

# FRESNO LOCAL AGENCY FORMATION COMMISSION



## Employee Handbook

Effective January 2013

Last revised October 2018



## Table of Contents

Introduction .....	1
Our Mission .....	1
Our Vision.....	2
To Encourage the Orderly Formation of Local Governmental Agencies .....	2
To Preserve Agricultural Land Resources .....	2
To Discourage Urban Sprawl.....	2
Historical Information .....	3
The Purpose of the Employee Handbook .....	3
General Policies and Procedures .....	5
Equal Employment Opportunity .....	5
Reasonable Accommodation .....	5
Policy Against Unlawful Discrimination .....	5
Anti-Harassment Policy .....	6
Anti-Bullying Policy .....	8
Anti-Retaliation .....	8
Employment At-Will.....	9
Personal Information .....	9
Personnel Files .....	10
Employment Verification and References .....	10
Job Duties.....	11
Reductions in Force or Reorganizing .....	11
Job Listings .....	11
Employee Separation Procedures.....	12
Voluntary Termination.....	12
Involuntary Termination .....	13
Employee Conduct .....	13
Punctuality & Attendance .....	13
Professional Appearance and Decorum .....	14
Performance Evaluations .....	15
Corrective Action .....	16
Cell Phone Policy .....	17
Fitness for Duty .....	17
Business Conduct Policy.....	18
Prohibited Conduct .....	19
Media Conduct and Release of Commission Information .....	20
Solicitation and Distribution of Literature .....	20
Confidentiality.....	21
Conflicts of Interest.....	21
Employment, Time-Keeping & Payroll Policies & Procedures .....	23
Employment Status .....	23
Work Hours .....	24

Meal and Rest Periods .....	24
Paid Time Off.....	25
Compensatory Time Off.....	26
Holidays.....	26
Overtime Policy .....	26
Overtime Holiday Pay Policy .....	27
Make-up Time .....	27
School Activities and Suspended Pupil .....	27
Time Sheets.....	28
Paydays .....	28
Time Off to Vote.....	29
Wage Garnishments.....	29
Health, Retirement, and Other Benefits.....	29
Employee Benefits Eligibility.....	30
Health Benefits.....	30
Deferred Compensation Plan- 457 .....	31
Defined Contribution Plan- 401(a).....	31
Life Insurance .....	32
Workers' Compensation .....	32
Expense Allowances.....	33
Continuing Education.....	33
COBRA .....	33
Leave of Absence .....	34
Family and Medical Leave.....	34
Employee Eligibility .....	34
Leave Available .....	34
Notice and Certification .....	36
Compensation During Leave .....	36
Benefits During Leave .....	36
Employment During Leave.....	37
Job Reinstatement .....	37
Coordination with Pregnancy Disability Leave .....	37
Coordination with California Paid Family Leave .....	38
Unlawful Acts .....	38
Pregnancy Disability Leave.....	38
Personal Leave .....	40
Bereavement Leave .....	40
Jury Duty or Witness Leave.....	40
Domestic Violence, Sexual Assault and Stalking Leave .....	40
Military Leave.....	41
Sick Leave .....	42
Volunteer Firefighters.....	43
Leave to Seek Office.....	43
Organ Bone Marrow Donation .....	43



Injury and Illness Prevention Program.....	43
Injury Reporting Procedure .....	43
Employee General Safety Training.....	44
Emergency Procedures .....	44
Fire Drills .....	44
Operating Equipment.....	44
Workplace Violence Policy.....	45
Security .....	46
Employees Required to Drive .....	46
Drug and Alcohol Policy .....	46
Illegal Drugs, Controlled Substances, Alcohol, and Marijuana Policy .....	46
Drug or Alcohol Rehabilitation.....	47
Work Area. Employee Container Search Policy .....	48
Equipment, Computer Usage, E-mail Policy .....	48
Use for Business Purposes/Commission Access, Review Deletion and Disclosure .....	48
Email Security and Computer Security .....	50
Viewing and Protecting E-Mail.....	50
Copyrighted Information .....	50
Email Usage.....	50
Other Prohibited Uses.....	51
Internet Access.....	51
Open Communication Policy.....	51
Employee Acknowledgment .....	53

# Introduction

This handbook replaces any previously distributed handbooks. With or without prior notice, Fresno Local Agency Formation Commission (the “Commission” or “LAFCo”) reserves the right to revise, modify, delete, or add to all policies, procedures, work rules, or benefits stated in this handbook or in any other related document.

Any written changes to this handbook will be distributed to all employees so that they will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this handbook.

## Our Mission

It is the policy of the State of California to encourage orderly growth and development. The Legislature found that these are essential to the social, fiscal, and economic well-being of the state.

The Legislature recognized that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development. These sometimes compete state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services.

The Legislature found that this policy should be affected by the logical formation and modification of the boundaries of local agencies, and created a local agency formation commission, or LAFCo, within each county.

LAFCo coordinates orderly, logical and efficient changes in local agencies’ boundaries, conduct service reviews of local agencies, and review ways to streamline the municipal services provided by local agencies.

Consistent with the Legislature’s goals, the LAFCo’s balance growth of cities and special districts (collectively called “local agencies”) with the preservation of agricultural and open-space lands. LAFCo performs these tasks by several means:

- LAFCo plans and regulates growth by establishing “spheres of influence” (SOI) around local agencies to regulate their growth for the 20 to 25-year planning horizon.
- LAFCo considers additions to local agencies’ territory, called annexations, when those additions are consistent with the SOI, and the agency can demonstrate that it has the capacity to provide services to this new territory; and

- LAFCo conducts service reviews of each local agency to evaluate the agency's operation, compliance with its principal act, its public transparency and accountability, and the efficiency of the services it provides.

The value of the work LAFCo staff performs for the Commission extends beyond our local agencies out to the community and the public at large, to other agencies like the County and various county departments such as the Auditor-Controller, Elections, and to the dependent special districts run by the County. The Commission supports and informs activities of the development community as it makes market-driven decisions to implement general plans, supports sound economic development by making sure that services are available, and when the general public has questions, assists them to be better informed.

Three-quarters of the LAFCOs in California have no more than four staff members. Given the importance of the work of LAFCOs, their relatively small staff means that individual performance and teamwork are critical. The work of each LAFCo employee is important to the Commission's objective.

## **Fresno LAFCo's Vision**

### **To Encourage the Orderly Formation of Local Governmental Agencies**

LAFCOs review proposals for the formation of new local governmental agencies and for changes in the organization of existing agencies. There are 58 LAFCOs working with nearly 3,500 governmental agencies (400+ cities, and 3,000+ special districts). Agency boundaries are often unrelated to one another and sometimes overlap, often leading to higher service costs to the taxpayer and general confusion regarding service area boundaries. LAFCo decisions strive to balance the competing needs in California for efficient services, affordable housing, economic opportunity, and conservation of natural resources.

### **To Preserve Agricultural Land Resources**

LAFCo must consider the effect that any proposal will produce on existing agricultural lands. By guiding development toward vacant urban land and away from agricultural preserves, LAFCo assists with the preservation of our valuable agricultural resources.

### **To Discourage Urban Sprawl**

Urban sprawl can best be described as irregular and disorganized growth occurring without apparent design or plan. This pattern of development is characterized by the inefficient delivery of urban services (police, fire, water, and sanitation) and the unnecessary loss of agricultural resources and open space lands. By discouraging sprawl, LAFCo limits the misuse of land resources and promotes a more efficient system of local governmental agencies.

## Historical Information

After World War II, California experienced dramatic growth in population and economic development. With this boom came a demand for housing, jobs, and public services. To accommodate this demand, the state approved the formation of many new local government agencies, often with little forethought as to the ultimate governance structures in a given region. The lack of coordination and adequate planning led to a multitude of overlapping, inefficient jurisdictional and service boundaries, and the premature conversion/loss of California's agricultural and open-space lands. Recognizing this problem, in 1959, Governor Edmund G. Brown, Sr. appointed the Commission on Metropolitan Area Problems. The Commission's charge was to study and make recommendations on the "misuse of land resources" and the growing complexity of local governmental jurisdictions.

The Commission's recommendations on local governmental reorganization were introduced in the Legislature in 1963, resulting in the creation of a Local Agency Formation Commission, or "LAFCo," in each county in California.

From 1963-1985, LAFCOs administered a complicated series of statutory laws and three enabling acts, the Knox-Nisbet Act, the Municipal Organization Act ("MORGA") and the District Reorganization Act. Confusion over the application of these laws led to a reform movement that produced the first consolidated LAFCo enabling act: the Cortese-Knox Local Government Reorganization Act of 1985. In 1997, a new call for reform in local government resulted in the formation, by the Legislature, of the Commission on Local Governance in the 21st Century. After many months canvassing the state, the Commission recommended changes to the laws governing LAFCOs in its comprehensive report "Growth Within Bounds."

These recommendations became the foundation for the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), an act that mandates greater independence for LAFCOs and further clarifies their purpose and mission.

In response to both the passage of the CKH Act and to local needs to address certain service provision issues, Fresno LAFCo was formed.

