



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

**NOTICE AND AGENDA
MEETING OF THE PERSONNEL COMMITTEE**

*This meeting is hereby noticed pursuant to
California Government Code Section 54950 et. seq. and
California Governor's Executive Order N-08-21*

Monday, September 20, 2021 - 5:30 p.m.
560 Magnolia Avenue, Beaumont, CA 92223

COVID-19 NOTICE

**This meeting of the Personnel Committee is open to the public
who would like to attend in person. COVID-19 safety
guidelines are in effect pursuant to the Cal/OSHA COVID-19
Prevention Emergency Temporary Standards**

- **Face coverings are mandatory for unvaccinated persons and must be properly worn over the nose and mouth at all times**
- **Maintain 6 feet of physical distancing from others in the building who are not in your party**
- **There will be no access to restrooms in the building**

TELECONFERENCE NOTICE

*The Members of the Personnel Committee will attend in person at the
BCVWD Administrative Office **and/or** via Zoom Video Conference*

To access the Zoom conference, use the link below:

<https://us02web.zoom.us/j/85792068838?pwd=cFArZHZ4aHRSumJLeTBCZVpnUGRmdz09>

To telephone in, please dial: (669) 900-9128
Enter Meeting ID: 857 9206 8838 • Enter Passcode: 457586

*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/>

PERSONNEL COMMITTEE MEETING – SEPTEMBER 20, 2021

Call to Order: Chair Covington

Announcement of Teleconference Participation

Roll Call

	John Covington
	Andy Ramirez

	David Hoffman (alternate)
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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. June 21, 2021 (pages 4 - 10)
- b. July 20, 2021 (pages 11 - 14)

ACTION ITEMS

3. **Human Resources Department Report for the Period of July 14, 2021 – September 13, 2021** (pages 15 - 17)
4. **Update on the Status of the Memorandum of Understanding (MOU) with the Employee Association** (pages 18 - 37)
5. **Report / Update from BCVWD Employees Association** (No Staff Report)
6. **2022 Operating Budget Update and Timeline** (pages 38 - 39)
7. **Policies and Procedures Manual updates / revisions** (pages 40 - 53)
 - a. Policy 3006 Public Works Contractor-Employee Relations
 - b. Policy 3010 Employee Performance Evaluation
 - c. Policy 3015 Performance Evaluation-General Manager

8. **Review of Annual Evaluation Process for General Manager**
9. **2021 YTD Summary of District Safety** (pages 50 - 52)
10. **2021 Summary of District Professional Development** (pages 53 - 55)
11. **Action List for Future Meetings**
 - *Employee Association topics*
 - *Policy manual updates*
12. **Next Meeting Date: October 18, 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.

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 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. September 17, 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: 2021.09.16 17:47:01 -07'00'

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, June 21, 2021 at 5:30 p.m.

***Meeting held via teleconference pursuant to
California Government Code Section 54950 et. seq. and
California Governor's Executive Order N-08-21***

CALL TO ORDER

Chair Covington called the meeting to order at 5:36 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 Assistant Director of Operations James Bean Administrative Assistant Erica Gonzales Field Superintendent Knute Dahlstrom Accountant III Lorena Lopez Production Maintenance II Joseph Haggin</i>
<i>BCVWD Employee Association reps:</i>	<i>Erica Gonzales</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. Mr. Jagers pointed to a handout for Item 8 that was emailed to Committee members and is available on the District's website.
2. Approval of the May 17, 2021 Meeting minutes

The Committee accepted the minutes of the May 17, 2021 Personnel Committee meeting by unanimous vote.

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

3. Report from Human Resources Department

Human Resources Consultant Sabrina Foley presented the report. She noted that the interview process is concluding for the Water Utility Person III and the internal job opening for the Accounting Technician position was announced.

Ms. Foley advised there was a social media (Twitter) shout-out from the California Special Districts Association (CSDA) recognizing the letter sent by the Board.

Ms. Foley described highlights of the Legislative Action and Director Ramirez and Director Covington commented.

Chair Covington invited public comment. There was none.

4. Update on the status of the Memorandum of Understanding (MOU) with the Employee Association

Ms. Foley advised the Committee that the classification study is underway and described the process. She noted it is an aggressive project in terms of timeline, but there is buy-in from staff.

The Request for Proposal for the compensation study has been posted on the website and emailed to several vendors, she stated.

Staff is working on pre-negotiation information and things are on track, she said.

Chair Covington requested a status update on the ongoing projects be added as a matrix to the July agenda.

Chair Covington invited public comment. There was none.

5. Report / Update from BCVWD Employees Association

Ms. Erica Gonzales reported that she has compiled a list of concerns and asked employees to rate them.

Chair Covington invited public comment. There was none.

6. Policies and Procedures Manual updates / revisions

- a. Policy 3000 Employee Status
- b. Policy 3001 Employee Information and Emergency Data

Human Resources Coordinator Sabrina Foley reviewed the changes made by request of the Personnel Committee.

Chair Covington suggested a definition of “reclassified employee” when the employee would not be serving an introductory period.

In response to Director Ramirez, Ms. Foley explained that the General Manager has the discretion to extend an introductory period. Chair Covington asked for additional clarification to be included regarding the extension of the introductory period.

Chair Covington invited public comment. There was none.

By consensus, the Committee recommended that the Policy 3001 Employee Information and Emergency Data be sent to the full Board for consideration.

7. Discussion of Training, Education and Conferences Policy for the Board of Directors

General Manager Jagers advised that Committee member Ramirez had requested that this item be agendaized for the next Board of Directors meeting to allow discussion of the current District Training, Education and Conference policy. He reminded that policies are usually first reviewed by the Personnel Committee.

Director Ramirez explained that the Ad Hoc Communications Committee had identified a need to increase flexibility to be proactive in community outreach and agreed it would be an opportunity to agendaize this policy. Events may come up from time to time that may be important for directors to attend to have some face time, and there may not be enough advance notice to take the event to the Board, he stated.

Ramirez noted that there are some pre-approved events within the policy and suggested broadening the directors’ ability to attend community events with pre-approvals. He also recommended increasing the limit of 10 days of service per month.

Director Covington acknowledged that the policy was reviewed in 2019 but there was not much revision to this section. He indicated that the policy needs to identify state law. He pointed to the list of pre-approved items and suggested that this may be where the

Communications Committee is feeling stifled. He said he liked the concept of pre-approving a comprehensive list of events or assignments on an annual basis rather than re-writing the policy each year. He noted that the District should look at appointing directors to specific organizations or meetings. He said he did not want to stifle the directors and felt that all had been very responsible related to attending meetings unnecessarily and overwhelming the budget.

Covington noted that state law limits the number of meetings to 10 per month. He said it is his goal to make sure the Board members are well informed, and the opportunities are available. Ramirez agreed and noted there are some fantastic webinars from the Association of California Water Agencies (ACWA) available.

Ramirez asked staff to confirm state law related to maximum number of meetings per month, as it limits the ability of directors to participate and represent the District as an elected official. He acknowledged that directors must be conscientious about how many attend conferences, meetings, or webinars but said more flexibility is needed to allow directors to maximize their time and investment into the District.

General Manager Dan Jagers shared California Water Code Section §20202 which states that no ordinance shall authorize compensation for more than 10 days in any calendar month. He explained the allowable increase in the per diem rate and reminded the Committee that the Board recently raised their per diem rate to \$260.

Director Ramirez said he liked Chair Covington's idea of adding the "Affiliate List" of pre-approved events and recommended a policy addendum including Chamber of Commerce breakfasts and luncheons to be adopted sooner rather than later.

Mr. Jagers pointed out policy language that allows for a director to submit a request for a per diem for attending an event that was not pre-approved.

Ramirez reiterated the intent to have a simple list that would give directors the ability to participate within the community. He suggested inclusion of Chamber of Commerce events and community events. Covington agreed that a list needs to be developed and said the Board needs to see any proposed changes to the policy, as there are redundancies that can be carved out. He cautioned that the Committee would not want to see anyone taking advantage of the policy, as it does not talk about the duties of an alternate.

The Committee directed staff to prepare a list of pre-approved events, and a matrix of assignments with primary, secondary, and alternate designees; and to prepare a proposed policy revision to carve out the list of pre-approved events and instead refer to a list to be adopted annually to come back to the Personnel Committee for consideration. Covington also suggested a list of events that would require Board pre-approval.

Mr. Jagers indicated there is a placeholder on the June 24 Regular Meeting agenda to report out on this activity.

8. District Residences and Emergency Facility Policy and Properties

General Manager Jagers reminded the Committee of previous discussion on this item and pointed out differences. He noted that there are two key remaining components for consideration.

The first is providing a cost for water, which is calculated at \$26 per month for indoor water use at 8 units per month plus standby charges for a 5/8-inch meter.

The second component is the monthly maintenance fee to recover the costs of the District, he said.

Mr. Jagers pointed to the changes from the May staff report. He noted that the potential to move out the employee-occupant and completely rehab the house was eliminated as non-viable.

Jagers explained the basis, concept, and formulas of the Cost Recovery Analysis, which has been refined since the last meeting. Chair Covington noted that the Committee has been presented different concepts and the goal is to determine a method that the Board of Directors would buy into, and that will not break the bank of the current employee-occupants. He indicated that he was comfortable with the middle calculation at 2 percent of home value.

Jagers advised that the District has composed a home inspection activity request to solicit preparation of a scope of work for rehab of the houses. It is unknown how much work there is to be done and how that might factor into cost recovery, he cautioned, but that information will be forthcoming.

Chair Covington recommended preparing a package for consideration by the full Board and said he was comfortable bringing forward the midpoint 2 percent budget as shown on the Cost Recovery Analysis to be fair and equitable to the District and the employee-occupants.

Director Ramirez asked about the monthly water cost of \$26. Mr. Jagers reminded of previous discussion and noted the \$26 does not include the outdoor water use, as the District wants to have the landscaping watered. He explained the calculation for indoor use including facilities charges.

Director Ramirez asked about inclusion of an escalator. Mr. Jagers noted that an escalator of 3 percent had been recommended as part of the Employee Occupancy Agreement. Chair Covington requested the escalator be added to the policy, instead of the Agreement.

Director Covington asked about the annual renewal of the Employee Occupancy Agreements. Jagers read the following excerpt from Section 5 of the proposed policy:

The District's needs shall be evaluated by the General Manager after 11 months following the date of execution of the lease, and a determination made as to whether to offer a 12-month renewal of the lease.

Covington indicated that he wanted to make sure that the Employee Occupancy Agreement assures a level of comfort that the residency would not be evaluated on a 12-month basis with the potential of being told to move out.

Chair Covington commented that if the Board adopts the package, he will hope for a recommendation that this policy would not be implemented for 90 days to allow time for current occupants to absorb the change.

Chair Covington requested that staff provide the final proposed policy for his review prior to going to the Board.

Chair Covington invited public comment. There was none. He invited comment from employees.

Assistant Director of Operations James Bean pointed out that this has been a lengthy process. He indicated understanding that the objective is to collect funds to provide for maintenance of the residences and noted that monies have already been collected and allocated for maintenance. He explained calculations of annual maintenance fees and pointed out that it was questionable whether the District would be able to spend \$10,548 annually indefinitely, especially since there has already been money collected.

Bean suggested that without inspection of the homes to determine necessary repairs, it is not clear how much funding is actually required to maintain the houses moving forward. If a cost is set that is too high, it may end up in a situation where the District has over collected and is unable to spend tens of thousands per home per year. He suggested that the inspection may provide clarity and set the stage for calculations for years to come.

Chair Covington answered that the current balance of funds collected was approximately \$100,000. The intent is to collect enough money, not to repair only what is currently seen on the surface this year, but to build up a restricted maintenance fund to provide for future expenses such as failure of roofing, septic system, electrical or other big-ticket items that the District is unprepared for. He acknowledged that all the houses currently require some TLC, and there is not enough money, but they all need to be addressed.

