association**
7. **District Residences and Emergency Facility Policy and Properties**
  - a. Cost Analysis (updated with 3/22/21 Committee comments)
  - b. District Residences and Emergency Facility Policy (final version as accepted by Committee)
  - c. Snow Creek Agreement
  - d. Sample Scope of Work and Accountability Program
  - e. Maintenance fees calculation
  - f. Renovations Program
8. **Action List for Future Meetings**
  - *Employee Association topics*
  - *Policy manual updates*
  - *Safety updates and improvements, and new procedures*
  - *Workshop/Training options for staff and/or management to provide certification.*
9. **Next Meeting Date: June 21, 2021**

## **Adjournment**

**AVAILABILITY OF AGENDA MATERIALS** - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Personnel Committee of the Board of Directors are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District website: [www.bcvwd.org](http://www.bcvwd.org).

**REVISIONS TO THE AGENDA** - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Regular Meeting Agenda may be made up to 72 hours before the Committee Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 24 hours prior to the Committee Meeting.

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at [info@bcvwd.org](mailto:info@bcvwd.org) or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

### **CERTIFICATION OF POSTING**

I certify that on or before 5:29 p.m. May 14, 2021, a copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54956(a)).

**William  
Clayton**

Digitally signed by William Clayton  
DN: cn=William Clayton, o=Beaumont-  
Cherry Valley Water District, ou,  
email=william.clayton@bcvwd.org, c=US  
Date: 2021.05.13 11:07:15 -0700

William Clayton  
Acting Director of Finance and Administrative Services



**BEAUMONT-CHERRY VALLEY WATER DISTRICT AGENDA**  
560 Magnolia Avenue, Beaumont, CA 92223

**MINUTES OF THE PERSONNEL COMMITTEE MEETING**  
**Monday, April 19, 2021 at 5:30 p.m.**

***Meeting held via teleconference pursuant to  
California Government Code Section 54950 et. seq. and  
California Governor's Executive Orders N-29-20 and N-33-20***

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**CALL TO ORDER**

*Chair Covington called the meeting to order at 5:34 p.m.*

**Announcement of Teleconference Participation**

Acting Director of Finance and Administrative Services William Clayton clarified that this meeting is conducted via teleconference pursuant to California Government Code Section 54953, and under Executive Order N-29-20 and N-33-20 of the Governor of California.

The teleconference capabilities of this meeting have been identified in the Notice and Agenda for this meeting, pursuant to the Brown Act and the Governor's Executive Order. Under the Governor's Executive Order and the Gathering Guidelines of the California Department of Health due to the danger of COVID-19, the teleconference locations are not publicly accessible. The public's right to comment and participate in the meeting is being assured via teleconference capabilities.

The Beaumont-Cherry Valley Water District (BCVWD) will use sound discretion and make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to meetings.

***Attendance***

<i>Directors present:</i>	<i>Ramirez, Covington</i>
<i>Directors absent:</i>	<i>None.</i>
<i>Staff present:</i>	<i>General Manager Dan Jagers Acting Director of Finance and Administrative Services William Clayton Human Resources Coordinator Sabrina Foley Administrative Assistant Erica Gonzales</i>
<i>BCVWD Employee Association reps:</i>	<i>Erica Gonzales Dustin Smith</i>

Acting Director of Finance and Administrative Services William Clayton verified that all members of the Personnel Committee and staff have indicated that they are able to hear the other directors clearly on the teleconference. No committee members or staff expressed any reason to believe, based on voice recognition or otherwise, that those persons representing themselves to be committee members are not truly so.

**PUBLIC INPUT:** *None.*

## **ACTION ITEMS**

1. Adjustments to the Agenda: None.
2. Approval of the March 22, 2021 Meeting minutes

*The Committee accepted the minutes of the March 22, 2021 Personnel Committee meetings by unanimous vote.*

MOVED: Ramirez	SECONDED: Covington	APPROVED
AYES:	Covington, Ramirez	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

### **3. Update on the status of the Memorandum of Understanding (MOU) with the Employee Association**

Ms. Foley advised the Committee that the Requests for Proposals for the classification study have gone out and proposals are due next Monday and will be evaluated next week. The recommendation from staff will be presented to the Board in May, she said.

The pre-bargaining analysis phase is continuing, she noted. Staff is looking into turnover rates and additional benefits information, she noted.

Chair Covington invited public comment. There was none.

### **4. Policies and Procedures Manual updates / revisions**

Human Resources Coordinator Sabrina Foley reminded the Committee that the Board had approved one section of the Policies and Procedures Manual and pointed out the updated tracking spreadsheet. Foley explained that the next section due to be reviewed has extensive edits based on recommendation by legal counsel. The items will come to the Personnel Committee for review after legal counsel has approved, she indicated.

Director Ramirez and Chair Covington said they look forward to seeing the final draft.

Chair Covington invited public comment. There was none.

### **5. Annual Report: Workforce Demographics and Community Demographics**

Human Resources Coordinator Sabrina Foley advised that this annual report is prepared upon recommendation of HR Dynamics. The data in the report is approximate, she said, as BCVWD has fewer than 50 employees and is not required to submit the federal form EEO to the Equal Opportunity Commission or Department of Labor, therefore the District does not collect data on employee demographics.