## The Purpose of the Employee Handbook

LAFCO is a public agency created by the State Legislature to plan and regulate the boundaries and service areas of cities and special districts in order to prevent urban sprawl, encourage orderly governmental boundaries and promote efficient public services. Fresno LAFCo serves a vital function implementing the legislature's growth and service delivery efficiency policies. Staff supports the work of the Commission through procedural compliance with the statute, by providing useful policy analysis to the Commission, by interpreting Commission policy to the public, and by administering the day-to-day functions of the Commission.

The responsiveness, resourcefulness, and capabilities of LAFCo staff are, therefore, of primary

interest to the Commission. In order to develop and maintain valuable staff resources, employment benefits and compensation should be sufficiently competitive, and proportionate to comparable public agencies.

The Employee Handbook sets forth the employment and benefit policies applicable to all full-time and part-time employees, except as provided below. The terms of any individual written employment contracts will supersede the policies contained herein to the extent the written contract and/or agreement is inconsistent with this handbook.

The Commission asks you to read and familiarize yourself with the policies in the Employee Handbook.

This handbook supersedes any inconsistent policy statements or memoranda made in the past. With or without prior notice, the Commission reserves the right to revise, modify, delete or add to any and all policies, procedures, work rules or benefits stated in this handbook or in any other related document, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by the Executive Officer and approved by the Commission.

Any written changes to this handbook will be distributed to all employees so that they will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this handbook.

This handbook sets forth the entire agreement between you and the Commission as to the circumstances under which employment may be terminated. Nothing in this handbook or in any other personnel document creates or is intended to create a promise or representation of continued employment for any employee.

If you have any questions concerning the contents of this handbook, please consult your supervisor or the Executive Officer.

## General Policies and Procedures

### Equal Employment Opportunity

The Commission is an equal opportunity employer and makes employment decisions on the basis of merit, qualifications, potential, and competency. We want to have the best available person in every job. Commission policy prohibits unlawful discrimination based on race, color, creed, sex (including pregnancy), religion, marital status, age, national origin or ancestry, physical or mental disability, medical condition (cancer or genetic characteristic), sexual orientation, gender identity or expression, veteran or military status, or any other consideration made unlawful by federal, state or local laws. Discrimination is also prohibited on the basis of a perception that a person has any of the above characteristics or is associated with any person who has, or is perceived to have, the above characteristics. All such discrimination is unlawful and prohibited by the Commission.

### Reasonable Accommodation

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Commission will make, to the extent required by the **Americans With Disabilities Act and California law**, reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship for the Commission would result. The terms "reasonable accommodation" and "qualified individual with a disability" are used herein as defined in compliance regulations pertaining to the ADA and the Fair Employment and Housing Act (FEHA).

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Executive Officer and request an accommodation. The individual with the disability should specify what accommodation is required to perform the essential functions of the job. The Commission will then engage in a good faith interactive process to determine what, if any, effective accommodations can be made. When appropriate, the Commission also will conduct an investigation to identify the barriers that make it difficult for an applicant or employee to have an equal opportunity to perform his or her job. The Commission will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the Commission will make the accommodation.

### Policy Against Unlawful Discrimination

If you believe that you have been subjected to any form of unlawful discrimination, provide a written complaint to either your supervisor or the Executive Officer. If the complaint involves the Executive Officer and you are uncomfortable raising the issues with your supervisor or the Executive Officer, your complaint should be directed to the Chair of the Commission. Your

complaint should be specific and include the names of the individual(s) involved and any witnesses.

The Commission will promptly undertake an effective, thorough and objective investigation and attempt to resolve the situation. Special safeguards designed to protect the privacy of both the person making the inquiry and any person accused of unlawful discrimination will be applied in handling inquiries, however, certain disclosures are necessary as a part of the investigation process. Documentation of all allegations and investigations will remain confidential.

If the Commission determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Employees engaging in unlawful discrimination may be subject to discipline, including the loss of employment. Appropriate action will also be taken to deter any future discrimination. Action taken to deter any future discrimination will be made known to complaining employee. The Commission will take appropriate action to remedy any loss a complaining employee may have suffered as a result of unlawful discrimination. The Commission will not retaliate against an employee for filing a good faith complaint and will not knowingly permit retaliation by management employees or your co-workers.

## Anti-Harassment Policy

The Commission is committed to providing a work environment free of unlawful harassment and strongly condemns any form of unlawful employment related harassment. Commission policy prohibits unlawful discrimination and bias. The Commission's anti-harassment policy applies to all persons involved in the operation of the Commission and prohibits unlawful harassment by and against any employee of the Commission, including top-level management, supervisors and co-workers, along with any third party, independent contractor, or vendor.

Workplace harassment can take many forms. Prohibited unlawful harassment includes, but is not limited to, the following: any harassment or use by anyone in its employ, or those that employees may come into contact through their employment, of any verbally or visually derogatory epithet based on race, religious creed, color, age, sex, physical or mental disability, national origin, ancestry, medical condition, marital status, sexual orientation, gender identity, gender expression, or any other consideration made unlawful by federal, state or local laws; or sexual harassment, defined as unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature; or sexual harassment including many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser; or

- Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons or posters.
- Offering employment benefits or a change in employment conditions in exchange for sexual favors;

- Making or threatening any adverse change in employment conditions after receiving a negative response to sexual advances;
- Unwanted sexual advances;
- Verbal conduct such as making or using derogatory comments, epithets, slurs and jokes;
- Verbal sexual advances or propositions;
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations;
- Physical conduct such as touching, assault, impeding or blocking movements; and
- Retaliation for having reported or threatened to report harassment.

It is important to note that sexual harassment crosses age and gender barriers and cannot be stereotyped. Sexual harassment may also exist on a continuum of behavior. Generally, two categories of sexual harassment exist. The first, "quid pro quo," may be defined as an exchange of sexual favors for improvement in your working conditions and/or compensation. The second category, "hostile, intimidating, offensive working environment," can be described as a situation in which unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature when such conduct creates an intimidating or offensive environment. Examples of conduct that could create a hostile, intimidating, and offensive working environment includes, but is not limited to, displaying pictures, cartoons, symbols, or apparatus found to be offensive and which exist in the workspace of an employee. This behavior does not necessarily link improved working conditions in exchange for sexual favors.

The Commission prohibits the use of any electronic media (e.g. computers, e-mail, and voice mail) in ways which are discriminatory, harassing, or obscene, or for any other purpose which is illegal or against Commission policy. Misuse of electronic media in violation of this policy is not limited to the display or transmission of sexually explicit or otherwise harassing images, jokes, messages, cartoons, or any other use that may be construed as harassing, discriminatory, or retaliating against another employee on any protected classification.

**ALL HARASSING BEHAVIOR IS CONSIDERED MISCONDUCT AND MAY SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION INCLUDING IMMEDIATE TERMINATION.**

An employee who believes that this policy is being violated, either with respect to himself/herself or as to another employee, should report that belief to the employee's supervisor or the Executive Officer immediately either in writing or personally. If the employee believes that the employee's supervisor or the Executive Officer is violating this policy or if the employee is uncomfortable raising the issues with the supervisor or the Executive Officer, report the matter to the Chair of the Commission.



Upon notice of an employee's concern about being harassed, the Commission will act to stop any further harassment and to correct any effect of the harassment and will:

- Fully inform the complainant of his or her rights and of any obligation to secure those rights;
- Fully and effectively investigate the complaint. The investigation will be immediate, thorough, objective and complete. Persons with information on the matter will be interviewed. A determination will be made, and the results communicated to the person making the complaint, to the alleged harasser, and as appropriate, to others directly concerned; and
- Take prompt and effective action to remedy harassment. First, appropriate action will be taken against the harasser and communicated to the complainant. Second, steps will be taken to prevent any further harassment. Third, appropriate action will be taken to remedy the complainant's loss, if any.

The Commission prohibits retaliation against any employee for using this policy to resolve a harassment concern, opposing the practices prohibited by this policy, or filing a complaint with or otherwise participating in an investigation or other proceeding conducted by the Department of Fair Employment & Housing (DFEH) or Fair Employment & Housing Commission (FEHC).

For more information contact the DFEH at 1-800-884-1684. TDD numbers:

Los Angeles – (213) 897-2840  
Sacramento – (916) 324-1678

Fresno – (559) 445-5373

## Anti-Bullying Policy

The Commission is committed to providing a safe and harassment-free workplace for all employees. As part of that commitment, the Commission prohibits any form of intimidation, threats or other types of abusive behavior ("bullying"). This workplace bullying policy is intended to supplement, not to supersede, other harassment or workplace violence policies already in place at the Commission. Employees found in violation of this policy will be subject to discipline, up to and including termination.

If you feel you have been subject to bullying, notify the Executive Officer. If your complaint involves the Executive Officer, notify the California Department of Fair Employment and Housing. The Commission will take immediate steps to stop the inappropriate behavior and to conduct a thorough, objective investigation and, if appropriate, take corrective action.