Mr. Bean expressed concern that after the houses are repaired, the funds would continue to accrue and not be able to be spent realistically. Covington posited that the District needs a \$50,000 reserve to address unforeseen situations. He noted that the \$100,000 currently available will not be enough to do what needs to be done. He stated that he will ensure that what the employees are told will get done.

Covington invited further comment from employees. There was none.

Covington opined that this is a fair and honest way without gouging staff members who live in the residences and assured that the Committee recognized the work they are doing.

The Committee recommended that the proposed District Residences and Emergency Facility Policy be forwarded to the Board of Directors for consideration by unanimous vote:

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

9. 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*
- *Recruitment plan for the vacant executive level position*
- *Revised Accounting Technician job description (to the Board of Directors)*

10. Next Meeting Date: Monday, July 19, 2021 at 5:30 p.m.

ADJOURNMENT: 7:30 p.m.

Attest:

DRAFT UNTIL APPROVED

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



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

MINUTES OF THE PERSONNEL COMMITTEE MEETING
Tuesday, July 20, 2021 at 5:30 p.m.
(postponed from Monday, 7/19/2021)

***Meeting held via teleconference pursuant to
California Government Code Section 54950 et. seq. and
California Governor's Executive Order N-08-21***

CALL TO ORDER

Director Ramirez called the meeting to order at 5:30 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-08-21 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, Hoffman (alternate)</i>
<i>Directors absent:</i>	<i>Covington</i>
<i>Staff present:</i>	<i>General Manager Dan Jagers Acting Director of Finance and Administrative Services William Clayton Human Resources Coordinator Sabrina Foley Director of Operations James Bean Accounting Technician Erica Gonzales</i>
<i>BCVWD Employee Association reps:</i>	<i>Erica Gonzales Julian Herrera</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 June 21, 2021 Meeting minutes

The Committee tabled the minutes of the June 21, 2021 Personnel Committee meeting to the August 16, 2021 meeting.

3. Report from Human Resources Department

Human Resources Coordinator Sabrina Foley presented the report. She advised of updated COVID-19 regulations and potential additional required training. She noted ongoing activity for the classification study.

Ms. Foley shared highlights of the Legislative Action and advised of newly chaptered law.

Director Hoffman asked about the District's Worker's Compensation, and Ms. Foley explained the ACWA/JPIA rates and program.

Director Ramirez acknowledged staff anniversaries and promotions.

4. Update on the status of the Memorandum of Understanding (MOU) with the Employee Association

Ms. Foley reminded the Committee that the current MOU is due to expire on December 31, 2021. Negotiation of a new MOU is in process to become effective January 1, 2022. She noted several projects to be completed alongside negotiations, and provided an overview of the classification study, the compensation study and pre-bargaining analysis. She reviewed the tentative calendar and noted that, ideally, a tentative agreement would be available in October for presentation to the Board in closed session.

5. Report / Update from BCVWD Employees Association

Ms. Erica Gonzales reported that she is encouraging employees to rank their priorities.

Mr. Herrera reported the field staff is also working on the item.

6. Policies and Procedures Manual updates / revisions

- a. Policy 1000 Definitions
- b. Policy 3000 Employee Status
- c. Policy 3005 Compensation
- d. Policy 3006 Prevailing Wage

e. Policy 3010 Employee Performance Evaluation

Human Resources Coordinator Sabrina Foley reminded that the update of policies is an ongoing project. She highlighted the updates to existing policies 1000 and 3000.

Ms. Foley introduced new Policy 3005 and responded to questions from Director Ramirez and Director Hoffman.

Director Ramirez asked how often employee evaluation forms are updated. Ms. Foley said it is a recommendation from the HR consultant and is on the to-do list. She indicated pre-update would include working with staff to establish core values. It was last updated in 2017, and minor adjustments were made in 2019.

Ms. Foley introduced new Policy 3006, proposed per the recommendation of CSDA sample policies and the HR consultant. Director Ramirez clarified that this is a re-statement of existing law about prevailing wage requirements. Ms. Foley explained it is to state in writing that the District complies with the requirements. Some grant applications require the District to have such a policy, she noted.

Director Hoffman asked if verification of contactors' employees harassment training is required. Ms. Foley said it is not required, but the contractor should be able to provide the documentation upon request.

General Manager Jagers pointed out that documentation of an Equal Opportunity Employer Policy is required from District contractors and noted that it should be included in the current public works contract template.

Director Ramirez requested Policy 3006 come back to the Personnel Committee.

Ms. Foley presented Policy 3010 which would combine existing policies 10 and 49. In response to Director Hoffman, Ms. Foley advised the policies had been reviewed by legal counsel.

Director Ramirez asked about evaluation procedure and suggested that it empowers HR. Ms. Foley indicated she provides advice to supervisors on evaluations and assured that it is the role of HR to protect both the employee and the organization. The General Manager also has discretion regarding evaluations, and both must agree, she noted.

General Manager Jagers said he did not believe that the policy allows HR veto power. He explained the process and said there is coordination and HR oversight is needed for consistency in the organization. Additional language was suggested and discussed.

Ms. Foley suggested including language to address when HR and a supervisor cannot reach consensus on an evaluation, that the decision lies with the General Manager. Mr. Jagers suggested including legal counsel. Director Hoffman acknowledged the concern and said he supported the suggested language. Mr. Herrera noted that the current procedure has been working well.

The Committee approved the following policies to be forwarded to the full Board of Directors for consideration:

- *Policy 1000 Definitions*
- *Policy 3000 Employee Status*
- *Policy 3005 Compensation*

by the following vote:

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

The following policies will return to the Personnel Committee with revisions:

- Policy 3006 Prevailing Wage
- Policy 3010 Employee Performance Evaluation

7. 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*

8. Next Meeting Date: Monday, August 16, 2021 at 5:30 p.m.

ADJOURNMENT: 7:30 p.m.

Attest:

DRAFT UNTIL APPROVED

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



**Beaumont-Cherry Valley Water District
Personnel Committee Meeting
September 20, 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 July 14, 2021 – September 13, 2021

Personnel

Total Current Employees (Excluding Board Members)	39
Part Time	4
Temporary	2
Interns	0
Separations	0
Retiring Employees	0

New Hires

Effective 8/2/2021, a temporary staff member was hired to a regular position as a Water Utility Person I.

Anniversaries*

Employee Name	Job Title	Years of Service
Sarah Ath	Customer Service Representative I	2
Luz Diaz	Customer Service Representative I	2

**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

Effective 8/2/2021, a Water Utility Person I was promoted to Water Utility Person II.

Employee Communications

7/19/2021: COVID-19 Procedures Reminder.

7/29/2021: Human Resources shared a mask update recommendation from the Riverside County Department of Public Health.



7/29/2021: Human Resources announced that the District is accepting applications for the position of Administrative Assistant.

8/2/2021: Human Resources shared a flyer from the Employee Assistance Program (EAP) regarding resources for parents.

8/4/2021: Human Resources announced an employee promotion.

8/4/2021: Human Resources announced the District earned accreditation for Great Place to Work.

8/9/2021: Human Resources shared information from the Employee Assistance Program (EAP) regarding suicide prevention for Suicide Prevention Month.

8/16/2021: Human Resources shared the employee interview schedule for the Classification study.

8/17/2021: Human Resources shared information about the CalPERS 457 Plan benefit, including a financial wellness resource.

8/23/2021: Human Resources shared news that the Food and Drug Administration (FDA) had approved the Pfizer vaccine against COVID-19 for regular use.

8/25/2021: Human Resources shared the 2021 Engagement Survey Results in a presentation to all staff available in the District's Learning Management System.

9/2/2021: Human Resources announced an opening for the position of Maintenance Utility Worker.

9/7/2021: Human Resources shared a fall newsletter from the District's EAP.

9/8/2021: Human Resources shared information from Kaiser Permanente about a COVID Vaccine Information session available to the general public as well as their members.

Pending Legislation

This legislation has been introduced but not yet chaptered.

Bill/Legislation	Title	Description	Effective Date
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.	Re-referred to Senate Appropriations Committee, CSDA Opposes
AB 684 (amended to AB 654)	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.	Reconsideration for urgency clause granted. Ordered to third reading.
AB 1033	CFRA Update: Parents-in-law	Would amend CFRA to include leave to care for a parent-in-law	Passed and referred to



		within the definition of family care and medical leave. (Clarifies existing law)	Appropriations Committee, recommended to consent calendar. CSDA Supports.
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.	Referred to Appropriations Suspense file. CSDA Opposes.
AB 1003	Wage Theft: Grand Theft	Would impose criminal liability on employers for wage disputes more than \$950.00 by treating allegations of unpaid wages as grand theft under the CA Penal Code.	Re-referred to Appropriations Committee. CSDA Opposes.
AB 1313	COVID-19: Immunity from Civil Liability	Would exempt a business from liability for an injury or illness to a person due to COVID-19, if the business has substantially complied with all applicable state and local health laws, regulations, and protocols. (Does not currently include public agencies in the definition of business.)	Referred to Committee. CSDA supports if amended to include public agencies.
SB 335	Workers' Compensation: Liability	Would reduce the 90-day time period for employer investigation of workers' compensation claims to 45 days.	Failed deadline , may be acted upon Jan. 2022. CSDA Opposes.
SB 657	Employment: Electronic Documents	Authorizes an employee working from home to receive legally required notices and postings electronically and sign or acknowledge certain documents electronically.	Chaptered , will be effective January 1.

Prepared by Sabrina Foley, Human Resources Coordinator



**Beaumont-Cherry Valley Water District
Personnel Committee
September 20, 2021**

Item 4

STAFF REPORT

TO: Board of Directors

FROM: Sabrina Foley, Human Resources Coordinator

SUBJECT: **Update on the Status of the Memorandum of Understanding (MOU) with the Employee Association**

Staff Recommendation

No recommendation, for informational purposes and discussion only.

Background

The District adopted the existing Memorandum of Understanding (MOU) with the Employee Association on December 13, 2017, and the MOU is effective from January 1, 2018, until December 31, 2021. Since this MOU will expire at the end of this year, the District is in the process of renegotiating a new MOU, tentatively to be effective on January 1, 2022.

Summary

District staff have identified several projects to be completed prior to negotiations, and during negotiations with the Employee Association for the purpose of drafting an updated MOU. These projects are ongoing and in various stages of completion:

Project Name	Current Status Description	Next Step(s)
Classification Study	Consultant is preparing preliminary allocation recommendation and job description drafts.	Staff will review consultant's recommendations and facilitate feedback process.
Compensation Study	Professional Services Agreement fully executed. Initial meeting to be scheduled with consultants.	Discuss benchmark classifications and confirm benefits to be included in the scope of the study.
Pre-Bargaining Analysis	Complete and presented in Closed Session.	Staff will follow up with Board requests and present regular updates on negotiations progress in Closed Session.

Tentative Calendar of Events for Labor Negotiations:

9/22/2021 Third MOU Negotiations Meeting with Employee Association Representatives

11/4/2021 If tentative agreement has been reached, HR drafts MOU document and submits to Employee Association Representatives for review



11/16/2021 If acceptable, HR submits draft to legal counsel for review, then again to Employee Association Representatives

12/8/2021 General Manager presents MOU to Board of Directors in Closed Session for review. If agreeable, the Board adopts the MOU in Open Session.

Fiscal Impact

To be determined.

Attachments

1. 2018-2021 Memorandum of Understanding between BCVWD and BCVWD Employee Association

Staff Report prepared by Sabrina Foley, Human Resources Coordinator.