Foley noted that the District's service area comprises the City of Beaumont and the community of Cherry Valley but does not match those boundaries exactly. When

comparing Census information, enough is available to have a good picture of the community but it is not exact, she advised.

Foley pointed to the BCVWD demographics in comparison to the area population demographics and said that ideally, as a public agency, the District would represent the community it serves. She reviewed the report and noted that the District's employment is fairly well representative.

Director Ramirez commented that it seems the District has tried to mirror the community and strives to be as fair and equitable as possible.

Chair Covington invited public comment. There was none.

## **6. Report from Human Resources Department**

Ms. Foley reviewed the report. She noted one separation from employment and the hiring of a Development Services Representative.

The State of California announced a new requirement for COVID supplemental paid sick leave upon the expiration of the Families First Coronavirus Act, retroactive to January 1, she noted. The COVID-19 vaccine is now available in Riverside County for ages 16 and up for District employees and their families, she advised.

She briefed the Committee on current legislative action. Director Ramirez requested a current high-level synopsis of COVID-19 symptoms.

Chair Covington invited comment. There was none.

Chair Covington said he appreciated the legislative report.

## **7. Report / Update from BCVWD Employees Association**

Work is proceeding by the Association, Erica Gonzales reported. Chair Covington asked about understanding of the process, and Ms. Foley assured that training is pending but in progress.

## **8. Action List for Future Meetings**

- *Employee Association topics (none added)*
- *Policy manual updates (ongoing)*
- *Safety updates and improvements, and new procedures*
- *Workshop/Training options for staff and/or management to provide certification*
- *District Residences and Facility Emergency Policy*

## **9. Next Meeting Date: Monday, May 17, 2021 at 5:30 p.m.**

**ADJOURNMENT:** 5:58 p.m.

Attest:

*DRAFT UNTIL APPROVED*

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John Covington, Chairman  
to the Personnel Committee of the Beaumont-Cherry Valley Water District



**Beaumont-Cherry Valley Water District  
Personnel Committee  
May 17, 2021**

Item 4

**STAFF REPORT**

**TO:** Personnel Committee of the Board of Directors  
**FROM:** Sabrina Foley, Human Resources Coordinator  
**SUBJECT:** Policies and Procedures Manual Updates/Revisions

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**Staff Recommendation**

Recommend the updated policies for Section 3000 Personnel to the Board of Directors for adoption.

**Background**

At the July 23, 2018 Personnel Committee Meeting, Committee members directed staff to review, revise and update the District's Policies and Procedures. The project has been addressed by staff in sections. At the July 27, 2020 meeting, an overview of the proposed changes to the organization of the document was presented, and the Committee requested "redlined" versions of changes in order to thoroughly review each item. Policy Approval Tracking (**Attachment 1**) is provided as an overview of the project thus far.

**Summary**

Staff consulted several sources to update the content and verbiage of the District's Policy Manual, including sample policies from the California Special Districts Association, articles published by the California League of Cities and Institute for Local Government, the District's HR Consultant, and recently updated manuals of other special districts. The aim of reorganization of the Policy Manual is to introduce consistency and modernize the document to align with the organizational goals of the District.

The proposed policies are presented side-by-side with the current versions, with redline edits shown for clarity (**Attachments 2-5**). Policy 3001, "Employee Information and Emergency Data," and Policy 3002, "Employee Groups," would be new policies and therefore do not have a current counterpart.

The drafted policies have been reviewed by the District's legal counsel, who have provided significant guidance since this grouping of policies is highly regulated by government code.

**Fiscal Impact**

No fiscal impact.