## Anti-Retaliation

It is illegal to retaliate against an employee because he or she complained about harassment, bullying or discrimination, even if no harassment, bullying or discrimination ever occurred.

Commission policy strictly prohibits any form of retaliation against an employee. The Commission will not retaliate against you for filing a complaint and will not willingly permit retaliation by other employees.

## Employment At-Will

Employment at the Commission is employment at-will. Therefore, employment may be terminated at the will of either the Commission or the employee. Employment may be terminated with or without cause and with or without notice at any time by you or the Commission. Terms and conditions of employment with the Commission may be modified at the sole discretion of the Commission with or without cause and with or without notice. The Commission also retains the right to demote, transfer, change job duties, and change compensation of any employee, at any time, with or without notice, and with or without cause, in its sole discretion.

Other than the Executive Officer, no one has the authority to make any agreement for employment other than for employment at-will or to make any agreement limiting the Commission's discretion to modify terms and conditions of employment. Only the Executive Officer has the authority to make any such agreement and then only in writing.

No implied contract concerning any employment-based decision or terms and conditions of employment can be established by any other statement, conduct, policy or practice. Examples of the types of terms and conditions of employment that are within the sole discretion of the Commission include, but are not limited to, the following:

Promotion; demotion; transfers; hiring and discharge decisions; compensation; benefits; qualifications; discipline; layoff or recall; rules; hours and schedules; work assignments; job duties and responsibilities; production standards; subcontracting; reduction, cessation or expansion of operations; sale, relocation, merger or consolidation of operations; determinations concerning the use of equipment, methods or facilities; or any other terms and conditions that the Commission may determine to be necessary for the safe, efficient and economic operation of its business.

In deciding to work for the Commission, or continuing to work for the Commission, you must understand and accept these terms of employment.

## Personal Information

The Executive Officer should always have a current address and telephone number for each employee, as well as information regarding the person to be contacted in case of an emergency. You are responsible for advising the Executive Officer of any changes.

## Personnel Files

The Executive Officer will always keep a personnel file for each employee. The file may contain application materials, contracts, educational attainment records and performance evaluations and documentation.

As an employee, you have a right to inspect or receive a copy of certain documents in your personnel file that are or have been used to determine your qualifications for employment, promotion, additional compensation, termination or other disciplinary action, in the presence of a Commission representative at a mutually convenient time. You may not alter, remove, or replace any documents, but you may add documents to the file concerning any disputed matter.

Any request for information from personnel files must be directed to the Executive Officer. Only the Executive Officer is authorized to release information about current or former employees. Disclosure of personnel files to outside sources will be limited to employee's request or as permitted by law.

Your personnel records will remain confidential. Only those individuals in the Commission with a bona fide business reason will be given access to your personnel records.

If the Commission is served with a court order or subpoena for an employee's personnel records, the Commission will notify the employee of the service, allowing the employee an opportunity to object. The Commission must, however, comply with subpoenas and requests from agencies conducting official investigations.

The Commission may also divulge personnel information as allowed by law or as required for workers' compensation cases.

In addition, the Commission will keep all medical records confidential. Information regarding an employee's medical condition is maintained in separate files from employee's personnel file. Only those management personnel with a bona fide business reason will be given access to confidential medical records. Confidential medical information may also be available to first aid or safety personnel in the event of an emergency. The Commission will not divulge confidential medical records except as 1) allowed by law; 2) to the employee's personal physician upon written request or permission from the employee; or 3) as required for workers' compensation cases.

## Employment Verification and References

Routine requests from third parties for employment verification should be directed to the Executive Officer. No other supervisor or employee is authorized to release references for current or former employees. **Do not**, under any circumstances, respond to any requests for information regarding another employee unless it is part of your assigned job responsibilities.

We do not respond to verbal requests for current employee information or past employee references. In response to employment verification and reference requests, the Commission will disclose only the dates of employment and the title of the last position held.

## Job Duties

Your Supervisor will provide you with a job description and explain your job responsibilities and the performance standards expected of you. Due to the nature of our organization, your duties may change. You may be asked, with or without notice, to alter or change job responsibilities, receive additional job responsibilities, work on special projects, or to assist with other work necessary or important to the operation of your unit or the Commission. Your cooperation and assistance in performing such additional work is necessary so we, as an organization, are successful.

## Reductions in Force or Reorganizing

Under some circumstances, the Commission may need to reduce or reorganize its workforce. If it becomes necessary to restructure our operations or reduce the number of employees, we will attempt to provide advance notice to minimize the impact on those affected.

Employees will be selected for lay off, job elimination, or reclassification based on a combination of factors including, but not necessarily limited to, past and current performance and productivity, business necessity, position necessity, qualifications, conduct and attendance. Employees who are dislocated have no greater rights to re-employment or open positions during, or after the time of a layoff, than other candidates.

## Job Listings

The policies and procedures for hiring our staff are designed to attract the best applicants. The Executive Officer will determine how each position will be filled and the process to be used for selection. Jobs are advertised to give current employees the opportunity to show interest in open jobs and to advance within the Commission. In general, the Commission advertises all regular, full-time job openings, although the Commission reserves its right to not to advertise or list a particular opening.

While we strive to be consistent in the advertising new positions and the hiring process, the Executive Officer reserves the right to alter the steps in this process due to business necessity, personnel considerations, targeted job searches, or organizational demands. This includes making hiring, promotion, and demotion decisions, reassigning or expanding job duties, rehiring dislocated workers, or moving employees laterally without internally posting the position. As with all personnel decisions, management's ability to explain or discuss these decisions may be limited by confidentiality rules.

## Employee Separation Procedures

Neither you nor the Commission has entered into a contract regarding the duration of your employment. You are free to terminate your employment with the Commission at any time with or without reason. All Commission-owned property (including written materials, computer equipment and files, manuals, cell phones, smart phones, credit cards, security and parking passes and keys) must be returned upon request.

Benefits will be terminated as of the last day of the month in which the separation occurred. The Executive Officer will send a separation letter to the departing employee with details such as continuation of insurance, if applicable, and options with regard to any other benefits. Questions on benefit status should be directed to the Executive Officer. Any accrued, unused PTO time (as defined below), personal holiday(s), compensatory time and unpaid expense or mileage reimbursement with Commission documentation, will be paid at the time of separation.

If an employee is not at the Commission's office at the time of separation to collect their final pay, the check will be mailed to the employee at the employee's last known address on file with the Commission within 72 hours. Personal items, including electronic files, business-related contact information and calendars, left in the workplace after the last date of employment, are subject to disposal if not claimed at the time of an employee's separation.

## Voluntary Termination

We hope both you and the Commission will mutually benefit from your continued employment, however, we realize that it may become necessary for you to leave your job with us. If you anticipate having to quit, we would appreciate receiving notice at least three (3) weeks in advance of the date that you must leave and the reason for your resignation. Although this notice is not required, it is requested to allow us time to find and train a replacement. Employees who fail to provide such advance notice will be considered ineligible for rehire.

An employee who chooses to terminate his or her employment with the Commission should submit a letter of resignation to his/her supervisor stating their last date of employment and the reason for leaving. The supervisor will submit the letter to the Executive Officer. A letter of resignation for regular retirement should be submitted at least three months in advance of the retirement date to allow for planning.

The resigning employee may be invited to meet with the Executive Officer for an exit interview to assure proper handling of personal and business matters. Information provided on the exit interview questionnaire and during the exit interview may be shared with appropriate individuals in order to improve employment conditions at Commission.

We may consider you to have voluntarily terminated your employment if you do any of the following:

- Resign from the Commission;
- Fail to return from an approved leave of absence on the date we specify;
- Fail to report to work without prior notification and approval or failing to call in for two (2) consecutive work days; or
- Leave work during the middle of the work day without prior notification and approval from your Supervisor.

## Involuntary Termination

If your performance is unsatisfactory due to lack of ability, insubordinate, negative behavior, if you fail to abide by Commission policies, or fail to fulfill the requirements of your position, you will be notified of the problem. If satisfactory change does not occur, you may be dismissed. Some incidents may result in immediate dismissal. You may be terminated for poor performance, misconduct, negative behavior, inability to harmoniously work with other staff, excessive absences, tardiness, discrimination, harassment, or other violations of Commission policies. Additionally, termination of employment may occur when a person is terminated during their six-month introductory period, indefinitely laid-off, or is involuntarily terminated pursuant to the disciplinary procedures set for by the guidelines. Likewise, the Commission has the right to terminate or transfer an employee, or eliminate an employee's position at any time, with or without reason, at our discretion, except as otherwise provided by law. Nothing in this policy alters the at-will nature of our employment relationship.

## Employee Conduct

### Punctuality & Attendance

Regular attendance during all scheduled work hours, being punctual to work on a timely basis and working through the end of your regularly scheduled work day is expected. Employees are also expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized Commission business. Any unexcused tardiness or absence causes problems for your team, external parties, and your Supervisor. Not being punctual is disruptive, costly, and not fair to the Commission or other employees. Regular attendance and punctuality are considered an "essential function" of each employee's job and is a condition of employment. Thus, while occasional emergencies are to be expected, repeated and frequent tardiness cannot be permitted. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided. Absenteeism or tardiness will ultimately affect your employment at the Commission. Absenteeism or tardiness can result in the loss of employment.