MEMORANDUM OF UNDERSTANDING
BETWEEN
BEAUMONT-CHERRY VALLEY WATER DISTRICT
AND
BEAUMONT-CHERRY VALLEY WATER DISTRICT
EMPLOYEE ASSOCIATION

2018-2021

This memorandum of Understanding (MOU) entered effective the 1st Day of January, 2018 is by and between the Beaumont-Cherry Valley Water District, hereinafter referred to as the "District", and the Beaumont- Cherry Valley Water District Employees Association, Hereinafter referred to as the "Association".

Duration

This Memorandum of Understanding hereinafter referred to as (MOU) shall become effective the 1st Day of January, 2018 and shall remain in full force and effective the 31st Day of December 2021.

Article 1

Recognition

The District hereby recognizes The Association as the sole and exclusive bargaining agent for the following classifications:

Customer Service Representative Trainee
Customer Service Representative I
Customer Service Representative II
Customer Service Representative III
Production Maintenance I
Production Maintenance II
Water Utility Person I
Water Utility Person II
Water Utility Person III
Transmission & Distribution Supervisor
Production Supervisor
Recycled/Non-Potable Water Supervisor

Should additional classifications be added during the term of this agreement, the District and the Association shall meet to ascertain if added classifications should be included in the bargaining unit.

Article 2

Provisions of Law

It is understood and agreed upon, that this MOU is subject to all current and future applicable and state law, and federal and state regulations. If any part of the provisions of this MOU is in conflict or inconsistent with such above applicable laws, rules and regulations, or is otherwise held to be invalid or unenforceable by any tribunal of competent jurisdiction, such part of the provision shall be suspended and superseded by such applicable law or regulations, and the remainder of this MOU shall not be affected thereby.

Article 3

Management Rights

The Association recognizes that the District and its representatives have the responsibility and authority to manage and direct, on behalf of the public, all of the operations and activities of the District to the full extent authorized by law.

The District is conceded to have the right to make technological improvements, to assign work not expressly covered by the job descriptions, to determine normal working hours, and to schedule accordingly.

Except as expressly limited by the provisions of this MOU, all managements rights, including the control, direction, and supervision of all BCVWD operations and personnel are vested in the District. Such functions include, but are not limited to, the right to hire new employees; direct staff; determine the types and the services to be provided; hire outside companies and/or vendors to perform services; increase and/or decrease the amount of work available; schedule and assign work; determine the number of work shifts and hours of work; sub contract work; determine the types of work to be performed; establish and enforce jobs standards and qualifications; conduct and implement safety regulations; determine job content; change materials, processes, services, equipment, jobs, operations, locations and the number and types of facilities. The District also retains the right to hire, transfer, promote, demote, lay off, recall, discharge, suspend and discipline for just cause.

Article 4

Employee Rights

Employees shall be free of restraint, intimidations and coercion as a result of the exercise of their rights as guaranteed by this agreement.

Article 5

No Strike or Lock Out

During the term of this MOU, the employees and representatives, including but not limited to, BCVWD employees will not instigate, promote, sponsor, engage in or condone any strike (including sympathy strikes), slow down, concerted stoppage of work, sick out, or any disruption of the operations of the District, regardless of the reason for doing so. Any employee engaging in such activity prohibited by this MOU, or who instigates or gives leadership to such activity, shall be subject to disciplinary action up to and including termination. During the term of this MOU, the District will not institute lockout over dispute with the employees so long as there is no breach of the above no-strike provisions.

Each employee who is an officer of the Association occupies a position of special trust and responsibility in maintaining the bringing about of compliance with the provisions of this MOU. Accordingly, such employees agree to inform District employees of their obligations under this agreement and to direct them to return to work in the event of any work stoppage, slow down, sick out, or other disruption of District operations.

Article 6

Agendas

Agendas of BCVWD will be furnished to Association at no charge.

Article 7

Americans with Disabilities Act

The parties recognize that they are subject to the Americans with Disabilities Act (ADA) and Fair Employment and Housing Act ("FEHA"), and that these laws may require, among other things, that the District provides reasonable accommodation to employees with disabilities. Accordingly, the District is permitted to take all actions necessary to comply with the ADA and FEHA.

Article 8

Non Discrimination

The provisions of this agreement shall apply to all persons covered by this agreement without discrimination on account of sex, race, color, political affiliation, age, national origin or creed, nor, will there be discrimination in respect to hiring and retention.

Article 9

Employee Evaluation

Performance evaluations shall be in writing on forms prescribed by the General Manager or his/her designee. Said evaluations shall provide recognition for effective performances and also identify areas that need improvement. In addition to providing scaled scores in each performance and characteristic category, the evaluator will also provide a narrative explanation of the reason for each score. Performance evaluations shall be signed by the evaluator and shall be discussed with the employee. The employee will be provided an opportunity to prepare a written response to the evaluation that will be attached to the evaluation for inclusion in his/her personnel file. Employee responses are to be filed within 30 calendar days, unless an extension for unusual circumstances is granted by the General Manager.

Article 10

Normal Work Day

1. The District may establish alternate work schedules for Association employees in the following manner:

Production Operators (On Call): In order to provide for the monitoring of system facilities, respond to system failures and customer service calls after hours and during weekends and holidays the alternate schedule for designated production operators will continue, subject to Option B Work Schedule, Standard, described below. The Option B Work Schedule begins at 6:30 A.M. continuing to 3:00 P.M. Tuesday through the following Thursday (10 consecutive days) followed by three (3) consecutive days (Friday through Sunday) off.

Upon returning to work after the on-call rotation (Option B Work Schedule), the employee shall work two consecutive weeks subject to the Option A Work Schedule (4/10) until his/her next scheduled stand-by. Employees are assigned different starting weeks to provide weekend coverage.

Option A Work Schedule (4/10): The normal work day is defined as ten (10) hours of work plus an unpaid one half (1/2) hour lunch break followed by thirteen and one half (13 1/2) hours of rest for all employees. Employees would work four (4) ten (10) hour days and be off for three (3) days.

Option B Work Schedule: The on-call work day is defined as eight (8) hours of work plus an unpaid one-half (1/2) hour lunch break. 10 consecutive days, as described above.

Overtime shall be in accordance with Article 12, herein.

Paid Time Off: Employees scheduled under Option A above shall be charged at the rate of ten (10) hours per day for vacation and sick leave.

2. Effective January 1, 2018, Option A will be implemented for all staff except for designated production operators, with the understanding that any one of the options listed above may be implemented with fourteen (14) calendar days' notice to all affected employee(s).

Article 11

Normal Work Week

The normal work week shall consist of 168 consecutive hours beginning at 12:00 A.M. Sunday and ending the following Saturday at 11:59 PM.

Article 12

Overtime

Non-exempt employees will receive overtime as required by the Fair Labor Standards Act of 1938, at the rate of time and one half for all hours actually worked in excess of 40 hours in a work week. All overtime is to be approved in advance by the employee's supervisor. Employees shall accurately record all hours worked, neither over reporting nor under reporting. If a non-exempt employee is asked or directed to work hours without accurately reporting them, the employee shall notify the General Manager as soon as possible. All overtime shall be paid on the payday immediately following the pay period in which overtime is worked. Holidays shall not count as timed worked for the purposes of computing overtime.

During normal work week schedules (non-standby period) Non-exempt employees will receive overtime, at the rate as set forth above. All hours in excess of twelve (12) hours worked in a single workday shall be paid at double the employee's normal hourly rate. In the event that an employee works overtime that goes beyond a single work day (i.e. after midnight, in excess of 12 hours in a single day), that employee shall continue to be paid overtime for all consecutive hours worked and shall not return to normal hourly rates until they return to work after a period of rest, no less than

eight (8) hours. If an employee is required to return to work before the minimum rest period of eight (8) hours, that employee shall start the next work shift at time and one half his/her hourly rate for all hours worked until a minimum rest period of eight (8) hours is achieved.

Employee shall accurately record all hours worked, neither over reporting nor under reporting. If a non-exempt employee is asked or directed to work hours without accurately reporting them, the employee shall notify the General Manager as soon as possible. All overtime shall be paid on the payday immediately following the pay period in which overtime is worked. Holidays shall not count as time worked for the purposes of computing overtime. An employee working on a holiday, that is not scheduled to work said holiday, as part of normal work schedule, shall be paid time and one half their normal hourly rate for hours worked. Any additional hours worked in excess of (12) hours shall be paid at double their normal hourly rate. Employees who are scheduled to work on a District recognized Holiday, shall be paid their regular rate of pay for the holiday and their regular rate of pay for all hours worked and shall also be eligible for overtime as stated above.

It is the intent of the District to make honest efforts to ensure that all full time employees are given the opportunity to work forty (40) hours per week at the employee's normal hourly rate. In the event that an employee's eight (8) hour rest period, between work shifts, interferes with the employee's ability to achieve the working hours of a Normal Work Day, as stated in Article 10, the District reserves the right to:

- A. Schedule the employee to work hours outside of a Normal Work Day, as stated in Article 10, providing there is a need and available work to do so.
- B. Authorize the employee to use vacation time to make up the deficit
- C. Compensate the employee for all hours worked, including overtime, and allow the deficit, without an adverse effect to the employee's full time status and/or benefit compensation.

An eight (8) hour rest period shall not be required when a "Call-Out", for stand-by personnel can be achieved in less than one hour of actual time away from the employee's home.

Article 13

Standby and On-Call Duties

Production Operator:

A Production Operator(s) assigned to standby duty for the purposes of being on-call to handle emergency situations arising at times other than normal scheduled working hours, and not as an extension of a regularly scheduled shift, shall be paid a flat fee of one hundred seventy-five dollars (\$175) per on call shift (ten consecutive eight hour days inclusive of the weekend beginning on Tuesday and ending on the next Thursday).

A "standby day" for purposes of calculating standby compensation shall be the period of time when an employee has been assigned to be available for purposes of handling emergency situations arising at times other than normally scheduled working hours and not as an extension of a regularly scheduled shift.

It is understood that standby duty for Production Operator(s) will be provided by qualified and available employees as assigned by the supervisor and/or Director of Operations. Standby rotation for Production Operator(s) shall be, at a planned minimum, four (4) operators in rotation. A single Production Operator shall be on standby from Thursday to the following Thursday (one week). The intent of the rotation is to provide, a planned minimum, three (3) weeks off of standby rotation before reporting for another standby shift. In the event it is not possible to accommodate a 3 week lapse in on-call duty, the District shall reserve the right to fill the vacancy with appropriate Production Operators. Employee supervisors and/or the Director of Operations reserve the right to assign any employee they deem fit to standby rotation to provide the District with the planned minimum of four (4) operators in standby rotation (this is the District planned rotation period but in no way guarantee's this rotation cycle period will always be able to be maintained). While on standby, the operator shall be provided with a District vehicle to drive home after normal working hours for use during after-hours emergencies. The District vehicle shall be taken home to provide a reasonable response time of twenty minutes to any actual emergency. It is understood that District Vehicles are for official District business only. District vehicles shall only be used to drive to and from work and/or to and from an actual emergency. Any misuse of District vehicles (i.e. using a District vehicle to run personal errands) shall be subject to disciplinary action as deemed fit by the employee's supervisor and/or the Director of Operations. The District shall pay any fuel, or additional charges, associated with standby vehicles. The District will establish a fringe benefit commuting valuation for the commuting benefit of each one way commute at the current rate allowed by the IRS.

The employee shall pay applicable taxes associated with the use of standby vehicles.

Distribution Operator:

In addition to Production Operators, One (1) Distribution Operator and one (1) Distribution Helper shall also be on standby rotation. It is understood that standby duty for distribution operations will be provided by qualified and available employees as assigned by the supervisor and/or Director of Operations.

Standby rotation for Distribution Operators shall be, at a planned minimum, four (4) Distribution Operators in rotation. A single Distribution Operator shall be on standby with a single standby helper assigned to back up the Distribution Operator on call.

Standby rotation for Distribution Helpers shall be, at a planned minimum, eight (8) Distribution Helpers in rotation. A single Distribution Helper shall be on standby with a single Standby Operator assigned to supervise the Distribution Helper on call.