**Attachments**

1. Policy Approval Tracking
2. Proposed Policy 3000 Employee Status



3. Proposed Policy 3001 Employee Information and Emergency Data
4. Proposed Policy 3002 Employee Groups

*Staff Report prepared by Sabrina Foley, Human Resources Coordinator*



**Policy Approval Tracking**  
**BCVWD Policies and Procedures Manual Project**

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Approved by Legal Counsel	Presented to Personnel Committee	Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date
1	1000	General	Definitions	Yes	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021
2	1005	General	Contractual Provisions	Yes	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021
N/A	1010	General	Policy Manual	Yes	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021
3	2000	Administration	Equal Opportunity	Yes	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021
4	<del>2005</del>	<del>Administration</del>	<del>Affirmative Action</del>	Yes	Recommend to Remove	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021
5	2010	Administration	Access to Personnel Records	Yes	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021
6	2015	Administration	Harassment	Yes	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021
7	2020	Administration	Sexual Harassment	Yes	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021
N/A	2025	Administration	Whistleblower Protection	Yes	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021
8	3000	Personnel	Employee Status	Yes	Reviewed on 4/12/2021; extensive edits recommended	5/17/2021				
N/A	3001	Personnel	Employee Information and Emergency Data	Yes	Reviewed on 4/12/2021; extensive edits recommended	5/17/2021				
N/A	3002	Personnel	Employee Groups	Yes	Reviewed on 4/12/2021; extensive edits recommended	5/17/2021				
9	3005	Personnel	Compensation	Yes						
N/A	3006	Personnel	Prevailing and Living Wage	No						
10 & 49	3010	Personnel	Employee Performance Evaluation and Procedure	Yes						
11	3015	Personnel	Performance Evaluation-General Manager	Yes						
12	3020	Personnel	Health and Welfare Benefits	Yes						
13	3025	Personnel	Pay Periods	Yes						
14	3030	Personnel	Gift Acceptance Guidelines	Yes						
15	3035	Personnel	Outside Employment	Yes						
16	3040	Personnel	Letters of Recommendation	Yes						
17	3045	Personnel	Executive Officer	Yes						
18	3050	Personnel	Volunteer Personnel Workers' Compensation Insurance	Yes						
19	3055	Personnel	Work Hours, Overtime, and Standby Program	Yes						
20	3060	Personnel	Continuity of Service	Yes						
20 (incorrect numbering)	3065	Personnel	Reduction in Force	Yes						
21	3070	Personnel	Holidays	Yes						
22	3075	Personnel	Vacation	Yes						
23	3080	Personnel	Pre-Employment Physical Examination	Yes						
24	3085	Personnel	Sick Leave	Yes						
25	3090	Personnel	Family and Medical Leave	Yes						
26	3095	Personnel	Pregnancy Disability Leave	Yes						
N/A	3096	Personnel	Lactation Accommodation	No						
27	3100	Personnel	Bereavement Leave	Yes						
28	3105	Personnel	Personal Leave of Absence	Yes						
29	3110	Personnel	Jury and Witness Duty	Yes						
N/A	3111	Personnel	Leave for Crime Victims and Family Members	No						
30	3115	Personnel	Return to Work Policy	Yes						
31	3120	Personnel	Occupational Injury and Illness Prevention Program	Yes						
N/A	3121	Personnel	Infectious Disease Control	Yes						
N/A	3122	Personnel	Workplace Violence	Yes						

Policy Approval Tracking  
BCVWD Policies and Procedures Manual Project

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Approved by Legal Counsel	Presented to Personnel Committee	Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date
N/A	3123	Personnel	Theft	No						
32	3125	Personnel	Uniforms and Protective Clothing	Yes						
33	3130	Personnel	Conferences	Yes						
34	3135	Personnel	Occupational Certification Assistance	Yes						
35	3140	Personnel	Respiratory Protection Program	Yes						
36	3145	Personnel	Driver Training and Record Review	Yes						
37	3150	Personnel	District Vehicle Usage	Yes						
38	3151	Personnel	Personal Vehicle Usage							
39	3160	Personnel	HIPAA Compliance and Security Officer	Yes						
40	3165	Personnel	Tobacco Use	Yes						
41	3170	Personnel	Smoke Free Workplace	Yes						
42	3175	Personnel	Disciplinary Action or Terminations	Yes						
43	3180	Personnel	Nepotism-Employment of Relatives	Yes						
44	3185	Personnel	Confidentiality Regarding Resignations	Yes						
45	3190	Personnel	Internet, E-Mail, and Electronic Communication Ethics, Usage and Security	Yes						
N/A	3191	Personnel	Electronic Signature Policy	No						
46	3195	Personnel	Cellular Telephone Usage	Yes						
47	3200	Personnel	Grievance Procedures	Yes						
48	3205	Personnel	Substance Abuse (In Conformance with Department of Transportation Guidelines)	Yes						
N/A	3206	Personnel	FMCSA Clearinghouse Registration	No						
50	3215	Personnel	Personnel Action Form (PAF)	Yes						
51	3220	Personnel	Recruitment, Selection and Onboarding	Yes						
N/A	3225	Personnel	Employee Leave Donation Program and Policy	Yes						
N/A	3230	Personnel	Workers' Compensation	Yes						
N/A	3231	Personnel	Accommodations for Disability	No						
N/A	3235	Personnel	Military Leave	Yes						
N/A	3240	Personnel	Dress Code and Personal Standards	Yes						
N/A	3245	Personnel	Non-Solicitation and Political Speech	No						
N/A	3250	Personnel	Telecommuting	No						
N/A	3255	Personnel	Time off for School Activities	No						
N/A	3260	Personnel	Time off to Vote	No						
1	4005	Board of Directors	Basis of Authority	Yes						
2	4010	Board of Directors	Members of the Board of Directors	Yes						
3	4015	Board of Directors	Committees of the Board of Directors	Yes						
4	4020	Board of Directors	Board President	Yes						
5	4025	Board of Directors	Board Meetings	Yes						
6	4030	Board of Directors	Board Meeting Agendas	Yes						