While we rely on your best judgment, the following should serve as guidelines as to attendance issues that may warrant disciplinary action:

- Continuing patterns of unplanned absences of a full-day or early unexcused and unplanned departures on Fridays and Mondays;
- More than two unexcused tardies in a rolling four-week period; or
- Three or more unplanned absences, regardless of the duration of the time off, in a rolling two-month period, unless the occurrence is related to a pre-approved statutory leave of absence or a physical or mental disability.

The disciplinary actions described above for violating the Commission's attendance policy do not apply to employee's use of his or her accrued sick leave, as defined below. Further, emergency or extraordinary circumstances concerning an absence or tardiness will be considered, and the Commission reserves the right to make an exception to this policy if, in its sole discretion, an exception is warranted. Repeated car failures, bad traffic, or oversleeping do not constitute an emergency or extraordinary circumstances.

If you will be absent from work or tardy due to unforeseen reasons, you must contact your Supervisor at least one hour prior to your scheduled starting time. If you are not able to reach your Supervisor, you are expected to advise the Executive Officer of your absence. You must speak personally to either your Supervisor or the Executive Officer. Absent extenuating circumstances, if you do not personally reach either of them, the absence will be considered unexcused. Do not have a relative or friend call in to report your absence, unless you are unable to call yourself due to a medical or other emergency.

If you will unexpectedly be absent for a period of more than three (3) hours, your Supervisor may request you take the day as PTO (as defined below). In all cases of absence or tardiness, you are expected to provide your Supervisor with an honest reason or explanation. Absent extenuating circumstances, you must call in on every day you are scheduled to work and will not report to work and inform your Supervisor of the expected duration of absence.

If you fail to report for work without any notification to your Supervisor for two (2) successive work days, we will consider that you have abandoned your employment, and have resigned your position. In addition, nothing in this section changes the at-will nature of employment.

## Professional Appearance and Decorum

The professional image of our staff is vital. Our employees must demonstrate professionalism and good judgment in matters of dress in the workplace.

The Commission observes a business casual dress environment, however, there may be situations requiring more formal attire. If you are conducting or attending meetings, seminars, roundtables, etc. where you come in contact with other business professionals, you are expected to represent the Commission in a professional manner and dress appropriately for

conducting such business. Know your audience, remember whom you represent and dress accordingly. If you are in doubt as to whether the item of clothing is professional, err on the side of being formal.

Personal appearance should be a matter of concern for each employee. If your Supervisor feels your attire and/or grooming is inappropriate, you may be asked to leave the workplace until you are properly attired and/or groomed. This time away will be considered unpaid time off. Employees who violate dress code standards may be subject to appropriate disciplinary action.

LAFCo is a public agency visited frequently local agency representatives, applicants, and occasionally by members of the public. Our offices should project a professional and competent image. Work spaces may be busy but should not appear cluttered or unkempt; and common office spaces and kitchen should be kept clean and orderly.

An employee who requires an accommodation of a religious belief or practice (including religious dress or grooming practices) should contact the Executive Officer and request such an accommodation.

## Performance Evaluations

Employees and their Supervisors are strongly encouraged to discuss job performance and goals on an informal and ongoing basis. Ongoing discussions with your Supervisor about your job duties, performance, and the work environment will likely increase your satisfaction with the Commission and your success here.

To provide you with the necessary feedback about your performance, you will receive annual performance assessments. Employees may receive performance evaluations at other times due to length of service, job position, past performance, changes in job duties, or performance problems. The objectives of performance evaluations are to:

- Ensure that you know how you are performing against established performance standards;
- Determine how the Commission can assist you in meeting, and exceeding, these standards;
- Give you and your Supervisor the opportunity to discuss specific job tasks and expectations; and
- Ensure two-way communication.

Supervisors are accountable for providing employee development action designed to improve and enhance employee performance such as:

- Possible approaches for meeting goals;
- Recognition of employee strengths; and



- Identification and correction of performance deficiencies

Performance evaluations are intended to be a two-way communication between you and your Supervisor. Your input will help you contribute to your professional growth, and the growth and improvement of the Commission. You are expected to:

- Ask for clarification about your job;
- Accept additional responsibilities and show initiative; and
- Ask for assistance in developing a goal-oriented path for advancement within the Commission.

Comments to your review should be submitted within five (5) work days and will become part of the evaluation. However, comments submitted will not result in changes to the evaluation.

Positive performance evaluations do not guarantee an increase in salary, promotions, or continuance of your position or employment. Salary increases and promotions are solely within the discretion of the Commission and depend upon many factors in addition to performance. Having your compensation reviewed does not necessarily mean that you will be given an increase.

Performance evaluations, written and/or verbal warnings and summaries of counseling sessions are considered documentation. These documents detail the efforts made by a Supervisor to advise an employee of his or her job performance and/or conduct, and when performance and/or conduct is unacceptable, to provide direction on how to bring the performance and/or conduct into compliance.

Employees are again reminded that there is no specified term or tenure of employment with the Commission and that the Commission requires continued quality and performance from employees. Therefore, a satisfactory or superior review or series of reviews will not create a contract, express or implied, that termination may occur only for cause. Both employees and the Commission retain the right to sever the relationship at will, with or without cause or advance notice.

## Corrective Action

The Commission has high performance expectations because it strongly believes that everyone benefits when we all work together and conduct ourselves in a manner that mutually reflects the best interests of your co-workers and the Commission. It is important and in the best interest of the Commission to help you always perform to the best of your abilities.

Specific actions are considered performance problems. These include, but are not limited to:

- Unsatisfactory performance;
- Behavior which results in an atmosphere of negativity or hostility;

- Personal conflicts with staff and/or management;
- Unacceptable conduct; or
- Conduct that is in violation of Commission policy or law.

Periods of good performance and/or behavior will not override those actions we consider unacceptable. Employees will be informed if corrective action is necessary as soon as possible after any performance problem has been identified. Notification of unacceptable conduct will be made through the most expedient means, including verbal and/or written notice, counseling sessions and performance evaluations.

Although one or more corrective measures may be taken in connection with a particular performance, no formal order will be followed. Corrective action may include a variety of actions depending on the circumstances and severity of the particular situation. The corrective action process will not always start with a verbal warning. Some acts, particularly those that are intentional, serious, or prohibited, warrant more severe action. In cases of totally unacceptable performance and/or conduct, the employee may either be suspended without pay or terminated. All suspensions or terminations will be done by the Executive Officer.

## Cell Phone Policy

While working, employees should be completely focused on their job duties and the satisfaction of the Executive Officer. Employees may use personal cell phones during working hours for Commission business. Employees using their personal cell phones for Commission purposes will receive a partial reimbursement each month.

Other than for Commission business, employees are expected to use their personal cell phones during designated meal and rest periods. If an employee's use of their cell phone interrupts, delays, or interferes with the Commission's business, the employee may be disciplined.

Employees are prohibited from talking, composing text messages, and reading text messages on a cell phone while operating a personal or rented vehicle for Commission business.

## Fitness for Duty

You are expected to report to work fit to perform the duties of your job in a manner that is safe, efficient and effective. Conduct that interferes with the course of business, discredits the Commission, creates a danger to you, fellow employees, or clients, or is offensive, will not be tolerated. Behaviors that constitute a reasonable suspicion that an employee may not be fit for duty include, but are not limited to:

- Inability to perform assigned tasks;
- Slurred speech;
- Disorientation;

- Inability to walk straight/staggering;
- Threats to self or others;
- Physical altercations;
- Personal injury;
- Work-related accidents or near accidents;
- Unusual and extreme changes in emotion with no apparent cause;
- Nonsensical or confused communication; or
- Inability to remain awake.

When an employee appears to be unfit for duty, an evaluation will be made by the Executive Officer. This evaluation, using factual work-related information, will determine whether the employee will be directed to be evaluated by a licensed professional designated and reimbursed by the Commission.

We may also, at our sole discretion, direct the employee not to come to work until further notice. Where an employee's performance of job duties presents an unacceptable risk to the Commission's interests, an investigatory suspension may be imposed. At the sole discretion of the Commission, an employee may be placed on a leave of absence until the Commission is notified by a licensed professional, designated and compensated by the Commission, that the employee is fit to resume work. Throughout the absence, the employee may apply for a leave of absence without pay.

## Business Conduct Policy

A key element to our continued success is each employee's commitment to be guided by certain standards and principles in performing his or her job. It is important that employees be guided by the following:

- Adhering to all applicable federal, state and local laws and regulations;
- Protecting our reputation and assets;
- Acting responsibly to avoid situations potentially harmful to the Commission or conflicts of interest; and
- Being ethical and honest.

The Commission considers work rules, guidelines, and work performance important responsibilities. They are essential to the proper management of our business and ensure that employees work together effectively. When these rules and guidelines are not followed, or the employee's work performance is below Commission standards, written disciplinary warnings may be issued.