Employee supervisors and/or the Director of Operations reserve the right to assign any employee they deem fit to Distribution standby rotation. . . The rotation shall provide, a planned minimum, three (3) weeks off of standby rotation for Distribution Operators and seven (7) weeks off of standby rotation for Distribution Helpers before reporting for another standby shift. In the event it is not possible to accommodate the planned lapse in on-call duty, the District shall reserve the right to fill the vacancy with appropriate distribution operators.

Distribution Operators shall be compensated at One hundred seventy-five dollars (\$175) per on call shift (one week) for the standby employee, and one hundred twenty-five (\$125) for the standby helper per on call shift (one week).

While on standby, the distribution Operator and possibly the Distribution Helper shall be provided with a District vehicle to drive home after normal working hours for use during after-hours emergencies. The District vehicle shall be taken home to provide a reasonable response time of Twenty minutes to any actual emergency. It is understood that District Vehicles are for official District business only. District vehicles shall only be used to drive to and from work and/or to and from an actual emergency. Any misuse of District vehicles (i.e. using a District vehicle to run personal errands) shall be subject to disciplinary action as deemed fit by the employee's supervisor and/or the Director of Operations Manager. The District vehicle will only be provided to the standby Distribution Operator. The District shall pay any fuel, or additional charges, associated with standby vehicles. The employee shall pay applicable taxes associated with the use of standby vehicles. The District will establish a fringe benefit commuting valuation for the commuting benefit of each one way commute at the current rate allowed by the IRS.

The employee shall pay applicable taxes associated with the use of standby vehicles.

All Standby Employees shall:

1. Be ready to respond immediately to a call for service.
2. Be readily available at all hours by telephone or other agreed upon communication equipment.
3. Refrain from activities which might impair their assigned duties upon call.
4. Respond to the emergency caller within Five (5) minutes of receiving the call.
5. Ensure that the assigned cell phone and/or personal cell or home phone devices are in working order.

Failure to reply to an emergency call within five (5) minutes of receipt and response to the actual emergency within twenty (20) minutes from receiving the call shall be grounds for forfeiture of standby pay for that 24 hour period, and may be cause for further disciplinary action.

Article 14

Call Out Time

Employees shall be paid a minimum of two (2) hours at the regular overtime rate as defined in Article 12, when called out to work during their normal off duty hours, other than his/her regular shift. No other compensation shall be provided during the initial call-out period in the event other calls for service are received during that period.

A "call-out" occurs when an employee on assigned standby duty is required to return to a District-designated worksite or is otherwise required to commence work following completion of the employee's regularly scheduled work shift and following the employees departure from the worksite at the end of that regular scheduled work shift. Therefore, a "call-out" is not an extension of a regular

scheduled work shift. Where a “call-out” requires the employee to leave their residence and respond to a designated worksite, computation of compensable work hours shall commence with and include travel time to and from the residence and the worksite. Compensable work hours shall also include the time spent on the telephone or other electronic device whereby the “call-out” is assigned and/or efforts by telephone or other electronic device are undertaken to address the subject of the “call-out” (this telephone or electronic device activity shall be included as part of the call out time calculation for any particular item and does not represent a separate call out time period).

Article 15

Equitable Distribution of Call Out Overtime

There will be equitable distribution of call out overtime.

Article 16

Pay Period

The pay period shall commence on Sunday at 12:00 A. M., and continue until 11:59 PM the second Saturday following. Payday shall occur on the Thursday following the end of pay period.

Article 17

Promotions

When the District has an opening in a classification above the entry level for employees covered under the MOU, a notice shall be posted in the break room, located at the District Headquarters and Field Office, five (5) days prior to closing the position. Positions shall be filled on the following basis:

These positions will be filled based on merit, ability to perform in the vacant position and, where applicable, possession of certification/education that is required or desirable for the position. Where the District determines that all other factors are equal, seniority will be the final consideration.

Employees receiving promotions shall serve a six (6) month introductory period in the higher classification. The introductory period will extend from the date of promotion, rather than date of hire. The District reserves the right to hire outside the present workforce.

Article 18

Introductory and Temporary Employees

Introductory Employee. All newly hired employees covered under the MOU 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 the 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.

Temporary Employee. A temporary employee is defined as anyone covered under the MOU who is hired for a period of 999 hours or less.

- i. Employees hired to replace a regular employee covered under the MOU 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.

A temporary employee will not be eligible for any fringe benefits including sick leave pay, 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.

Article 19

Performing Work Out of Classification

Employees required by their supervisor to work a normal shift in a temporary classification higher than their current classification will be paid a step increase equivalent to five percent (5%) of his/her base pay rate for those hours worked performing the duties of the higher classification. This out of class work shall be clearly identified by the supervisor which will require authorization by the supervisor at the beginning of the normal work shift in which said out of class work is performed.

Should an employee be required to work temporarily in a classification paying less than his/her established rate, he/she will be paid at their normal rate.

Article 20

Layoff and Recall

Should the District be required to reduce the bargaining unit work force for any reason, the following shall be the layoff procedure:

1. Temporary bargaining unit employees shall be laid off first.
2. Should a further reduction be necessary, full-time probationary bargaining unit employees shall be laid off next.
3. Full-time employees shall be laid off last.

The District shall notify an employee of their intention to lay him/her off at least ten (10) working days prior to the date the layoff is to take effect. Recall to work shall be in reverse order of layoff based on

a Re-Employment list that shall expire six (6) months from the date of layoff.

Article 21

Grievance Procedure

A grievance is any alleged violation, or major difference of opinion, as to the interpretation or application of any negotiated agreement, or any law, rule or regulation governing personnel matters.

An employee is entitled to representation in the preparation and presentation of his grievance at any step in the grievance procedure. The grievant is entitled to be released from work for a reasonable period of time in order to present the grievance.

An employee and any representation will be unimpeded and free from restraint, discrimination, interference, or reprisal in seeking appropriate adjustment of a grievance.

Step1: A grievance, as defined above, shall be presented to the immediate supervisor within seven (7) business days of the event giving rise to the grievance. If not presented within the said time requirement, the grievance will be deemed to have been waived. Prior to filing a written grievance, an employee will first discuss the matter with his/her immediate supervisor. The immediate supervisor shall respond, either orally or in writing, within three (3) days of the discussion with the employee concerning the matters giving rise to the grievance.

Step 2: In the event the problem is not resolved through informal discussion as outlined in Step 1, the grievance shall be reduced to writing, and submitted to the General Manager, within five (5) days of receipt of the immediate supervisor's answer. Upon receipt of a written grievance, the General Manager shall meet with the employee and his/her representative. The General Manager shall render a written decision no later than three (3) days after the Step 2 meeting.

Step 3: Should the grievance not be resolved in step 2, it may then be appealed to the Personnel Committee of the Board of Directors within three (3) days. The Personnel Committee shall meet with the grievant, and his representative, within ten (10) days of submission for review, and render a written decision ten (10) days thereafter, which decision shall be final.

A grievance will be considered resolved based on the last determination if it is not advanced by the grievant within the time limits provided. If a supervisor or manager fails to respond within the time limit provided, the employee may advance the grievance to the next step within the time limits provided.

Article 22

Progressive Discipline

- i. The General Manager in presence of a witness (Supervisor) has the authority to discipline or terminate any employee. The following is a nonexclusive list of the types of disciplinary action which may be imposed.
 - A. Oral or written warnings.

- B. Probation - the placing of an employee in a position wherein his/her past and current performance is being reevaluated. Failure to improve his/her performance during the probationary period will result in further disciplinary action.
 - C. Suspension - an involuntary leave without pay.
 - D. Demotion - reduction from a position in one class to a position in another class having a lower salary range, affected for disciplinary purposes (demotions resulting from organizational changes and layoffs are not disciplinary).
 - E. Termination - discharge from service with the District.
- ii. It is intended that discipline be imposed primarily for corrective purposes and to address deficiencies in work performance. All disciplinary actions should be kept confidential. The following is a nonexclusive and illustrative list of the more common causes for disciplinary action, provided however, these provisions are not intended nor shall they change or modify the at-will status of employees:
- A. Action contrary to the Personnel Rules and Regulations of the District.
 - B. Inefficiency or incompetence.
 - C. Disobedience or insubordination.
 - D. Dishonesty.
 - E. Consumption of alcoholic beverages or drugs - employees shall not use, carry or transport alcoholic beverages or narcotics during work shift or on District property nor report for work while under the influence of alcohol or narcotics. Employees who reside in District housing may utilize legal substances in the confines of their respective residential spaces when off duty and not on standby.
 - F. Disorderly or immoral conduct.
 - G. Discourteous treatment of the public.
 - H. Accepting gratuities or tips offered in exchange for District services rendered a customer or prospective customer.
 - I. Conviction of a felony.
 - J. Tardiness.
 - K. Absenteeism.
 - L. Neglect of duty.
 - M. Failure to follow safe working practices or failure to report promptly any injury.
- iii. Upon termination, the employee shall return all District property.

These disciplinary action procedures and any other provided in this MOU are not intended to change the at-will nature of the employment relationship with the District. Either an employee or the District may end the employment relationship at any time with or without cause and with or without prior notice. The District reserves the right to terminate the employment relationship, to demote or to

otherwise take disciplinary and corrective action without resort to these disciplinary procedures. Nothing in these procedures or in this MOU is intended to create a property interest in employment with the District except in significant situations such as theft, fighting, drunkenness, drug use, etc. as determined by District Management, the District agrees to the following order of discipline:

1. First offenders shall be counseled and given a verbal warning. Verbal warning shall be documented.
2. Should the misconduct continue, a written warning will be issued to the employee, along with notification that further misconduct could be grounds for more severe disciplinary action.
3. If, after 1 and 2, the employee still persists in the conduct giving rise to the disciplinary action, the district may take whatever action it deems appropriate, up to and including discharge.

After each twelve (12) months of corrective conduct, resulting from the imposition of 1, 2, or 3 above, the disciplinary action will remain in the employees file but a letter of clearance showing the District recognizes that the employee has worked to correct the issue resulting in the disciplinary action shall be added to the employee's record, in reverse order in which it was imposed.

All progressive discipline violations shall be documented in the employee's employment file.

All disciplinary actions, other than verbal warning, shall be subject to the grievance procedures.

Article 23

Step Increases

Employees below Step 5 in his/her classification shall be eligible for a step increase based on individual performance evaluations conducted by the District. Evaluations shall be conducted annually by the District, based on anniversary date.

Article 24

Employee Compensation

All Full-time employees covered under the MOU shall receive compensation in accordance with the provisions of this MOU, District Policies and Procedure manual, and adjusted ranges in the Salary Schedule (as defined herein exhibit A attached).

Article 25

Incentive Pay

Full-Time continuous employees with 3 years of service or more (at time of application) receiving education certification one step or higher above their existing job classification (Step 4 or below) will be eligible to receive a one time step increase up to the Salary Schedule Step 5 Limit increase. Any Grade III employees at Salary Schedule Step 4 or below may receive an additional one time step increase if they obtain a certification two steps above their existing job classifications (i.e. Grade III Operator with a Distribution V certification) as approved by the General Manager. Employees must first make application to their supervisors to be eligible to participate in the Incentive Pay program

including employees whose job classification may not have corresponding education certification. All applications are subject to approval of the General Manager.

Article 26

Sick Leave

Bargaining Unit employees shall accumulate sick leave at the rate of 3.70 hours per pay period.

Incentive Plan "A"

An employee not using any sick leave for twelve (12) consecutive months may convert their ninety-six (96) accrued hours to cash at a rate of sixteen (16) accrued hours for eight (8) hours pay at their regular hourly rate.

Incentive Plan "B":

Upon retirement or death, and employee, or his/her beneficiary, shall be entitled to receive 50% of all accumulated sick leave not compensated for in "A" above, at the employee's Life Insurance Beneficiary Form.