Policy Approval Tracking  
BCVWD Policies and Procedures Manual Project

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Approved by Legal Counsel	Presented to Personnel Committee	Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date
7	4035	Board of Directors	Board Meeting Conduct	Yes						
8	4040	Board of Directors	Board Actions and Decisions	Yes						
9	4045	Board of Directors	Attendance at Meetings	Yes						
10	4050	Board of Directors	Minutes of Board Meetings	Yes						
11	4055	Board of Directors	Rules of Order for Board and Committee Meetings	Yes						
12	4060	Board of Directors	Training, Education and Conferences	Yes						
13 & 16	4065	Board of Directors	Remuneration, Director Per Diem Fees	Yes						
14	4070	Board of Directors	Payment of Expenses Incurred on District Business	Yes						
15	4075	Board of Directors	Expenditure Reimbursement	Yes						
17	4080	Board of Directors	Membership in Associations	Yes						
18	4085	Board of Directors	Ethics Training	Yes						
N/A	4086	Board of Directors	Anti-Harassment Training	No						
19	4090	Board of Directors	Code of Ethics	Yes						
20	4095	Board of Directors	Ethics Policy	Yes						
1	5005	Operations	Emergency Preparedness	Yes						
2	5010	Operations	Emergency Response Guideline for Hostile or Violent Incidents	Yes						
3	5015	Operations	Computer and Business Continuity Security	Yes						
4	5020	Operations	Environmental Health and Safety Compliance Program	Yes						
5	5025	Operations	Illness and Injury Prevention Program	Yes						
6	5030	Operations	Budget Preparation	Yes						
7	5035	Operations	Fixed-Asset Accounting Control	Yes						
8	5040	Operations	Fixed-Asset Capitalization	Yes						
9	5045	Operations	Investment of District Funds	Yes						
10	5050	Operations	Customer Payment Arrangements	Yes						
11	5055	Operations	Employment of Consultants and Professional Services	Yes						
12	5060	Operations	Employment of Outside Contractors	Yes						
13	5065	Operations	Easement Abandonment	Yes						
14	5066	Operations	Easement Acceptance	No						
15	5070	Operations	Encroachment Permits	Yes						
16	5075	Operations	Credit Card Usage	Yes						
17	5080	Operations	Purchasing	Yes						
N/A	5081	Operations	Contract Review Policy	No						
18	5085	Operations	Disposal of Surplus Property or Equipment	Yes						
19	5090	Operations	Records Retention	Yes						
N/A	5095	Operations	District Residences and Facility Emergency Policy	Yes	7/21/2020	3/22/2021				
N/A	5100	Operations	Press Relations and Social Media	No						
1	6005	Miscellaneous	Purpose of Board Policies	Yes						
2	6010	Miscellaneous	Adoption, Amendment of Policies	Yes						
3	6015	Miscellaneous	Public Complaints	Yes						
4	6020	Miscellaneous	Claims Against the District	Yes						

Policy Approval Tracking  
BCVWD Policies and Procedures Manual Project

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Approved by Legal Counsel	Presented to Personnel Committee	Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date
5	6025	Miscellaneous	Copying Public Documents	Yes						
6	6030	Miscellaneous	District Standards for the Furnishing of Materials	Yes						
7	6035	Miscellaneous	Environmental Review Guidelines	Yes						
8	6040	Miscellaneous	Annexation	No						
9	6045	Miscellaneous	Construction Requirements	No						
N/A	7000	Information Technology	Acceptable Use	Yes						
N/A	7005	Information Technology	Accessibility	Yes						
N/A	7010	Information Technology	Electronic Communications	Yes						
N/A	7015	Information Technology	Passwords	Yes						
N/A	7020	Information Technology	Remote Access/VPN	Yes						
N/A	7025	Information Technology	Datacenter Physical Security	Yes						
N/A	7030	Information Technology	Wireless Communications	Yes						
N/A	7035	Information Technology	Mobile Device Security	Yes						
N/A	7040	Information Technology	Internet Use	Yes						
N/A	7045	Information Technology	Information Systems Backup & Data Retention	Yes						
N/A	7050	Information Technology	Personally Identifiable Information	Yes						
N/A	7055	Information Technology	Drones Use	No						

**POLICY TITLE: EMPLOYEE STATUS**  
**POLICY NUMBER: 3000**

3000.1 **At Will.** All employment at the District is "at will." This means that either the employee or the District may end the employment relationship at any time, with or without advance notice and with or without cause. Provided, however, that discipline, grievance, layoff, and other similar procedures in an ~~an~~ MOU Memorandum of Understanding (MOU) or written employment agreement will apply while in force, but are not intended to alter the at-will nature of the employment relationship. The at-will nature of the employment relationship can only be changed by a clear and unambiguous intent to alter the at-will nature of employment made in an an MOU or written employment agreement approved by the District Board and signed by or on be half of the employee involved. Any reference in this Manual to discipline is not intended to change the at-will nature of the employment relationship or to restrict either the employee's or the District's options under the "at-will" employment policy.

3000.2 **Regular Full-Time Employee.** A "Regular" employee is one who has been hired to fill a regular position in any job classification and has completed their~~his/her~~ introductory period except as otherwise required by law. Full-Time Employment is defined as a 40-hour average workweek. Regular employees are compensated according to the District Salary Schedule as approved by the Board of Directors. Regular, Full-Time Employees will be eligible for benefits in accordance with their classification and employee group.

3000.3 **Introductory Employee.** All newly hired employees serve an introductory period. The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The District uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the District may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice. All new (including rehired) employees work on an introductory basis for the first ~~six~~ (6) months after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the District determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended one or more times.