Violations of the rules and guidelines, or the employee's failure to improve work performance may result in discipline up to and including termination. Disciplinary measures may be taken at the sole discretion of the Executive Officer and/or the Commission and may include verbal/written warnings, reprimands, and suspension, among other things. The Commission reserves the right to terminate employment with or without cause and with or without notice.

## **Prohibited Conduct**

- Making false statements or omitting pertinent information on Commission applications or records of employment.
- Falsification or omission of pertinent information on Commission records, forms or reports.
- Insubordination or refusal to obey work orders of supervisors, refusal to perform job assignments or the use of abusive or threatening language toward a supervisor or member of management.
- Committing any act of violence, threats or intimidation, fighting or using abusive or profane language on Commission premises.
- Theft, unauthorized removal, or willful damage of property belonging to the Commission, Commission employees or customers.
- Possession, drinking, using, selling, or being under the influence of drugs or alcohol during working hours. The Commission has the right to request a chemical analysis or other test of beverages, medicines, or drugs that are brought onto the Commission's premises.
- Refusal to acknowledge receipt of a disciplinary warning.
- "Horseplay," wrestling, dangerous practical jokes, or throwing objects.
- Failure to immediately report an on-the-job injury or accident on the job to your supervisor.
- Disregard of safety rules and practices and security regulations.
- Contributing to unsanitary conditions or poor housekeeping of Commission property, equipment, or machinery.
- Unauthorized operation of machinery and equipment or operation of any machinery or equipment that you are not trained and authorized to operate.
- Unauthorized use of Commission telephones, computers, copy machines, fax machines or any other equipment. Using Commission-owned materials, time, equipment or personnel for any unauthorized purpose.
- Posting or removing any material from Commission bulletin boards without approval.
- Unauthorized entry or exit from Commission property at any location at any time. Leaving the workplace without properly notifying your supervisor.

- Substandard or unsatisfactory work performance.
- Repeated absences or tardiness, including unreported absences.
- Gambling, in any form, on Commission premises.
- Distribution of unauthorized written materials during working time; distribution of non-business or unauthorized literature in working areas; littering; solicitation of or by employees during working time in the workplace. "Working time," as used in this rule, excludes meals and break periods.
- Sleeping or deliberately loafing during working hours.
- Sexual or Unlawful Harassment- It is Commission policy to provide a work environment free from unwelcome sexual overtones, advances or coercion, racial slurs or any other forms of offensive harassment.
- Using information acquired from or in connection with your employment with the Commission for your own personal advantage or financial gain.
- Smoking is allowed only in designated areas.
- Working overtime without authorization or refusing to work assigned overtime.
- Any other conduct that is prohibited by law or Commission policy.

This is not meant to be a total list of all work rules, but rather is illustrative of the type of conduct that will not be tolerated by the Commission. There is no substitute for good judgment and common sense.

## Media Conduct and Release of Commission Information

No employee may release information on behalf of the Commission or call a press conference without the permission of the Executive Officer or his or her designee. All inquiries by the press to employees must be referred to his/her designee.

## Solicitation and Distribution of Literature

In order to ensure our efficient operation and to prevent annoyance to our staff, it is necessary to control solicitations and distribution of literature on Commission property. We have established rules applicable to all employees governing solicitation, distribution of written material and entry onto the premises and work areas. All employees are expected to comply strictly with these rules.

Examples of forms of solicitation that will not be permitted by the Commission include:

- The collection of money, goods or gifts for religious groups;
- The collection of money, goods or gifts for political groups; or

- The solicitation of memberships, fees or dues for Commissions that are exclusionary in nature.

The Commission may provide an area for posting or placing of informational material, including charitable fundraising displays. Employees may place such materials only in the area(s) designated by the Commission, but only to the extent allowed by the Commission and provided the operations of the Commission are not disrupted in any way. The Commission will not be responsible for damage to, loss or theft of any such display, merchandise or funds. Fundraising displays will be limited to non-profit organizations, including schools, community service organizations, and events related to the organization's profession(s). Any employee who is in doubt concerning the application of these rules should consult their Supervisor immediately.

## Confidentiality

Except as required by the California Public Records Act and the Brown Act, employees are strictly prohibited from disclosing information relating to Commission internal operating policies, projects or the Commission itself without prior approval by the Commission in a writing executed by the Chair of the Commission or the Executive Officer. Violation of this rule may result in immediate discipline, suspension or termination of employment.

In the course of the discharge of employee's duties, the employee may have access to and become acquainted with confidential information relating to the Commissions' activities and business. Such confidential information includes without limitation, information concerning the Commission's financial, personnel, sales, planning and other operations. Except as required by the California Public Records Act and the Brown Act, no employee shall disclose any such confidential information to any third parties without prior approval by the Commission in a writing executed by the Chair of the Commission or the Executive Officer. This policy is an essential term of employment with the Commission and remains in effect even after termination.

## Conflicts of Interest

Employees of the Commission must adhere to the Conflict of Interest code and policy adopted by the Commission (see Commission Policies and Procedures, Section 525 "Conflict of Interest Code"). In addition, the Commission has adopted the terms of two California Code of Regulations, section 18730, and the amendments to it adopted by the Fair Political Practices Commission, as its Conflict of Interest policy.

You have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The purpose of these guidelines is to provide general direction so that you can seek further clarification on issues related to the subject of acceptable standards of operation.

A "conflict of interest" generally means a situation where the Commission's interests and an employee's interest may differ. A potential conflict of interest may exist where the interests of the Commission and the employee may differ, but the employee is presented with a decision or other arrangement from which the employee could personally benefit, and the question arises whether the employee's interest could influence the decision. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Commission's business dealings. Employees must take care to avoid not only actual impropriety, but also the appearance of impropriety. Potential conflicts of interest include, but are not limited to:

- **Conflicting Outside Business Activities:** Employees must obtain the approval of their Supervisor prior to engaging in outside employment that may constitute a conflict of interest.
- **Romantic Relationships:** Personal or romantic involvement with an external customer, co-worker or Commissioner, which impairs an employee's ability to exercise good judgment on behalf of the Commission, creates an actual or potential conflict of interest. We recognize that employees may develop personal relationships in the course of their employment. However, in an effort to prevent favoritism, morale problems, disputes, misunderstandings or potential sexual harassment claims, supervisors, managers, and board members are not permitted to date or engage in sexual relationships with employees that are in their chain of command. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on company premises, whether during working hours or not. All employees should consider the potential conflicts of interest or problems that may arise from a consensual romantic relationship at work. The Commission will take appropriate action if such a relationship begins to adversely affect the work environment.
- **Off-Duty Conduct:** While the Commission does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Commission's legitimate business interests. Employees are expected to conduct their personal affairs in a manner that does not adversely affect the Commission's or their own integrity, reputation or credibility. Illegal or inappropriate off-duty conduct on the part of an employee that adversely affects the Commission's legitimate business interests will not be tolerated.
- **Nepotism:** Persons hired, who are related to the Commission staff, will not work for the relative in a subordinate capacity or within the Supervisor's line of authority. A relative, for the purpose of this Employee Handbook, includes a spouse, domestic partner, child, parent, sibling, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent or stepchild.

- **Acceptance of Gifts:** Employees are prohibited from accepting direct gifts, money, or gratuities from persons receiving benefits or services, performing services under contract, or who otherwise are in a position to benefit from the employee's action.

## Employment, Time-Keeping & Payroll Policies & Procedures

### Employment Status

All employees hired to fill regular, full-time positions, shall serve a six-month introductory period. While an introductory employee, employees will be trained and evaluated. If, during the introductory period, management notes any deficiencies, the employee shall be advised of the corrective action needed to bring performance to an acceptable level. At the conclusion of the six-month introductory period, the employee may become a regular, full-time employee, may have their introductory period extended, or be released from employment. Introductory employees may be released from employment at any time during the introductory period. Introductory employees are not guaranteed employment for the entire six-month introductory period; rather, employees remain, at all times during and after the introductory period, at-will employees. The Commission may extend the introductory period at its discretion.

1. **Full-time employees** are those normally scheduled to work and who do work 40 or more hours per week for a minimum of four (4) consecutive weeks. **Full-time employees may be Exempt or Non-Exempt.**
2. **Part-time employees** are those who are normally scheduled to work and who do work less than 40 hours per week for a minimum of four (4) consecutive weeks. If you are hired or assigned as a part-time employee, you will not be considered a full-time employee based on the fact that you may work from time to time forty or more hours per week; rather the change from part-time to full-time employee status must be documented in writing. Part-time employees who regularly work at least 20 hours per week are eligible to participate in some of the employee benefits adopted by the Commission.
3. **Temporary employees** are those employees hired for a particular task. Irrespective of the amount of time necessary to complete that task, such employees shall not by the passage of time be converted to full-time employees. Even if the employee works at the Commission longer than the original time period when first hired, the employee will stay temporary until they are officially notified in writing that they have been assigned to a different category. Temporary employees shall not be entitled to the benefits described in the Employee Handbook, shall not be eligible to participate in any insurance plans adopted by the Commission nor any other fringe benefit programs, except where mandated by applicable law.
4. **Exempt employees** hold professional, administrative or executive positions at the Commission that are not entitled to receive overtime compensation. An Exempt



employee is paid a fixed salary and is expected to work an average of at least 40 hours per week. They do not work in the context of an eight (8) hour day but work the hours necessary to accomplish their responsibilities.