NOTE: Beneficiary shall be the individual indicated on the employee's Life Insurance Beneficiary Form.

Article 27

Insurance

The District shall provide to Bargaining Unit members health insurance coverage through the Public Employees Retirement System (PERS) for all members of the Bargaining Unit and their eligible dependents. Insurance will cover maternity for employee and spouse only.

State Disability Insurance:

Employees shall pay the cost of the premiums associated with State Disability Insurance.

Life Insurance:

Life Insurance shall be provided at the employee's current regular rate of pay, at the time of death, equal to one year's salary.

Article 28

Holidays

Employees shall be entitled to the following paid holidays:

January 1(New Year's Day)
Martin Luther King Jr. Day, Third Monday in January
Third Monday in February (Presidents' Day)

Last Monday in May (Memorial Day)
July 4 (Independence Day)
First Monday in September (Labor Day)
November 11 (Veteran's Day)
Thanksgiving Day
Friday after Thanksgiving
December 25 (Christmas)
Employee Birthday

Unless required as part of the District required rotation schedule set forth under Articles 13, an employee required to work the holiday shall be paid one and one-half (1/2) times his/her rate of pay.

A holiday that occurs on a normally scheduled day off shall be credited to the employee as a paid floating holiday to be used later in the fiscal year.

Unless excused due to pre-approved vacation, jury duty, hospitalization, or the death of an immediate family member, employees must work a full shift the regular scheduled business day before and after the holiday to qualify for this benefit. Holiday pay shall not be counted for the purposes of computing overtime.

Article 29

Vacations

Employees shall accrue vacation in the following manner:

Years of Service	Vacation Earned
One (1) through four (4) years	80 hours
Five (5) through fourteen (14) years	120 hours
Fifteen (15) years and more	160 hours

Vacation shall be earned from date of hire.

An employee with less than five (5) years seniority would receive 80 hours vacation per year. The first year shall be prorated and accrued at a rate of 6.667 hours per month commencing with the first full month of employment, and awarded after January 1 of the following year. Vacations shall be scheduled in advance with District Management on a first come, first serve basis and be coordinated to minimize disruption to District operations.

The District agrees that an employee may carry over, to the following year, his/her previously approved vacation when the District requires an employee to work said scheduled vacation due to an emergency.

If an employee elects not to schedule his/her vacation, the District agrees to purchase unused vacation at an employee's regular hourly rate of compensation. The purchase shall occur at the first pay period in the month of December.

Article 30

Retirement Plan

The retirement plan for all bargaining unit members shall be the public Employees Retirement System (PERS) of the State of California.

- Benefit Description: Section 21354.5
The PERS plan will be the "2.7% @ 55 formula with all prior years of service recognized" for employees hired before January 1, 2013. Employees hired after January 1, 2013 who are new to PERS, will receive benefits under the Public Employees' Pension Reform Act (PEPRA) 2% at 62 plan.
- Benefit Description: Section 20042
One-Year Final Compensation
- Benefit Description: Section 21624, 21626, & 21628
Post Retirement Survivor Allowance

The District and the employees agree that the District will pay the entire 8% for all employees hired prior to 2001. Employees hired after January 1, 2001 and on or before January 1, 2012 shall pay 7%. Employees hired after January 1, 2012 shall pay their entire employee contribution.

Article 31

Uniforms and Safety Equipment

The District shall provide, as an employee benefit, all full-time field operational personal with uniforms to be worn while on duty and District owned safety equipment. The district will reimburse full-time operational personnel, upon date of hire and annually thereafter, up to a maximum amount of \$200 for the purchase of steel-toe shoes or boots. Field operational personnel may purchase a second pair of shoes if field personnel can do so within the allotment of \$200 or boots; the employee shall contribute the additional funds required if the cost exceeds the \$200 allotment. Employees will be allowed to use this amount to also purchase other uniform related items such as belts, shoe or boot inserts, laces, etc.

Article 32

Job Related Instruction

The District agrees to reimburse the full cost of any District approved work related course of instruction or study that bargaining unit members may attend. Reimbursement will only occur upon successful completion of the course with a passing grade and appropriate certification if applicable.

Pursuant to Article 2 of the MOU the District retains the right to approve any and all courses of study prior to attendance by the Bargaining Unit Employee.

Article 33

Bereavement Leave

Two regular working days of paid leave for the death of an employee's/spouse's parents. Forty (40) hours of paid leave for the death of an employee's spouse or child. Employees may utilize accumulated vacation and sick leave to supplement bereavement leave in the case of the death of an immediate family member not specified above.

Article 34

Cost of Living Adjustments

Salaries to be adjusted on January 1, 2018 in accordance with the Salary Schedule for 2018 attached as Exhibit A. , Salaries for 2019, 2020 and 2021 shall be adjusted beginning on January 1, 2019 based on the August to August Unadjusted Consumer Price Index, U.S. Cities average.

Article 35

Negotiation Preparation Time Off

The Association may use District facilities to hold general membership meetings with employees. The District agrees to allow up to three (3) members of the Association employee representatives up to three (3) hours of paid leave prior to each scheduled meeting with District representatives to prepare for negotiation discussions. Said time off shall not interfere with District operations and be coordinated with the District in advance.

Article 36

Total Agreement

This Memorandum of Understanding represents the total agreement of the parties as required by California Government Code § 3505.1 and supersedes all prior Memoranda of Understanding and verbal agreements between the parties. This Memorandum of Understanding is not binding until duly approved and adopted by the District's Board of Directors. It is also recognized that the District Personnel and Policies & Procedures Manual applies to all District employees, including unit members, except where there is a direct conflict with this Memorandum of Understanding. In the event of a direct conflict, this Memorandum of Understanding shall prevail while in force.

Article 37

Full Understanding, Modification and Waiver

It is intended that this MOU sets forth the full and entire understanding of the parties regarding the matters set forth herein, and any other prior or existing understanding or agreements by the parties, whether formal or informal, regarding any such matters are hereby suspended or terminated in its entirety.

Except as specifically provided herein, it is agreed and understood that the Association hereto voluntarily and unequivocally waives its rights, and agrees that the District will not be required to negotiate with respect to any subject matter covered herein during the term of this agreement. Except in cases of emergency as provided by Government Code Section 3504.5, the District shall provide reasonable written notice to the Association of any ordinance, resolution; rule of regulation directly related to the matters within the scope of the representation proposed to be adopted by the District and shall give Association the opportunities to meet with the District representatives.

Any agreement, alteration, understanding, variation, waiver or modifications of any terms of provisions contained in writing signed by both parties and approved and implemented by the District. The Waiver of any breach, term or condition of this Agreement by either party shall not constitute a precedent in the future enforcement of all its terms and provisions.

Article 38

Term Agreement

This agreement shall remain in full force and effect from January 1, 2018 until December 31, 2021. The District agrees to conduct a compensation survey prior to expiration of this agreement to facilitate salary range discussions to be considered for the next term.

Article 39

Savings Clause

Should any provision of this agreement or any application thereof, be unlawful by virtue of any federal, State or Local Laws and regulations, such provision of this agreement shall be effective and implemented only to the extent permitted by such laws and regulations. In all other respects, the provisions of this agreement shall continue in full force and effect for the life thereof.

BEAUMONT- CHERRY VALLEY WATER DISTRICT

By: _____
Mr. John Covington, President of the Board of Directors

By: _____
Daniel Jagers, General Manager

EMPLOYEE REPRESENTATIVES

By: _____

By: _____

By: _____



**Beaumont-Cherry Valley Water District
Personnel Committee
September 20, 2021**

Item 6

STAFF REPORT

TO: Board of Directors
FROM: Sabrina Foley, Human Resources Coordinator
SUBJECT: 2022 Operating Budget Update and Timeline

Staff Recommendation

No recommendation, for informational purposes and discussion only.

Background

The Personnel Committee has requested Staff to provide updates to the members of the Committee regarding the status of the 2022 Operating Budget, particularly relating to personnel changes that may be proposed for the new fiscal year.

Summary

The General Manager will provide updates to the Personnel Committee during the September and October meetings regarding any new positions under consideration for the 2022 Operating Budget. District management will be presenting their staffing needs to the General Manager in early September for consideration and discussion.

Department heads are drafting preliminary department budgets and staffing concepts for the General Manager's consideration. The following additional positions and staff changes are being considered:

- (2) temporary employees in the Operations department for summer landscaping and weed abatement, backup to maintenance work
- (2) temporary employees in the Operations department during the summer season for additional flagging support, meter reading, backup to maintenance work, etc. due to increased demand for leak repairs
- Change (1) part-time Customer Service position to a full-time position to ensure coverage for customer-facing functions and provide additional billing support
- Review engineering staff structure, possibility to add mid-range professional level position for career growth opportunities as staff acquire licensing and experience.(1) regular, full-time, executive-level staff member to assist the General Manager with management of direct reports and the day-to-day activities of the District

Additionally, staff are anticipating some changes to existing staff titles, and potentially to the District's organization, as a result of the Classification Study currently being conducted.

Calendar of Events for 2022 Operating Budget:



9/20/2021 General Manager to update the Personnel Committee regarding any new positions under consideration

10/18/2021 General Manager to update the Personnel Committee regarding any new positions under consideration

11/4/2021 Presentation of budget numbers to the Finance & Audit (F&A) Committee meeting

11/22/2021 Special F&A Committee Meeting

12/2/2021 Regular F&A Committee Meeting

12/8/2021 Budget workshop

12/21/2021 Board meeting, presentation of budget for consideration

Fiscal Impact

To be determined.

Attachments

Not applicable.

Staff Report prepared by Sabrina Foley, Human Resources Coordinator.



**Beaumont-Cherry Valley Water District
Personnel Committee
September 20, 2021**

Item 7

STAFF REPORT

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

Staff Recommendation

Recommend the updated policies to the Board of Directors for adoption, or provide direction regarding edits to the proposed policies.

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.

Revised policies are drafted using the APA (American Psychological Association) Style for writing style and grammar. The APA style emphasizes continuity, flow, conciseness, bias-free language, and clarity. These objectives parallel the District's goals for transparency in our public documents and promote clear and enforceable policies.

The proposed policies are presented side-by-side with the current versions, with redline edits shown for clarity (**Attachments 2 - 7**). The drafted policies have been reviewed and recommended by the District's legal counsel.



Summary Table

Policy 3006 Public Works Contractor-Employee Relations	<ul style="list-style-type: none">• Proposed new policy• At July 2021 Personnel Committee Meeting, staff was directed to work with legal counsel to ensure parallel language in the District's templates for Public Works contracts.• Legal counsel is working on providing an addendum for Public Works contracts. Attachment 2 is an example of an addendum that generally requires a public contractor to comply with all state and federally required labor codes.• Legal counsel has suggested a title change from "Prevailing Wage" to "Public Works Contractor-Employee Relations"
Policy 3010 Employee Performance Evaluation	<ul style="list-style-type: none">• Combines existing policies 10 & 49.• Proposed new language states requirements for preparation of evaluations to include the Human Resources department.• Includes a new section describing the standardized Evaluation form and recordkeeping requirements.• Added requested language from July Committee Meeting allowing management to take a drafted evaluation to the General Manager for review in the event that a consensus with Human Resources cannot be achieved.
Policy 3015 Performance Evaluation-General Manager	<ul style="list-style-type: none">• Minor edits to conform with updated conventions

Fiscal Impact

No fiscal impact.