3000.4 Upon successful completion of the introductory period, full-time employees enter the "regular" employment classification. Successful completion of the introductory period does not guarantee employment for any specific duration or change the at-will status of regular employment.

3000.5 Current employees who are promoted or transferred to a new classification will serve an introductory period for the first 6 months after their date of appointment. Employees who are reclassified will not serve an introductory period for an updated job title.

3000.6 **Introductory Evaluation.** At the conclusion of the introductory period, employees will receive a performance evaluation to assess whether the introductory period is successfully completed. The introductory period is not eligible for a merit increase. See Policy 3010 Employee Performance Evaluation and Procedure.

3000.7 **Temporary Employee.** A temporary employee is defined as anyone hired for a period of ~~six~~ (6) months or less. Employees hired to replace a regular employee who is on a leave of absence shall be hired as temporary employees , unless said leave of absence is in excess of one hundred eighty (180) days. Temporary Employees may not work more than 1,000 hours or 125 days in a CalPERS fiscal year (July 1-June 30). Retired Annuitants from CalPERS may not work in excess of 960 hours in a CalPERS fiscal year.

Adopted by Resolution 20-XX, Date

- iv. All discussions resulting from said investigation shall be kept confidential by all informed of said investigation.
  - v. The person initiating the complaint has the right to be accompanied by advocate when discussing alleged incidents. Said person shall be advised of this right prior to the commencement of such discussions.
  - v. All parties concerned will be advised of the results of the investigation.
- F. **Disciplinary Procedures and Sanctions.** Upon conclusion of the investigation of an alleged sexual harassment, appropriate action shall be taken by the General Manager against the harasser where sexual harassment is found, including mandatory sexual harassment training to prevent future incidents. The complainant will be advised once the investigation is complete and will be provided with a summary of the results of the investigation, including whether corrective action was taken and the general nature of that action. The complainant will not be entitled to a copy of the confidential investigation report or the specific details of corrective action, consistent with employee privacy and confidential personnel matters. Others involved in the investigation may also be advised once the investigation is complete and provided with a summary of other information appropriate to their involvement.
- i. Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment. Making the employee whole may involve reinstatement, back pay, etc.
  - ii. Action taken to remedy a sexual harassment situation shall be done in a manner so as to protect potential future victims. An employee involved in a confirmed incident shall be removed from supervision of a person verified to have committed a harassment activity.
  - ii. Employees complaining of sexual harassment shall be protected thereafter from any form of reprisal and/or retaliation.

**8. EMPLOYEE STATUS**

- A. **At Will.** All employment at the District is "at will." This means that either the employee or the District may end the employment relationship at any time, with or without advance notice and with or without cause. Provided, however, that discipline, grievance, layoff and other similar procedures in an MOU or written employment agreement will apply while in force, but are not intended to alter the at-will nature of the employment relationship. The at will nature of the employment relationship can only be changed by a clear and unambiguous intent to alter the at will nature of employment made in a MOU or written employment agreement approved by the District Board and signed by or on half of the employee involved. Any reference in this Manual to discipline is not intended to change the at will nature of the employment relationship or to restrict either the employee's or the District's options under the "at will" employment policy.

1. Part-Time, Temporary Employee. A temporary employee working less than 40 hours per week on average in a temporary position is a Part-Time, Temporary Employee. Part-Time, Temporary Employees may work in their positions for up to 12 months but may not work in excess of 1,000 hours (960 hours for Retired Annuitants) in a CalPERS fiscal year (July 1-June 30).

3000.8 **Part-Time Employee.** A "Part-time" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The part-time employee works whenever the District's workload increases to a level that a regular employee cannot accommodate or when other factors make part-time employment advantageous. On average, part-time employees may not work more than 20 hours per week. He/She also works standby as discussed in Section 19, ("WORK HOURS, OVERTIME AND STANDBY PROGRAM"). They may also work standby as discussed in Policy 3055 if required by their job classification.

1. A temporary or part-time employee will not be eligible for fringe benefits including holiday pay, vacation pay, jury duty pay, health insurance coverage, bereavement pay, or items of a similar nature, nor will he/she they accrue seniority or leave of absence rights except where required by Temporary law. Temporary or Part-Time employees are eligible for the Employee Assistance Program (EAP), standard life insurance, standard Accidental Death & Dismemberment (AD&D) insurance, and may be eligible to purchase dental and vision insurance or ancillary benefits at their own option and cost.
2. Following the Health Workplace Healthy Family Act of 2014 (AB 1522), in accordance with the California Labor Code, a temporary or part-time employee will accrue paid sick leave as of the first day of employment at a rate of one (1) hour for every thirty (30) hours worked provided that the employee has worked for 30 or more days within a year from the beginning of employment. The temporary or part-time employee will be eligible to take paid sick leave after the 90<sup>th</sup> day of employment. The employee shall be limited to an annual accrued sick leave limit of twenty-four (24) hours annually.