5. **Non-exempt employees** are entitled to receive overtime compensation as required by federal and state law.
6. **Independent Contractors and Consultants** are non-employees who are paid on a fee-for-service basis to perform certain specified services. Contractors and consultants are not eligible for any benefits listed in the Employee Handbook.

## Work Hours

Unless otherwise scheduled, full-time non-exempt employees shall work an eight (8) hour shift during the regular business hours of 7:00 a.m. to 4:00 p.m., Monday through Friday. A work day is defined as any consecutive 24-hour period beginning at the same time each calendar day. The work week begins at 12:00 a.m. on Monday and ends at 11:59 p.m. on Sunday. Lunch and/or dinner breaks are unpaid and not counted as part of the regular work shift. If it is not possible to be at work at the scheduled time, the employee shall call their supervisor or other appropriate person in the department to inform them of the predicted time that they will be at their work site.

Part-time office staff and temporary office staff shall work according to the schedule designated by their immediate supervisor.

Non-management employees may not work at the office beyond 5:00 p.m. or during a weekend without supervision. If non-management employees need to work outside of their normally scheduled office hours, their supervisor must be present or ensure that another supervisor is staying with the employee.

## Meal and Rest Periods

The Commission will provide for meal and rest periods as required by the law. The Commission will designate your normal work hours and schedule your meal and rest periods. Employees are provided a mid-morning and mid-afternoon rest break. Lunch breaks should normally be taken between 11:00 a.m. and 2:00 p.m. If your workload prevents you from taking your rest or lunch breaks, please advise your Supervisor so that arrangements can be made to allow you to do so. Non-exempt employees are required to take scheduled 30 to 60-minute meal periods and cannot perform any work during the meal period. Meal periods are unpaid. Employees are required to record the time taken for meal periods for each day. If an employee is unable to take their meal period at the time designated by the Commission, the employee should immediately notify the Executive Officer.

Ten-minute paid rest periods are provided for every four hours of work or major portion thereof, generally mid-morning and mid-afternoon. Meal and rest periods cannot be combined nor may these breaks be used to substitute for late arrival or early departure.

**Meal and rest periods are mandatory. Failure to adhere to the policy above will result in discipline up to and including termination.**

---

*Employee Initials*

## Paid Time Off

Commission employees are provided with a combined vacation leave and sick leave called Paid Time off (PTO). All personal time off from work will be subtracted from your PTO balance. PTO may be used to conduct personal business during normal work hours, to care for sick family members, for a vacation, attendance at family school related functions, religious observance, personal injury or illness, medical and dental appointments, or any other purpose you choose. Eligible employees will accrue PTO pro-rata based on the number of hours worked each pay period.

Except when taken for unseen occurrences including the sudden onset of an illness, a family emergency, etc., PTO is to be taken at a time mutually convenient to you and the Executive Officer and requires advance written approval. We request that it be taken in increments of four (4) or more hours. Except in emergency situations, requests for PTO should be submitted to the Executive Officer at least two weeks in advance. The determination of an “emergency” shall be at the sole discretion of the Executive Officer.

Currently, permanent full-time employees paid directly by the Commission with less than two (2) years of continuous service accrue PTO at the rate of 21 working days per year. Upon the completion of two (2) continuous years of service, the employee shall earn one additional day of PTO each year of service thereafter, from the completion of the second year until the end of the tenth year. For example, a full-time employee completing their fourth year of service will earn 24 working days of PTO; an employee completing their fifth year of service will earn 25 working days of PTO; and so forth.

Employees paid directly by the Commission can accrue up to a maximum of three (3) times their annual accrual rate. Once this accrual maximum is reached, you cannot accrue additional PTO until you have used up some of your accrued unused PTO. When some accrued PTO is used, PTO begins to accrue again. There is no retroactive grant of PTO for the period of time the accrued PTO days were at the maximum.

PTO generally can be taken after successful completion of the Introductory Period whenever work schedules permit. PTO schedules should be coordinated and cleared with your supervisor

prior to the leave of absence. It should be recognized that in some cases it may be difficult to fit in PTO time and that vacations might have to be deferred.

If an exempt employee is absent from work for a partial day (minimum four or more hours), the employee must substitute four (4) hours of PTO in lieu of salary for the hours worked.

An employee whose employment terminates will be paid for accrued unused PTO.

## Compensatory Time Off

Compensatory time off ("CTO") may be approved by the Executive Officer in lieu of overtime pay for irregular or occasional overtime work by employees. CTO is paid at the same rate as overtime pay; that is, one and one-half hours of compensatory time for each hour of overtime worked.

## Holidays

Each year the Commission will adopt the same holiday schedule as the County of Fresno. Whenever an announced holiday falls within the normal work week of Monday through Friday, it shall be considered a holiday for all Commission employees. Full-time employees, and part-time employees working at least 20-hours per week, are eligible to receive holiday pay based on their normally scheduled straight time hours. Part-time employees working less than 20 hours per week and persons in temporary assignments do not receive holiday pay but will receive the time off on the holiday without pay.

To be eligible for holiday pay, you must have worked, or been available to work, the days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by the Executive Officer. Furthermore, holiday pay is not considered hours worked for purposes of determining overtime pay. Full-time employees receive eight hours of base hourly pay for each of the paid holidays listed above during the year.

If your religious beliefs require that you take a special day off, you may substitute holidays, use PTO or take time off without pay, provided a prior arrangement has been made with the Executive Officer.

Employees are ineligible for holiday pay while on leave of absence.

## Overtime Policy

Only non-exempt employees are eligible for overtime compensation. Exempt employees are not eligible for overtime compensation. They are paid on a salary basis and are in executive, administrative, professional or other exempt positions. Non-exempt employees will be paid overtime compensation in accordance with applicable laws.

As necessary, non-exempt employees may be required to work overtime. ADVANCE APPROVAL BY MANAGEMENT FOR OVERTIME EXCEEDING FOUR (4) HOURS PER WEEK MUST BE OBTAINED

FROM THE EMPLOYEE'S SUPERVISOR. If the employee works overtime without permission, the employee may be subject to discipline. For purposes of determining which hours constitute overtime, only actual hours worked in a given work day or work week will be counted unless otherwise required by law.

## Overtime Holiday Pay Policy

Full-time employees will receive holiday pay for designated holidays. Employees who are needed to work on a holiday will be paid straight time for the holiday plus the overtime rate as required by law.

## Make-up Time

At your Supervisor's discretion, the use of make-up time may be allowed when a non-exempt employee needs to take time off to tend to personal obligations and when the employee does not have accrued Paid Time Off available. By arrangement with the Executive Officer, an employee may take time off and then make up that time within the same work week or may work extra hours earlier in the work week to make up for time that will be taken off later in that same work week. Provided, however, that in making up his or her missed time, employee does not work more than 11 hours in any one work day or more than 40 hours in any one work week. Make-up time shall be paid at employee's regular rate of pay, and apart from the approved and scheduled make-up time, the regular rules for payment of over-time wages apply to any make-up time worked.

To request make-up time, you must submit a signed, written request to the Executive Officer. The make-up time request sheet shall be in the form of the example attached to this handbook. Requests will be considered for approval based on legitimate business needs at the time that the request is submitted. Your make-up time request must be submitted at least 24 hours before you take the requested time off or work the make-up time, whichever is first. If you take time off and are unable to work the scheduled make-up time, the hours missed will normally be unpaid. Your Supervisor may arrange with you another day within the same work week to make up the time, based on scheduling and unit needs. If you work the make-up time before you plan to take it off, you must take that time off, even if you no longer need the time off. An employee's use of make-up time is completely voluntary. The Commission does not encourage, discourage, or solicit the use of make-up time.

## School Activities and Suspended Pupil

Employees are encouraged to participate in the school activities of their child(ren). The absence related to participation in school activities will be approved subject to the following provisions:

1. Parents, stepparents, foster parents, guardians, or grandparents having custody of one or more children in preschool, kindergarten or grades 1 to 12, or college may take time off for a school activity.
2. The time off for school activity participation cannot exceed eight (8) hours in any calendar month, or a total of 40 hours each school year.
3. Employees must provide as much advance notice as possible to their Supervisor.
4. If both parents are employed by the Commission, the first employee to request such leave will receive the time off and the other parent will receive the time off only if leave is approved by his or her Supervisor.
5. Employees must use PTO in order to receive compensation for this time off.
6. Employees who do not have paid time off available will take the time off without pay.
7. Employees must provide their Supervisor with documentation from the school that indicates that the employee participated in a school activity on the day of the absence for that purpose.