Attachments

1. Policy Approval Tracking
2. Draft, Public Works Contract Addendum
3. Proposed Policy 3006 Public Works Contractor-Employee Relations
4. Proposed Policy 3010 Employee Performance Evaluation
5. Existing Policy #10 Performance Evaluation and #49 Employee Performance Evaluation
6. Policy 3015 Performance Evaluation-General Manager
7. Existing Policy #11 Performance Evaluation-General Manager

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	Provisionally 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
			<i>Definitions</i>	<i>Additional Edits</i>	6/28/2021	7/19/2021	7/20/2021	Pending		
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	2005	Administration	Affirmative Action	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	4/12/2021	7/19/2021	7/20/2021	Pending		
N/A	3001	Personnel	Employee Information and Emergency Data	Yes	4/12/2021	6/21/2021	6/21/2021	Pending		
N/A	3002	Personnel	Employee Groups	Yes	4/12/2021	5/17/2021	5/17/2021	Pending		
9	3005	Personnel	Compensation	Yes	7/13/2021	7/19/2021	7/20/2021	Pending		
N/A	3006	Personnel	Prevailing Wage -Public Works Contractor-Employee Relations	Yes	7/13/2021	9/20/2021	Committee requested edits 7/20/2021			
10 & 49	3010	Personnel	Employee Performance Evaluation	Yes	7/13/2021	9/20/2021	Committee requested edits 7/20/2021			
11	3015	Personnel	Performance Evaluation-General Manager	Yes	8/3/2021	9/20/2021	Pending			
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						

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	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date
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						
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	Dirver 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	Greivance Procedures	Yes						
48	3205	Personnel	Substance Abuse (In Conformance with Department of Transportation Guidelines)	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	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date
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						
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	6/30/2021	N/A	Directed to Full Board	7/14/2021	7/14/2021	7/14/2021
13 & 16	4065	Board of Directors	Remuneration, Director Per Diem Fees	Yes	6/30/2021	N/A	Directed to Full Board	7/14/2021	Revisions Requested on 7/14/2021	
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						

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	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date
19	4090	Board of Directors	Code of Ethics	Yes						
20	4095	Board of Directors	Ethics Policy	Yes						
N/A	4100	Board of Directors	Electronic Communications and Data Devices at Dais	Yes	6/28/2021	N/A	Directed to Full Board	7/14/2021	7/14/2021	7/14/2021
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	6/21/2021	Requested edits, sent to Board for review	Requested Edits 7/14/2021		
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	Provisionally 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						
N/A	7060	Information Technology	Security and Technology Access for Independent Contractors	No						

EXHIBIT __

CALIFORNIA LABOR CODE COMPLIANCE

1. Contractor acknowledges that this contract is subject to the provisions of Division 2, Part 7, Chapter 1 (commencing with Section 1720) of the California Labor Code relating to public works and the awarding public agency ("City"), and agrees to be bound by all the provisions thereof as though set forth in full herein.
2. This is a public work and requires the payment of prevailing wages for the work or craft in which the worker is employed for any public work done under the contract by Contractor or by any subcontractor pursuant to Section 1771 of the Labor Code. Pursuant to the provisions of Section 1773 of the Labor Code of the State of California, the City has obtained the general prevailing rate of per diem wages and the general rate for holiday and overtime work in this locality for each craft, classification, or type of workman needed to execute this contract from the Director of the Department of Industrial Relations. These rates are on file with the City Clerk or may be obtained at <http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>.

Contractor shall post a copy of such wage rates at the job site and shall pay the adopted prevailing wage rates as a minimum. Contractor shall comply with the provisions of Sections 1775, 1776, 1777.5, 1777.6, and 1813 of the Labor Code. Pursuant to the provisions of 1775 of the Labor Code, Contractor shall forfeit to the City, as a penalty, not more than \$200.00 for each calendar day, or portion thereof, for each laborer, worker, or mechanic employed, paid less than the stipulated prevailing rates for any work done under this contract, by him or by any subcontractor under him, in violation of the provisions of this Agreement.

3. In accordance with Labor Code Sections 1725.5 and 1771.1, and except for projects involving construction, alteration, demolition, installation, or repair work of \$25,000 or less, or maintenance work of \$15,000 or less, no contractor or subcontractor shall be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any public work contract unless currently registered and qualified to perform public work pursuant to Section 1725.5 [with limited exceptions for bid purposes, only, pursuant to Labor Code Section 1771.1(a)].
4. Pursuant to Labor Code Section 1776, Contractor shall maintain and make available an accurate record showing the name of each worker and hours worked each day and each week by each worker employed by

Contractor performing services covered by this Agreement. Contractor and its subcontractors shall furnish electronic certified payroll records to the Labor Commissioner in accordance with Labor Code Section 1771.4. The project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. The Contractor is responsible for compliance with Section 1776 by itself and all of its subcontractors. The Contractor shall post job site notices, as prescribed by regulation.

5. Contractor shall comply with and be bound by the provisions of Labor Code Sections 1777.5, 1777.6 and 1777.7 and California Code of Regulations Title 8, Section 200 *et seq.* concerning the employment of apprentices on public works projects. The Contractor shall be responsible for compliance with these Sections for all apprenticeable occupations. Before commencing Work on this Project, the Contractor shall provide the City with a copy of the information submitted to any applicable apprenticeship program. Within sixty (60) Days after concluding Work, Contractor and each of its Subcontractors shall submit to the City a verified statement of the journeyman and apprentice hours performed under this Contract.
6. Contractor agrees to comply with the provisions of California Labor Code Section 1813 concerning penalties for workers who work excess hours. The Contractor shall, as a penalty to the City, forfeit twenty-five dollars (\$25) for each worker employed in the execution of the contract by the Contractor or by any subcontractor for each calendar day during which such worker is required or permitted to work more than 8 hours in any one calendar day and 40 hours in any one calendar week in violation of the provisions of Division 2, Part 7, Chapter 1, Article 3 of the California Labor Code.
7. California Labor Code Sections 1860 and 3700 provide that every contractor will be required to secure the payment of compensation to its employees. In accordance with the provisions of California Labor Code Section 1861, Contractor hereby certifies as follows:

“I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers’ compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.”

Date _____ Signature _____

BEAUMONT-CHERRY VALLEY WATER DISTRICT PERSONNEL

POLICY TITLE: PUBLIC WORKS CONTRACTOR - EMPLOYEE RELATIONSPREVAILING WAGE
POLICY NUMBER: 3006

3006.1 Definition, Labor Code Compliance. Pursuant to the California Labor Code, "Public Works" generally include construction, pre-construction, alteration, demolition, installation, repair work, and maintenance done under contract by the District. To the extent mandated by the Labor Code, the District requires its public works contractors to pay prevailing wages, register with a "prevailing wage" for public works projects sent to bid as defined by the California Department of Industrial Relations, maintain certified payroll records, and otherwise comply with all provisions of the Labor Code applicable to public works. (See Labor Code Sections 1720 through 1861). The prevailing wage rate is the basic hourly rate paid on public works projects to a majority of workers engaged in a particular craft, classification, or type of work within the locality and in the nearest labor market area (if a majority of such workers are paid at a single rate). If there is no single rate paid to a majority, then the single or modal rate being paid to the greater number of workers is prevailing. All bidders on a public works project are required to use the same wage rates when bidding to ensure that a contract is not awarded based on paying lower wages than a competitor.

3006.2 Determination. The director of the California Department of Industrial Relations determines the amount of the prevailing wage, according to the type of work and location of the project.

3006.3 Overtime. Compensation for qualifying prevailing wage projects for all hours worked in excess of 8 hours per day and 40 hours per week during any one week should not be less than one and one-half times the basic rate of pay. For specific overtime requirements, please refer to the prevailing wage determinations.

3006.4 Equal Opportunity. The District requires contractors on a prevailing wage public works projects to provide documentation of having an Equal Opportunity Employer policy in effect, in order to be awarded a contract.

3006.5 Harassment. The District requires contractors on a prevailing wage public works projects to conduct regular Sexual Harassment training for all employees in order to be awarded a contract.

3010.1 Written Evaluation. Performance evaluations shall be in writing on forms prescribed by the General Manager. Said evaluation shall provide recognition for effective areas that need improvement. In addition to providing scaled scores in each performance and characteristic category, the evaluator will also provide a narrative explanation of the reason for each score. Purpose. To provide a means for discussing, planning, and reviewing the performance of an employee. Regular performance evaluations improve communication and employee engagement; help employees clearly define and understand their duties and responsibilities; document accomplishments during the rating period; suggest areas in which employees can improve performance; provide information for career development and training; help set goals and expectations for the next rating period; and provide a basis for awarding merit or step increases.

3010.2 Employee Response. The performance evaluation shall be signed by the evaluator and shall be discussed with the employee. The employee will be provided an opportunity to prepare a written response to the evaluation that will be attached to the evaluation for inclusion in his/her personnel file. Employee responses are to be filed within 30 calendar days, unless an extension for unusual circumstances is granted by the General Manager. Policy. All full- and part-time regular employees shall have their job performance evaluated on an annual basis. This policy does not preclude the conduct of more frequent evaluations as needed to document significant changes in performance.

3010.3 Discretion. Unscheduled performance evaluations may be made at the discretion of the General Manager in for specific purposes such as the development of performance improvement plans. Responsibilities. Each manager and supervisor is responsible for the timely assessment of the performance and contribution of their employees. Human Resources will coordinate, track, and report on the completion of annual performance evaluations; provide annual training to managers and supervisors on conducting effective performance evaluations; and will maintain a copy of each evaluation in the employee's official personnel file. Human Resources will provide an annual compliance report to the General Manager by January 31st for the prior calendar year. The General Manager will share the statistical report (over-all percentage of compliance) with the Personnel Committee of the Board of Directors.

3010.4 Standards. Each supervisor is responsible for developing a clear description of the duties, responsibilities, goals, and expectations for each position to be evaluated. The duties and responsibilities must be consistent with the job description for each position. The goals and expectations should be aligned with the District's strategic goals and mission. The goals and expectations shall be provided to the employee prior to being evaluated against them.

3010.5 Preparation of Evaluations. All employees shall have their job performance evaluated by their immediate supervisor on an annual basis. Interim and/or introductory period evaluations may be completed as necessary to effectively document employee performance. Human Resources must approve the drafted evaluation before it is delivered to the employee in an evaluation conference. In the event that Human Resources and the supervisor cannot come to a consensus, the matter may be referred to the General Manager and/or to legal counsel.

1. Annual Evaluation. All employees will have their performance evaluated at the time of their anniversary date (of hire, promotion, or transfer to their most recent position) with the District. The supervisor

Adopted by Resolution 20-XX, Date

New Employees. All newly appointed employees shall be paid at the first step of the salary range for the position to which the employee is appointed except as provided elsewhere herein.

B. **Advancement within Range.** The General Manager shall authorize advancement within the salary range only after evaluating the employee's performance and determining that it is satisfactory. This determination shall be noted on a performance evaluation form to be placed in the employee's file, with a copy given to the employee.

C. **Promotion.** When the District has an opening in a classification above the entry level, notice shall be posted in the break room, located at the District Headquarters and at the Operations Building prior to filling the position. All candidates, whether internal or external, shall be evaluated equally with the most qualified candidate being selected for the position. Permanent employees elevated in classification shall serve a six (6) month introductory period in their newly acquired position. Permanent status will be dependent on the job performance evaluation which will occur at the end of the introductory period.

D. **Performing Work Out of Classification.** Employees required to work a normal shift in a temporary classification higher than their current classification will be paid a shift differential equivalent to five percent (5%) of his/her base pay rate. Should an employee be required to work temporarily in a classification paying less than his/her established rate, he/she will be paid at their normal rate.

E. **Step Increases.** Employees below Step 5 in his/ her classification shall be eligible for step increase based on individual performance evaluation. Individual performance evaluations shall be conducted at twelve-month intervals for all employees, based on anniversary date.

10. PERFORMANCE EVALUATION

A. **Written Evaluation.** Performance evaluations shall be in writing on forms prescribed by the General Manager. Said evaluation shall provide recognition for effective performance and also identify areas that need improvement. In addition to providing scaled scores in each performance and characteristic category, the evaluator will also provide a narrative explanation of the reason for each score.