- B. **Regular Full Time Employee.** A "Regular" employee is one who has been hired to fill a regular position in any job classification and has completed his/her introductory period except as otherwise required by law.
- C. **Introductory Employee.** All newly hired employees serve an introductory period. The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The District uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the District may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.  
All new (Including rehired) employees work on an introductory basis for the first six (6) months after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the District determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended one or more times.  
  
Upon satisfactory completion of the introductory period, full-time employees enter the "regular" employment classification. Successful completion of the introductory period does not guarantee employment for any specific duration or change the at-will status of regular employment.
- D. **Temporary Employee.** A temporary employee is defined as anyone hired for a period of six (6) months or less. Employees hired to replace a regular employee who is on a leave of absence shall be hired as temporary employees unless said leave of absence is in excess of one-hundred-eighty (180) days.  
  
**Part-Time Employee.** A "Part-time" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The part-time employee works whenever the District's workload increases to a level that regular employee cannot accommodate or when other factors make part-time employment advantageous. He/she also works standby as discussed in Section 19, ("WORK HOURS, OVERTIME AND STANDBY PROGRAM").
- i. A temporary or part-time employee will not be eligible for fringe benefits including holiday pay, vacation pay, insurance coverage, jury duty pay, bereavement pay or items of a similar nature, nor will he/she accrue seniority or leave of absence rights. Following the Healthy Workplace Healthy Family Act of 2014 (AB 1522), a temporary or part-time employee will accrue paid sick leave as of the first day of employment at a rate of one (1) hour for every thirty (30) hours worked provided that the employee has worked for 30 or more days within a year from the beginning of employment. The temporary or part-time employee will be eligible to take the paid sick leave after the 90<sup>th</sup> day of employment. The employee shall be limited to an annual accrued sick leave limit of twenty-four (24) hours annually.

## 9. COMPENSATION

- A. **Compensation at Hiring.** This policy shall apply to all District employees:

Adopted by Resolution 20-XX, Date

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BEAUMONT-CHERRY VALLEY WATER DISTRICT

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**POLICY TITLE: EMPLOYEE INFORMATION AND EMERGENCY DATA**

**POLICY NUMBER: 3001**

3001.1 It is the policy of the District to maintain accurate and vital personal contact information for each employee and Director of the District. This information is needed to maintain accurate payroll, benefits, and emergency information for all employees and Directors. All such information shall be maintained as confidential to the extent allowed by law.

3001.2 It is important that employees promptly notify the District of any changes to their personal information, including:

1. Name
2. Home and Mailing Address
3. Home and Cell Phone Telephone Numbers
4. Change of Emergency Contact Information
5. Educational Accomplishments, such as relevant water certifications
6. Marital or Registered Domestic Partner Status, if necessary for benefits purposes
7. Any dependents the employee wishes to include for benefits purposes
8. Driver's License Status
9. Payroll Deductions and Direct Deposit Information
10. Benefit Plan Beneficiary

3001.3 Employees are responsible for notifying the Human Resources Department in the event of a change in vital information as described above or any other District policy or procedure. A Change of Name/Address form may be obtained from Human Resources.

3001.4 Per California Government Code §3100-3109, an employee must file a new loyalty oath, also known as a Disaster Service Worker and Loyalty Oath, with the District within 10 calendar days of a change of name.

3001.5 The District shall not be responsible in the event of failure of an employee to provide this information in a timely manner for a loss of benefits or services by the employee or dependents.

3001.6 Each employee is also responsible for providing the District with records concerning any licenses or certificates required in the performance of their job, as well as any documents showing that education or training relevant to employment has been completed.

3001.7 **Release of Information.**

1. Personnel records are considered confidential and are the property of the District.
2. Except as required by law, no information from an employee's personnel file will be released verbally or in writing other than job title, dates of employment, and eligibility for rehire for employment verifications. Internal inquiries from other District departments and inquiries from law enforcement agencies are exceptions to this policy.

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3. Inquiries from prospective employers should be directed to the Human Resources Department. The only information to be provided will be the employee's job title, employment dates, employment end date (if no longer employed by the District), total time of employment with the District, and eligibility for rehire, if applicable.
4. An employee may authorize the release of salary information (e.g., for purposes of credit evaluation) by providing specific authorization.
5. Human Resources will notify the employee (if currently employed) if a verification of employment request is received.
6. All subpoenas served to obtain information contained in District personnel files must be directed immediately to the General Manager or their designee for submission to District legal counsel. It is the District's policy to comply fully with a properly issued subpoena including proof of service to the employee and absent written objection by the employee or document (i.e., Motion to Quash) from the employee's attorney.
7. Employees may examine the allowable contents of their own personnel records by contacting Human Resources and providing a Personnel Records Request form, which is obtainable from Human Resources.
  - a. Employees must review their personnel files in the presence of a Human Resources employee, the General Manager, or their designee.
  - b. Employees may not remove from the office any part of the personnel file.
  - c. The employee may request copies of the file or portions of the file. Within reason, Human Resources will provide copies. For extensive copying, the District's regular Public Records Act copying charges will apply.
  - d. In the event an employee wishes to dispute a document in their personnel file, in the presence of Human Resources the employee may write an explanation or clarification and attach it to the disputed document. Under no circumstances will Human Resources or the employee alter the original document.
8. Employees may authorize the release of their own personnel records by executing a written request identifying the records to be released and the person or entity to which they may be released. Ordinarily, no information on past or present employees shall be provided by the District, other than employment dates, job title, and rehire eligibility, unless such requests for information are accompanied by a signed authorization by the employee to release the information requested.