If you are a parent or guardian of a pupil, and if you are requested to appear in the school due to the pupil's suspension, you may take an unpaid leave of absence or use PTO provided that you give the Commission reasonable notice of the request to appear.

## Time Sheets

All hourly employees are required to submit time sheets when due. The time sheet should show all hours worked paid directly by Commission and time off hours as appropriate for exempt and non-exempt employees (e.g. Paid Time Off). Employees must clock out during meal periods and whenever they leave the building for any reason other than Commission business. Any errors on the time sheet should be reported immediately. Corrections must be initialed by the Executive Officer.

Completing another employee's time sheet, allowing another employee to complete your timesheet, or altering a time sheet, is considered a falsification of Commission documents and is grounds for disciplinary action.

## Paydays

Commission employees are compensated in accordance with all applicable state and federal laws. The Commission expects each employee to carefully review each paycheck and to promptly notify the Commission of any errors (e.g. your wages have been subject to any

improper deductions, your pay does not accurately reflect all hours worked, or you have been inadvertently overpaid). The Executive Officer must review and approve corrections.

State and federal tax deductions and garnishments must be made in accordance with the law.

Employees will be paid bi-weekly.

## Time Off to Vote

Normally, employees will have sufficient time to vote either before work or after work. However, if your work schedule would prevent you from voting on election day, the Commission will give you up to two hours paid time off to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours. Where possible, the employee shall give his or her supervisor at least two days' notice that time off to vote is needed.

## Wage Garnishments

We encourage all employees to meet their financial obligations without involving the Commission. However, we will adhere to legally imposed wage assignments and garnishments and will not modify the terms of those legal arrangements unless ordered to by a court. No adverse employment action will be taken against an employee because of a wage assignment or garnishment order.

## Health, Retirement, and Other Benefits

The Commission has established an employee benefit program for its eligible employees. Although this handbook does not restate all the features of these benefit programs, it provides brief summaries to acquaint employees with some of the key features of the program. It is important that employees remember that additional terms, conditions, and limitations regarding program eligibility and benefit entitlement often exist. Official plan documents should be consulted for further information regarding each benefit program. In the case of an actual or apparent conflict between the benefit summaries set forth in the handbook and the terms of the official plan documents, the provisions of the official plan documents, as interpreted in the sole and absolute discretion of the plan administrator, shall control.

In addition, while it is the Commission's present intention to continue these benefits, the Commission reserves the right, whether in an individual case or more generally, to modify, curtail, reduce or eliminate any benefit, in whole or in part, either with or without notice. Finally, neither benefit programs nor their descriptions are intended to create any guarantees regarding employment or continued employment. As noted elsewhere in the handbook, employment relationships are for an indefinite term and are terminable at will, either at the

option of the employee or the Commission.

## Employee Benefits Eligibility

Full-time employees will receive Commission-approved benefits.

Part-time employees are eligible for some Commission benefits on a pro-rata basis and for any benefits mandated by applicable law.

Temporary employees are not eligible for Commission benefits, except where mandated by applicable law.

The details of the Commission's benefit program are provided separately.

The Commission reserves the right to modify employee benefits at any time.

## Health Benefits

The Commission and Fresno County have a memorandum of understanding to offer Commission employees health benefits through the San Joaquin Valley Insurance Authority. The insurance carrier is subject to change at the discretion of the Commission. The Commission provides to its employees a contribution toward this benefit similar to that provided by Fresno County. Actual contribution will be reviewed annually and included in the Commission's annual budget.

Permanent, full-time employees are eligible for Commission-approved benefits. For purposes of benefit eligibility, a full-time employee is defined as an employee regularly working 40 hours a week.

Permanent, part-time employees are eligible for some Commission benefits on a pro-rata basis and for any benefits mandated by applicable law.

Temporary employees are not eligible for Commission benefits, except where mandated by applicable law.

The details of the Commission's benefit program are provided separately.

The Commission reserves the right to modify employee benefits at any time.

If you have questions regarding your health insurance benefits, please call Employee Benefits at 600-1810 or connect to the County health insurance information at: <http://www.co.fresno.ca.us/DepartmentPage.aspx?id=53531>.

## Deferred Compensation Plan- 457

The Commission currently participates in the ICMA-RC defined contribution plan. This plan is optional and can be changed at any time. The employee chooses the amount they would like to contribute to their retirement out of their salary. ICMA-RC is a non-profit independent financial services corporation providing retirement plans and related services for more than a million public sector participant accounts. Its mission is to help build retirement security for public employees.

## Defined Contribution Plan- 401(a)

All full-time regular employees are eligible for coverage on the first day of employment. An employee will not be entitled to receipt of contribution until the completion of three continuous years of service (the vesting period).

Under this plan, employees, once vested, will receive all proceeds resulting from contributions from the Commission (including interest and/or other appreciation which is exempt from Federal and State taxes until payment is made to the employee) upon retirement or termination of employment.

Contributions equal to 10% of an employee's gross salary will be made by the Commission.

Upon termination of employment other than retirement, amounts distributed under the plan may be subject to state and federal penalties if not reinvested according to IRS guidelines. Regulations regarding early withdrawals are complex and a tax attorney or accountant should be consulted for additional information.

This policy is implemented through a 401(a) Money Purchase Plan administered by ICMA-RC. A 401(a) Money Purchase Plan that allows the Commission to contribute to the employee's tax-deferred retirement savings.

The Commission will make contributions to an account in the employee's name for the exclusive benefit of the employee and their beneficiaries. The value of the account is based on the contributions made and the investment performance over time. No taxes are due, including on earnings, until the employee makes withdrawals.

Employees are encouraged to also participate in the 457 deferred compensation plan offered by the Commission as referenced above.



## Life Insurance

The Commission provides each full-time employee with a \$20,000 life insurance policy through the Special District Risk Management Authority or equivalent benefit vendor.

## Workers' Compensation

Workers' Compensation provides benefits for employees who are injured from accidents or illnesses arising out of, and in the course of, their employment with the Commission. This is provided at no cost to the employee. The employee is covered from the first day of employment. Additional information about Workers' Compensation insurance coverage is posted on the bulletin boards and the break room and/or available from the Executive Officer.

An employee who is injured on the job, no matter how slightly, or whose injury or illness is directly related to the performance of his/her job duties, should:

1. Seek appropriate medical attention or call 911 for emergencies.
2. Immediately report the injury or illness to his/her supervisor, if possible, and the Executive Officer. The Executive Officer will need to obtain information about what happened, how the injury or illness occurred, exact time and location, and names of witnesses, if any.

The provider of medical care for work-related injuries or illnesses should be instructed by the employee to send medical bills to the Commission so they can be filed with the Workers' Compensation claim. Bills for work-related incidents should **not** be sent to the employee's health insurance carrier.

If needed, employees must provide the Commission with a certification from their health care provider regarding the need for workers' compensation disability leave and the employee's ability to return to work from the leave.

Upon submission of a medical certification that you are able to return to work, you will be offered the same position held at the time of leaving, unless the job has been filled in order to avoid undermining the Commission's ability to operate safely and efficiently, or you are not capable of performing the job responsibilities upon return. If your former position is not available, a substantially similar position will be offered unless there is no substantially similar position available or filling the available position would substantially undermine the Commission's ability to operate safely and efficiently, or you are not capable of performing the job responsibilities. If, after returning from workers' compensation disability leave, you are unable to perform the essential functions of the job because of a physical or mental condition, the Commission's obligations to you may include reasonable accommodation, as governed by the Americans with Disabilities Act.

It is important to report injuries as soon as possible and within 48 hours of the injury. Additional information about Workers' Compensation can be obtained from the Executive Officer.

## Expense Allowances

Expenses incurred in connection with the Commission's business may be reimbursed. Claims for reimbursement must be submitted on the Expense Reimbursement form which is available from the Executive Officer. Expense reports must 1) be prepared monthly, 2) contain the reimbursable expenses incurred during the prior 30-day period along with supporting documentation (e.g. receipts for meals, mileage reports, etc.), 3) be signed by the employee, 4) be submitted to the Executive Officer on the first day of the month, and 5) be approved by the Executive Officer.

## Continuing Education

This type of leave is generally granted when the kind of education or training undertaken is likely to enhance the Commission's capabilities to provide service to the public. Consequently, the training should have as its objective either: an increase in the effectiveness of the employee in a current job assignment; or an enhancement of the employee's advancement possibilities within the Commission.

## COBRA

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives qualified employees and their dependents the opportunity to continue health insurance coverage under the Commission's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Employees are eligible for continuation coverage if terminated from employment for any reason other than for gross misconduct or if a reduction in hours results in the loss of coverage under our group health plan. Generally speaking, continuation coverage will be available for 18 months from the date of termination or reduction in hours for employees, employees' spouses, and dependent children, but continuation coverage may be longer in some circumstances.

Under COBRA, you or your dependents pay the full cost of coverage at our group rates plus an administration fee. We provide each eligible employee with a written notice describing rights granted under COBRA when you become eligible for coverage under the Commission's health insurance plan. The notice contains important information about your rights and obligations. Although the employees' right to elect continuation coverage occurs upon the happening of a qualifying event to employees, coverage is not automatic. Employees and employees' spouses

and dependents must make an affirmative election of coverage before coverage will begin. An election form will be sent with the notice of eligibility.