B. **Employee Response.** The performance evaluation shall be signed by the evaluator and shall be discussed with the employee. The employee will be provided an opportunity to prepare a written response to the evaluation that will be attached to the evaluation for inclusion in his/her personnel file. Employee responses are to be filed within 30 calendar days, unless an extension for unusual circumstances is granted by the General Manager.

C. **Discretion.** Unscheduled performance evaluations may be made at the discretion of the General Manager in for specific purposes such as the development of performance improvement plans.

supervisor shall indicate on the Performance Evaluation Form when an eligible employee is recommended for a merit increase and sign the Personnel Action Form (Policy 3215). Employees receiving an overall rating of less than Satisfactory are not eligible to receive a merit increase.

2. **Introductory Evaluation.** Introductory evaluations may be completed during the introductory period (Policy 3000). Upon successful completion of the introductory period, employees shall transition to "Regular" status and receive an annual evaluation at the time of the employee's anniversary date. The introductory evaluation is the tool in which the immediate supervisor determines whether the introductory employee has the skills and other qualifications needed to perform satisfactorily. The immediate supervisor shall indicate on the Performance Evaluation Form if the introductory employee is recommended to pass the introductory period, or if an extension of the introductory period is necessary. An extension of the introductory period must be approved by the General Manager or their designee. The extension of the introductory period must be accompanied by a Performance Improvement Plan (PIP). The PIP should run concurrently with the extension period. An overall rating of Unsatisfactory may result in termination of employment.

3. **Interim Evaluation.** Interim or supplemental evaluations may be initiated by a supervisor whenever the supervisor believes it to be in the best interest of the employee, supervisor, or department to do so. This type of evaluation is usually made whenever an employee's performance and/or work conduct has markedly changed since a previous evaluation or whenever an employee has failed to improve after a previous less than satisfactory evaluation, counseling, or training. The interim evaluation may include a Performance Improvement Plan (PIP). An overall rating of less than Satisfactory may result in disciplinary action, up to and including termination if improvement is not achieved.

4. **Unsatisfactory Job Performance.** When an employee receives an overall rating of less than Satisfactory, the unsatisfactory performance evaluation must include a specific description of the unsatisfactory performance, behavior, conduct, or actions that are found to be below standard. Departments, in coordination with Human Resources, are responsible for developing a Performance Improvement Plan (PIP) to identify the various ways the employee can improve their performance and be successful in achieving their assigned objectives. A PIP should include an understanding of goals, expectations, and performance standards. The performance standards should reference the quantity and quality of work, the manner in which service is rendered, and such characteristics as shall measure the employee's job performance.

3010.6 **The Evaluation Form.** The District utilizes a standardized Performance Evaluation Form. Upon delivery of the evaluation by the supervisor to the employee, the employee shall sign acknowledging receipt, and the supervisor shall provide a copy of the performance evaluation to the employee and submit the original to Human Resources. The original shall be placed in the employee's official personnel file, and the department may keep a copy in a secured internal file. The employee may provide a written response which will then be filed with the evaluation form.

3010.7 Staff members are required to complete a Self-Evaluation Form prior to the evaluation conference with their supervisor. The Self-Evaluation Form will be provided to Human Resources along with the completed Performance Evaluation Form and maintained in the employee's personnel file.

Adopted by Resolution 20-XX, Date

49. Employee Performance Evaluation

A. **Purpose.** To provide a means for discussing, planning and reviewing the performance of an employee. Regular performance evaluations improve communication and employee engagement; help employees clearly define and understand their duties and responsibilities; document accomplishments during the rating period; suggest areas in which employees can improve performance; provide information for career development and training; help set goals and expectations for the next rating period; and provide a basis for awarding merit or step increases.

B. **Policy.** All full- and part-time regular employees shall have their job performance evaluated on an annual basis. This policy does not preclude the conduct of more frequent evaluations as needed to document significant changes in performance.

C. **Responsibilities.** Each manager and supervisor is responsible for the timely assessment of the performance and contribution of their employees. Human Resources will coordinate, track and report on the completion of annual performance evaluations; provide annual training to managers and supervisors on conducting effective performance evaluations; and will maintain a copy of each evaluation in the employee's official personnel file. Human Resources will provide a compliance report to the General Manager by January 31st for the prior calendar year. The General Manager will share the statistical report (over-all percentage of compliance) with the Board of Directors.

D. **Standards.** Each supervisor is responsible for developing a clear description of the duties, responsibilities, goals and expectations for each position to be evaluated. The duties and responsibilities must be consistent with the job description for each position. The goals and expectations should be aligned with the District's strategic goals and mission. The goals and expectations shall be provided to the employee prior to being evaluated against them.

E. **Preparation of Evaluations.** All employees shall have their job performance evaluated by their immediate supervisor on an annual basis. Interim evaluations may be completed as necessary to effectively document employee performance.

i. **Annual Evaluation** - All employees will have their performance evaluated at the time of their anniversary date with the District. The supervisor shall indicate on the Performance Evaluation Form when an eligible employee is recommended for a merit increase and sign the Personnel Action Form. Employees receiving an overall rating of less than Satisfactory are not eligible to receive a merit increase.

ii. **Probationary Evaluation** - Probationary evaluations may be completed during the probationary period. Upon completion of the probationary period, employees shall transition to "Regular" status and receive an annual evaluation at the time of the employee's anniversary date. The probationary evaluation is the tool in which the immediate supervisor determines whether the probationary employee has the skills and other qualifications needed to perform satisfactorily. The immediate supervisor shall indicate on the Performance Evaluation Form if the probationary employee is recommended to pass probation, or if an extension of the probationary period is necessary. The extension of the probationary period must be accompanied by a Performance Improvement Plan (PIP). The PIP should run concurrently with the extension period. An overall rating of Unsatisfactory may result in termination of employment.

Existing Policies

- iii. **Interim Evaluation** - Interim or supplemental evaluations may be initiated by a supervisor whenever the supervisor believes it to be in the best interest of the employee, supervisor, department to do so. This type of evaluations is usually made whenever an employee's performance and/or work conduct has markedly changed since a previous evaluation or whenever an employee has failed to improve after a previous less than satisfactory evaluation, counseling or training. The Interim evaluation may include a Performance Improvement Plan (PIP). An overall rating of less than Satisfactory may result in disciplinary action, up to and including termination when improvement is not achieved.
- iv. **Unsatisfactory Job Performance** - When an employee receives an overall rating of less than Satisfactory, the unsatisfactory performance evaluation must include a specific description of the unsatisfactory performance, behaviour, conduct, or actions that are found to be below standard. Departments are responsible for developing a Performance Improvement Plan (PIP) to identify the various ways the employee can improve their performance and be successful in achieving their assigned objectives. A Performance Improvement Plan (PIP) should include an understanding of goals, expectations and performance standards. The performance standards should reference the quantity and quality of work, the manner in which service is rendered, and such characteristics as shall measure the employee's job performance.

50. Personnel Action Form (PAF)

- A. **Purpose.** To define procedures for approving Personnel Action Forms (PAFs) and to ensure that all actions are consistent with District policy.
- B. **Policy.** The Personnel Action Form (PAF) is the official form that the District uses to initiate, document, approve and process actions related to an employee's employment history. PAFs are used for the following types of actions:

- i. Appointment
- ii. Promotion
- iii. Transfer
- iv. Merit Increases/Denial of Merit Increases
- v. Leave of Absence
- vi. Disciplinary Action Involving Suspension or Reduction in Pay
- vii. Status
- viii. Separation
- ix. Other/Miscellaneous

PAFs shall be prepared by the department head, and submitted to Human Resources. Department heads shall ensure that all fields are filled out necessary for identifying the proposed changes to an employee's status and/or compensation. It is further the responsibility of the department head to ensure that proposed actions are consistent with District policy. All proposed actions affecting an employee's status or compensation should first be discussed with Human Resources to ensure that the action is consistent with policy, past practices, and that non-routine items are discussed with the General Manager prior to initiating the action with an employee.

BEAUMONT-CHERRY VALLEY WATER DISTRICT PERSONNEL

POLICY TITLE: PERFORMANCE EVALUATION-GENERAL MANAGER
POLICY NUMBER: 3015

3015.1 The General Manager of the District is retained and serves at the will of the Board of Directors. The Board of Directors shall review the performance of the General Manager after the initial ~~six (6)~~ months of service after appointment and then annually thereafter, using a process that provides for discussion and encourages feedback in the development of goals and the performance evaluation.

3015.2 **Occurrence.** The performance evaluations should occur in closed session annually during the first Board of Directors meeting of the month in which the evaluation is due, or on another date mutually acceptable to the Board of Directors and the General Manager. The District Secretary shall maintain a notification system that tracks the date when the evaluation is due to ensure the Board agenda is properly noticed and to provide adequate advance notice to the Board and the General Manager.

3015.3 **Evaluation Form.** The Board of Directors will agree upon an evaluation format to be utilized by the Board prior to the formal performance review session. The Board of Directors shall be encouraged to prepare input prior to the formal review.

3015.4 **Evaluation.** During the scheduled closed session(s), the Board should meet as a group with the General Manager to discuss the components of the performance evaluation and receive feedback from the General Manager relative to the Board's assessment. If requested by the Board, the District's Legal Counsel may attend the evaluation closed session.

3015.5 **Goals and Objectives.** The Board of Directors and General Manager should jointly develop mutually agreed upon written goals and objectives for the subsequent evaluation period.

3015.6 **Compensation Award.** Any decision on a compensation award shall be made at a public meeting following the closed session evaluation meeting.

Adopted by Resolution 20-XX, Date

11. PERFORMANCE EVALUATION—GENERAL MANAGER

- A. The General Manager of the District is retained and serves at the will of the Board of Directors. The Board of Directors shall review the performance of the General Manager after the initial six (6) months of service after appointment and then annually thereafter, using a process that provides for discussion and encourages feedback in the development of goals and the performance evaluation.
- B. **Occurrence.** The performance evaluations should occur in closed session annually during the first Board of Directors meeting of the month in which the evaluation is due, or on another date mutually acceptable to the Board of Directors and the General Manager. The District Secretary shall maintain a notification system that tracks the date when the evaluation is due to ensure the Board agenda is properly noticed and to provide adequate advance notice to the Board and the General Manager.
- C. **Evaluation Form.** The Board of Directors will agree upon an evaluation format to be utilized by the Board prior to the formal performance review session. Board of Directors shall be encouraged to prepare input prior to the formal review.
- D. **Evaluation.** During the scheduled closed session(s), the Board should meet as a group with the General Manager to discuss the components of the performance evaluation and receive feedback from the General Manager relative to the Board's assessment. If requested by the Board, the District's Legal Counsel may attend the evaluation closed session.
- E. **Goals and Objectives.** The Board of Directors and General Manager should jointly develop mutually agreed upon written goals and objectives for the subsequent evaluation period.
- F. **Compensation Award.** Any decision on a compensation award shall be made at a public meeting following the closed session evaluation meeting.

12. HEALTH AND WELFARE BENEFITS

- A. **Insurance.** The District will provide regular full time employees health insurance coverage through the Public Employees Retirement System (PERS) for all eligible employees and their eligible dependents. Insurance will cover maternity for employee and spouse only.
- B. **State Disability Insurance.** Employees shall pay the cost of the premiums associated with State Disability Insurance.



BEAUMONT-CHERRY VALLEY WATER DISTRICT

2021 YTD Summary of District Safety

Scope and Summary of Report:

This report includes workers' compensation data, workplace incident data, training information, and a description of any inspections as they are related to safety from January 1, 2021 through August 31, 2021. This report excludes identifying information and protects all employee rights as defined by HIPAA (Health Insurance Portability and Accountability Act).

OSHA:

OSHA has made no inspection of the District's operations in 2021.