3001.8 For additional information about electronic records see IT Policy 7050 Personally Identifiable Information.

Adopted by Resolution 20-XX, Date



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BEAUMONT-CHERRY VALLEY WATER DISTRICT

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**POLICY TITLE: EMPLOYEE GROUPS**

**POLICY NUMBER: 3002**

3002.1 **Preamble.** Pursuant to Government Code section 3500 et seq., known as the Meyers-Milias-Brown Act or MMBA, the District has established procedures, set forth herein, for the administration of employer-employee relations. If the procedures set forth below do not address a particular process or scenario, the District shall follow the process provided for in the MMBA. Nothing in this policy shall restrict or limit the ability of the District to negotiate a Memorandum of Understanding (MOU) with a recognized employee group that establishes different procedures, in which case such procedures shall supersede those set forth in this policy.

3002.2 **Definitions.**

1. Confidential Employee: an employee who, in the course of their duties, has access to confidential information relating to the District's administration of employer-employee relations, including Human Resources classifications and executive management.
2. Management Employee: an exempt (salaried) employee. Management employees may have an employment agreement with the District and are responsible for administering and managing the implementation of District policies and procedures.
3. Executive Management: Classifications which lead a department, such as the Director of Finance & Administration, Director of Operations, etc.
4. Consult/Consultation in Good Faith: to communicate orally or in writing with an Employee Association or Employee organization for the purpose of presenting and obtaining views or advising of intended actions; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of such meet and confer process, does not involve an exchange of proposals and counterproposals in an endeavor to reach agreement.
5. Chief Negotiator: The General Manager or their designee.
6. Recognized Employee Organization or Recognized Employee Association: an employee organization which has been formally acknowledged by the District as the sole employee organization representing the employees in an appropriate representation unit, having the exclusive right to meet and confer in good faith concerning statutorily required subjects pertaining to unit employees, and thereby assuming the corresponding obligation of representing such employees.
7. Impasse: The Chief Negotiator and a Recognized Employee Organization or Employee Association have reached a point in their meeting and conferring in good faith where their differences on matters within the scope of representation remain so substantial and prolonged that further meeting and conferring would be futile.

3002.3 **Representation Proceedings.** An employee organization that seeks to be formally acknowledged as a Recognized Employee Organization or a Recognized Employee Association representing the employees in an appropriate unit shall file a petition with the Chief Negotiator. Upon receipt of the petition, the Chief Negotiator will determine whether the petition complies with the requirements of such petition, whether the proposed representation unit is an appropriate unit, and shall give written notice of the determination of the petition.

3002.4 **Election Procedure.** It is the responsibility of the Recognized Employee Organization or Recognized Employee Association to arrange for a secret ballot election to elect Association or Organization Representatives. The District will permit reasonable time and privacy for the election to take place.

3002.5 **Use of District Resources.** Access to District work locations and the use of District paid time, facilities, equipment, and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in an MOU and/or administrative procedures, shall be limited to

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lawful activities consistent with employer-employee relations and shall not interfere with the efficiency, safety, and security of District operations. Pursuant to Government Code Section 3505.3, the District shall allow a reasonable number of employees reasonable time off without loss of compensation or benefits when formally meeting and conferring on matters within the scope of representation.

3002.6 **Impasse Procedure.** If the meet and confer process has reached impasse as defined earlier in this policy, either party may initiate an impasse by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled by the Chief Negotiator. The purpose of such meeting shall be:

1. To review the position of the parties in a final effort to reach agreement on an MOU; and
2. If the impasse is not resolved, the parties shall use the method set forth in the MMBA at Government Code section 3505.2.
3. All mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues.
4. If the parties fail to agree to submit the dispute to mediation or fail to agree on the selection of a mediator, the parties may agree to submit the impasse to fact-finding, as set forth in Government Code section 3505.4.
5. If the dispute is not settled within 30 days after the appointment of the factfinding panel, or upon agreement by both parties within a longer period, the parties shall follow the procedure set forth in Government Code section 3505.5 - 3505.7.

3002.7 Nothing in this policy shall be construed to deny to any person, employee, organization, the District, or any authorized officer, body, or other representative of the District, the rights, powers, and authority granted by Federal or State law.

Adopted by Resolution 20-XX, Date



**Beaumont-Cherry Valley Water District  
Personnel Committee Meeting  
May 17, 2021**

**HUMAN RESOURCES REPORT**

**TO:** Board of Directors Personnel Committee

**FROM:** Sabrina Foley, Human Resources Coordinator

**SUBJECT:** Human Resources Department Report for the Period of April 12, 2021 – May 9, 2021

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**Personnel**

Total Current Employees (Excluding Board Members)	37
Part Time	2
Temporary	1
Interns	0
Separations	1
Retiring Employees	0

**New Hires**

The District hired a Temporary Water Utility Person for the AMR/AMI grant on 5/3/2021.