BCVWD is compliant with all OSHA regulations, such as maintaining Safety Data Sheets (SDS) on worksites, providing Personal Protective Equipment (PPE), and providing all mandated training for employees. BCVWD has fully implemented the Cal/OSHA required Emergency Temporary Standards (ETS) for COVID-19 prevention, and last updated the required COVID-19 Prevention Plan (CPP) on June 23, 2021.

BCVWD partnered with the Safety Compliance Company to conduct practice drills for OSHA inspections on District premises on February 8, 2021, May 17, 2021, and August 24, 2021. The vendor provided a full report for each date with fully satisfactory results. Minor corrections and improvements were made as a result of each inspection regarding signage and running lights when workers are in the roadway. All employees and sites inspected demonstrated appropriate use of Personal Protective Equipment (PPE), clean and organized worksites, correct traffic control, and knowledge of safety requirements.

Workers' Compensation:

The District has had four workers' compensation injuries in 2021. The employees have been released to return to work with accommodations, or have been released to return to work at full duty. Workplace investigations were conducted for each injury and additional training was provided to staff with the goal of preventing further incidents.

FMCSA Clearinghouse:

Employees with a Commercial Driver's License (CDL Class A) are enrolled in the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse as required by the U.S. Department of Transportation (DOT). The Clearinghouse is an online database that gives employers real-time information about CDL holders' drug and alcohol violations. These employees are subject to random drug testing and an annual query to verify that current or prospective drivers are not prohibited from operating commercial motor vehicles.

Additionally, the District maintains Driver Qualification Files (DQ Files) for CDL holders in accordance with DOT regulations. Human Resources performs the DOT-required role of Designated Employer Representative (DER) for the District. The District works with Weinhoff Drug Testing who act as our Service Agent (SA) for random screening.



All safety classifications, regardless of Driver's License type, are enrolled in the California Department of Motor Vehicles' Employer Pull Notice Program. The District receives an annual report on each driver and is notified in the event of an update to the driver's record; for example, when a driver is issued a driving violation or an additional license.

Safety Training

BCVWD is committed to creating a safe environment for both the employees of the District and the public, and trains employees in best practices in order to achieve this goal. In 2021, BCVWD is continuing its partnership with Safety Compliance Company to provide OSHA-required training and additional support in the event of an inspection or similar event. Additionally, the District's field employees participate in weekly "tailgate" safety meetings in which individual employees research various topics and provide training to each other. Tailgate-style meetings create buy-in and promote personal responsibility for safety.

As part of certification training, safety employees also participate in continuing professional development and safety training through resources provided by ACWA/JPIA. As COVID restrictions are lifted, the District will resume sending employees to in-person training opportunities through ACWA/JPIA.

All district employees completed CPR/AED/First Aid certification in 2019. This training must be renewed every two years, and additional training is scheduled on October 26-27, 2021.

All employees received updated COVID-19 Prevention training as required by Cal/OSHA in late June/early July of this year.

Emergency Response

The District utilizes an Emergency Response Plan, and new employees receive an emergency response safety orientation. Worksites maintain an emergency roster to account for employees in the event of an emergency.

Human Resources leads an Emergency Response Committee (ERC) made up of employees representing each department in the District. The Committee meets quarterly to review and make improvements to the District's Emergency Response Plan, and to identify areas of training or additional procedures needed for staff in emergency preparedness. Members of the ERC support the General Manager and/or emergency responders in the event of a District emergency.

The Director of Operations is a member of a local emergency preparedness organization (PassCom) and collaborates with the community on the topic of emergency preparedness.

Risk Control

In accordance with OSHA requirements, the District implements an Injury/Illness Prevention Program (IIPP). Human Resources works with supervisors and the Safety Compliance Company to conduct Accident and Incident Investigations for any injury, near miss, or miscellaneous safety incident with the goal of prevention.

Human Resources continues to partner with ACWA/JPIA's risk management team to limit



workplace injuries and other liabilities to the District. ACWA/JPIA has an extensive Risk Control Manual and other resources used by the District to limit risk.

Safety Equipment

The District purchased and deployed additional safety equipment as requested by District staff, and in compliance with the District's Injury and Illness Prevention Plan (IIPP) as it relates to heat stress. During traffic control activities, staff now has two (2) stop/slow (Flagger Joe) paddle systems that incorporate high visibility and OSHA compliant umbrellas with ergonomic stop/slow paddles. Additionally, staff has been provided with an alternative uniform to wear during active outdoor work when temperatures are above 85°F. This alternative uniform consists of a high visibility tee-shirt with reflective stripes and a District logo. The alternative uniform provides staff with an opportunity to shed two layers of clothing (Blue Shirt and Safety Vest) during high temperatures reducing the possibility of heat stress.

The District has purchased and deployed additional traffic control signage, including pedestrian signage for sidewalks and public spaces. Traffic cones and barricades have been purchased and deployed to further support traffic control activities and construction zones.

Battery powered light towers have been purchased and deployed to improve visibility during night work and in areas that are inaccessible by the towable light tower. These M18 volt Milwaukee LED light towers are lightweight and provide 6 hours of light per battery. Additional batteries are available to extend lighting activities through the night.

The District's drone has been leveraged to provide an inspection opportunity that does not require District staff climbing each reservoir on a quarterly basis. Ladders, locks, vents, and screens can be photographed and documented without the use of fall protection systems.

Ergonomics

Knee pads have been provided to field staff for use with the AMR/AMI meter change out program to reduce the risk of injury due to repeated kneeling on hard surfaces. The Field Superintendent and the Transmission & Distribution Supervisor have instituted mandatory morning stretches for field employees, as a group, prior to the commencement of work each morning to reduce the risk of injury from strain or overextension.

Three workstations in the District's Main Office have been outfitted with stand-up desk conversions to provide employees with an opportunity to stand while performing computer work to reduce fatigue and muscle pain. Staff is further improving ergonomics by replacing office chairs with adjustable, ergonomic desk chairs.

H.R. LaBounty Safety Award

The District is in the process of nominating Director of Operations James Bean and Director of Information Technology Robert Rasha for the H.R. LaBounty Safety Award, offered by ACWA JPIA. These employees will be nominated by BCVWD for their implementation of a drone program for the use of tank inspections, which reduces fall risk for employees. Additionally, the drone will be used to search rural areas that may be flooded or dangerous to inspect on foot during an emergency. The District will also use the drone to record traffic control setups for training purposes.

Prepared by Sabrina Foley, Human Resources Coordinator, and James Bean, Director of Operations, August 3, 2021



BEAUMONT-CHERRY VALLEY WATER DISTRICT

2021 Summary of District Professional Development

Scope and Summary of Report:

This report includes training information and professional development opportunities for staff from January 1, 2021, through August 31, 2021, and planned activities for the future.

Safety Training:

BCVWD is committed to creating a safe environment for both the employees of the District and the public, and trains employees in best practices in order to achieve this goal. In 2021, BCVWD is continuing its partnership with the Safety Compliance Company to provide OSHA-required training and additional support in the event of an OSHA inspection or similar event. Additionally, the District's field employees participate in weekly "tailgate" safety meetings in which individual employees research various topics and provide training to each other. Tailgate-style meetings create buy-in and promote personal responsibility for safety.

All district employees completed CPR/AED/First Aid certification in 2019. This training must be renewed every two years, and additional training is scheduled for all staff on October 26-27, 2021.

All employees received updated COVID-19 Prevention training as required by Cal/OSHA in late June/early July of this year.

All new hires receive training in the Emergency Action Plan, District policies, and applicable department training during the onboarding process.

Required Sexual Harassment Training and Ethics Training

All District employees and members of the Board of Directors are required by California state law to take sexual harassment training every two years. Human Resources tracks this requirement and assigns the training to individuals with expiring training.

All supervisory and management employees with access to District funds, and members of the Board of Directors are required by California state law to take Ethics training every two years. Human Resources tracks this requirement and assigns the training to individuals with expiring training.

Professional Development Program (ACWA/JPIA)

The District's Joint Powers Association, ACWA/JPIA, offers a Professional Development Program (PDP) to offer current, in-depth training and educational opportunities in the following specialty areas: Supervisor Basics, Human Resources, and Operations. Each certification requires approximately 40 hours of education, including face-to-face training, online, and self-study options. The PDP reduces risk to the District by providing management, supervisors, and staff with the skills needed to maximize personal and organizational success.



The Beaumont-Cherry Valley Water District has not previously participated in the ACWA JPIA PDP, which is free to members. However, the District will be partnering with ACWA JPIA and utilizing the PDP in the future for eligible employees.

Customer Service

The Customer Service department will be partnering with training firm Global Learning Partners, Inc. to complete a series of in-depth training in late 2021/early 2022. The training, "Customer Service New Rules" improves the customer service experience through emotional intelligence, developing a 30-second connection with customers, problem solving, and professional telephone and email techniques.

Management and Leadership

The Beaumont-Cherry Valley Water District desires to be an employer of choice, developing employees who are currently in supervisory roles as well as preparing our employees to lead from any position. This year BCVWD is implementing an on-site leadership training program. Participants were chosen based on their role as either manager, supervisor, or trainer. The goals of the program are to align management philosophy with the District's Mission and Vision, develop team camaraderie, improve internal communications, and build upon the District's organizational culture.

For subsequent management training and for employees new to management in future years, Human Resources is examining custom certificate programs from nearby colleges and universities, credentialing programs, and professional development Learning Management Systems (LMS) to create a sustainable management program for the District.

Annual Training for Employees

In addition to the requirements for harassment and ethics training, District employees also complete mandated training on an annual basis in Workplace Diversity, Equity, and Inclusion; Workplace Bullying; and Workplace Violence.

All employees receive annual training from the Safety Compliance Company in the following topics during safety meetings: Emergency Action Plan, Back Safety, Bloodborne Pathogens, Ergonomics, Safety Awareness, and Fire Extinguishers. Additionally, field staff receive annual training in Lock Out/Tag Out Procedures, Flagger Safety, Hazard Communication (GHS), Respiratory Safety, Power Tools Safety, Heat Illness Prevention Plan, Trenching, Fall Protection, Electrical Safety, Confined Space, and Tractor Safety.

Water Certifications

The Beaumont-Cherry Valley Water District reimburses employees to take job-related continuing education courses and renewal fees in accordance with District Policy #34, Occupational Certification Assistance. This policy lists the Water Treatment Operator and Water Distribution Operator certifications as examples of compliant certifications eligible for reimbursement.



Additionally, full-time employees who are part of the MOU employee group with 3 continuous years of service may be eligible for Incentive Pay for certification above the required level their current classification.

Operations staff have access to American Water Works Association (AWWA) membership training activities and resources.

Professional-Level Continuing Education

The Accounting department regularly attends continuing education webinars and workshops. The Certified Public Accountant (CPA) accreditation is also eligible for the District's certification assistance program and requires continuing education as part of the renewal process. Additionally, the Accounting department routinely attends the annual California Society of Municipal Finance Officers (CSMFO) conference.

The Engineering Department supports employees earning their Professional Engineering License (PE). Additionally, employees in the department are members of the American Society of Civil Engineers (ASCE) and the American Water Works Association (AWWA). Department employees participate in continuing education through meetings, licensure activities, and additional licenses specific to the nature of the work.

The Human Resources and Information Technology Departments continue professional education through industry-specific webinars, workshops, and conferences. Additionally, both incumbents possess and maintain industry-specific certifications which require continuing education.

Employee Assistance Program (EAP) Webinars

Human Resources offers optional webinars on a semi-monthly basis sponsored by the District's Employee Assistance Program (EAP). Previous topics include Managing Priorities to Maximize Your Day, Business Etiquette, Financial Fitness, Investment Basics, Getting Organized, Overcoming Burnout, and Reinventing Retirement. All new employees also receive an orientation for the EAP program which reviews the services available to employees.

Prepared by Sabrina Foley, Human Resources Coordinator, August 4, 2021