A temporary employee was offered a regular part-time position with the District on 5/3/2021.

**Anniversaries\***

Employee Name	Job Title	Years of Service
Mark Swanson	Sr. Engineer	3

*\*Work Anniversaries for the purposes of this report are calculated from the most recent hire date and do not determine employment conditions or terms. This report does not include elected officials.*

**Promotions**

A Water Utility Person I was promoted to a Water Utility Person II effective 5/3/2021 (internal promotion).

**Employee Communications**

On 4/12/2021, HR published several job announcements to internal staff.

On 4/13/2021, HR shared an update regarding the Johnson & Johnson COVID-19 vaccine.

On 4/15/2021, HR hosted an optional webinar, "Financial Fitness Bootcamp."



On 4/21/2021, HR announced Administrative Professionals' Day.

On 4/21/2021, HR assigned training requiring all staff to complete the annual Harassment Policies acknowledgement in accordance with District Policy. Additionally, HR assigned a required training regarding bullying in the workplace.

On 4/26/2021, HR shared an update regarding the Johnson & Johnson COVID-19 vaccine.

On 4/27/2021, HR published information about the Employee Assistance Program (EAP) in honor of Mental Health Awareness month.

On 5/3/2021, HR announced Public Service Recognition Week.

On 5/6/2021, HR announced an internal promotion of a Water Utility Person I to a Water Utility Person II.

### **Pending Legislation**

This legislation has been introduced but not yet chaptered.

<b>Bill/Legislation</b>	<b>Title</b>	<b>Description</b>	<b>Effective Date</b>
AB 95	Employees: Bereavement Leave	Would require employers to provide 10 days of unpaid bereavement leave, subject to certain exclusions.	Sent to Appropriations Committee
SB 46	<del>Employment: Contact Tracing and Safety Policies, COVID-19</del>	<del>Would require employers to develop and implement contact tracing and safety policies for COVID-19. Employees would be required to provide notice to their employer if they receive a positive COVID-19 test.</del>	Failed deadline. May be acted upon Jan. 2022
AB 444	State and Local Employees: Pay Warrants: Designees	Currently, government employees may designate an individual to receive their final paycheck ("warrant") in the event of their death. The bill would require employers to issue the final paycheck in the designee's name.	Passed and ordered to the Senate
<del>AB 513 (similar to SB 657)</del>	<del>Employment: Telecommuting Employees</del>	<del>This bill would authorize an employee working from home to receive legally required notices and postings electronically and sign certain documents electronically. The bill would also require that a working from home employee's wages due at the time of separation of employment</del>	Failed deadline. May be acted upon Jan. 2022



		<del>be deemed to have been paid on the date that the wages are mailed to the employee.</del>	
AB 55	Employment: Telecommuting	<del>Declares the intent of the Legislature to enact further legislation to ensure certain rights and benefits for telecommuting employees.</del>	Failed deadline. May be acted upon Jan. 2022
AB 237	Public Employment: Unfair Practices: Health Protection	Would make it an unfair practice for a public agency employer to fail or refuse to maintain or pay for medical coverage for an enrolled employee or their dependents during the employee's participation in an authorized strike.	Read a second time, ordered to a third reading.
AB 684 (amended to <b>AB 654</b> )	COVID-19 Exposure: Notification	Would require the State Department of Public Health to make information available which would allow the public to track the number of COVID-19 cases and outbreaks by both workplace and industry.	Sent to Appropriations committee.
SB 238	Fair Employment and Housing Protections: Political Affiliation	Would add political affiliation as a protected characteristic for the right to seek, obtain, and hold employment without discrimination.	Failed deadline. May be acted upon Jan. 2022
AB 995 (SB 95 is similar)	Paid Sick Days: Accrual and Use	Would change the alternate sick leave accrual rate from a minimum of 24 hours per year to a minimum of 40 hours per year.	Re-Referred to Committee
AB 1119	Employment Discrimination	Would expand protected characteristics to include family responsibilities, meaning the obligation of an employee to provide care for a minor child or care recipient.	Re-referred to Committee
AB 1179	Employer Provided Benefit: Backup Childcare	Would require an employer with 30 or more employees to provide up to 60 hours of paid backup childcare benefits to be used when the employee's regular childcare provider cannot be utilized.	Sent to Appropriations Committee



AB 1033	CFRA Update: Parents-in-law	Would amend CFRA to include leave to care for a parent-in-law within the definition of family care and medical leave.	Re-referred to Committee
AB 1041	Leave to care for "Designated Person"	Would expand the population that employees could take leave to care for to a "designated person" to mean a person identified by the employee at the time of a leave request.	In Committee
AB 1256	Employment Discrimination: Cannabis Screening Test	Would prohibit an employer from discriminating against a person in hiring, termination, or any term or condition of employment because a drug screen test has found evidence of cannabis use. (Exempt for building and construction trades.)	Failed deadline. May be acted upon January 2022.

*Prepared by Sabrina Foley, Human Resources Coordinator*