## Leave of Absence

### Family and Medical Leave

The Commission will grant family and medical leave in accordance with the requirements of the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) in effect at the time the leave is granted. No greater or lesser leave benefits will be granted than those set forth in applicable laws.

Please contact the Executive Officer as soon as you become aware of the need for a family or medical leave. The following is a summary of relevant provisions. At the time of your request, you will be provided with more information.

### Employee Eligibility

To be eligible for family or medical leave benefits, an employee must:

1. Have worked for the Commission for a total of at least twelve (12) months.
2. Have worked at least 1,250 hours over the previous twelve (12) months before the date the leave is to begin.

### Leave Available

Eligible employees may receive up to a total of twelve (12) workweeks of unpaid leave during a twelve (12) month period. The twelve-month period will be calculated using a backward rolling period. This means the Commission will look at any family or medical leave you took in the last 12 months to determine how much leave you are eligible for at the time of your request. The 12-month period will be determined each time you are eligible to take FMLA or CFRA.

If your spouse or domestic partner is also employed by the Commission, as a couple you may be restricted to a combined total of 12 weeks leave within any 12-month period for childbirth, adoption or placement of a foster child, or to care for a parent with a serious health condition.

Leave may be used for one or more of the following reasons:

1. For the birth or placement of a child for adoption or foster care.
2. To care for an immediate family member (domestic partner, spouse, child of a domestic partner, or parent) with a serious health condition. "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee who stands in place of a parent (that is, who is charged with a parent's rights, duties, and responsibilities) to that child who is either under 18 years of age or is an adult dependent child. An adult dependent child

is an individual who is incapable of self-care because of a mental or physical disability within the meaning of Government Code section 12926.

3. To take medical leave when the employee is unable to work because of a serious health condition for more than three (3) calendar days. For medical leave purposes, a serious health condition includes inpatient care in a hospital, hospice, or residential medical care facility. It also includes continuing treatment by a health care provider.
4. Any period of incapacity or treatment due to a chronic health condition or due to pregnancy or prenatal care (federal law covers pregnancy or prenatal care as FMLA leave, but pregnancy disability leave is not covered as CFRA leave; see below for benefits under California's Pregnancy Disability Leave law).
5. For qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation (Qualifying Exigency Leave).

If you sustain a work-related injury, you are eligible for a medical leave for the period of disability in accordance with the laws governing occupational disabilities.

If you require medical leave due to a physical or mental disability as defined by federal and state law, medical leave will be provided in accordance with the American Disability Act and the Fair Employment & Housing Act. Employees eligible for medical leave under the ADA and the FEHA are not subject to the 365 days or 1,250 hours rules. Leaves for employees disabled due to pregnancy, childbirth or related conditions are also governed by Pregnancy-Related Leave Policy.

Under some circumstances, employees may take family or medical leave intermittently -- which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

If you are an eligible employee who is a spouse, domestic partner, son, daughter, parent or next of kin of a covered service member with a serious injury or illness, the Commission will provide you Military Caregiver Leave for a total of up to 26 workweeks during a single 12-month period to care for the service member. A covered service member is a current member of the Armed Forces, National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, or who is otherwise in outpatient status or on the temporary disability retired list, for a serious injury or illness that was incurred in the line of duty while on active duty. A serious injury or illness is one that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating. The 12-month period for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes Military Caregiver Leave, and ends 12 months later, regardless of the 12-month period established by the Commission for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 weeks total may be for an FMLA-qualifying reason other than to care for a covered service member.)

Time off from work because of the employee's disability due to pregnancy, childbirth or related medical condition is not counted as time used for California Family Rights Act (CFRA) but is counted as time used for federal Family Medical Leave Act (FMLA). Pregnant employees may have the right to take a pregnancy disability leave in addition to a family-care leave; such employees should contact their Supervisor regarding their individual situations. The Commission reserves the right to have multiple leaves counted concurrently if applicable.

## Notice and Certification

Employees seeking to use family or medical leave may be required to provide:

1. Thirty (30) day advance notice when the need for the leave is foreseeable.
2. Medical certification (both prior to the leave and prior to reinstatement).
3. Periodic re-certification.
4. Periodic reports during the leave.

You should request medical leave by sending a written request to your supervisor. At this time, you will be given a copy of the Commission's current FMLA/CFRA policy and a copy of the Commission's Pregnancy Disability Leave policy, if applicable. If a situation related to a request for a medical leave of absence under FMLA and/or CFRA is foreseeable, you should request the leave in writing at least 30 days prior to the date desired. Failure to provide such notice may result in delay or denial of your leave request. In the case of an unforeseeable event, you must notify the Commission as soon as possible.

When the leave is needed to care for an immediate family member or the employee's own serious health condition, and if for planned medical treatment, the employee should try to schedule treatment so as not to unduly disrupt the Commission's operation.

## Compensation During Leave

Family and medical leaves are unpaid. Unless the employee specifically requests to preserve his or her PTO, PTO will be charged for any period of family leave. If you are granted leave covered under the Family Temporary Disability Insurance Program, administered by the state, the Commission will require you to use up to two (2) weeks' paid PTO at the start of your leave. All paid time off will count toward your 12-week maximum leave total.

## Benefits During Leave

For those employees receiving group health benefits, the Commission will maintain group health insurance coverage for an employee on family or medical leave for up to a maximum of twelve (12) workweeks if such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. This means if the employee is paying any portion of the insurance premiums, the employee would have to continue to pay those premiums while out on

leave. In some instances, The Commission may recover premiums it paid to maintain health coverage for an employee who fails to return to work following a family or medical leave.

Employees on family or medical leave who are not eligible for continued paid coverage may continue their group health insurance coverage through the Commission in conjunction with federal COBRA guidelines by making monthly payments to the Commission for the amount of the applicable monthly premium. You should contact the Executive Officer for further information.

Employee benefits, such as annual leave, will not accrue during any unpaid portion of your medical leave. When you return from leave, benefits will start accruing again.

## Employment During Leave

An employee on FMLA and/or CFRA leave may not accept employment with any other employer without the Commission's written permission. An employee who accepts such employment will be deemed to have resigned from employment with the Commission.

## Job Reinstatement

We require that you give us at least two weeks advance notice before you plan to return to work. Employees returning from a family or medical leave will be reinstated to their previous position or to an equivalent position with equivalent benefits, pay and terms and conditions of employment. If the leave was for the employee's own serious health condition, a medical certification that they can return to work is required prior to the actual return date. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if employees on leave would have been laid off had they not gone on leave, or if their jobs were eliminated while they were on leave, then the employees would not be entitled to reinstatement. To prevent substantial and grievous economic injury to the Commission, the Commission will notify you of its intent to refuse reinstatement. Unless an alternative return date has been previously approved by the Executive Officer, if an employee does not return to work within three working days of the end of a medical leave, the Commission will assume that you have resigned.

If an employee returning from medical leave is unable to perform the essential functions of the job because of a physical or mental condition, the Commission's obligations to that employee may be governed by the Americans with Disabilities Act and/or the FEHA.

## Coordination with Pregnancy Disability Leave

During your leave you may take any accrued and unused paid time off hours. During this period of leave, all paid time off and leave benefits will cease to accrue.

If your pregnancy disability leave also qualifies for leave under the FMLA, the Commission will maintain group health insurance coverage for up to a maximum of length of your pregnancy disability leave (if such insurance was provided before the leave was taken) on the same terms

as if you had continued to work. In some instances, the Commission may recover premiums it paid to maintain health coverage for you if you fail to return to work following pregnancy disability leave. If you are on pregnancy disability leave and are not eligible for continued paid coverage, or if paid coverage ceases after your maximum leave is taken, you may continue your group health insurance coverage through the Commission in conjunction with federal guidelines by making monthly payments to the Commission for the amount of the relevant premium. Contact the Executive Officer for further information.

## Coordination with California Paid Family Leave

You may be eligible for Family Temporary Disability Insurance (FTDI) benefits, otherwise known as Paid Family Leave ("PFL"). PFL provides eligible employees with partial wage replacement for up to six (6) weeks of benefits in a twelve (12) month period to (a) provide care for a family member (child, parent, spouse or domestic partner) with a serious health condition; or (b) to bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption. PFL is funded through contributions made by you, through payroll deductions, to the State of California. Deductions commenced on January 1, 2004. Claims for benefits are administered by the Employment Development Department, not the Commission.

Employees may be eligible for PFL even if they do not meet the eligibility requirements for family or medical leave under the FMLA/CFRA. Where possible, the Commission will make an effort to accommodate non-FMLA/CFRA eligible employees with a leave of absence for PFL reasons. When leave is granted, the Commission will allow you to use paid time off leave. Depending on operational needs, the Commission may not be able to hold your position open during periods of PFL; however, you normally would be eligible to apply for reemployment at a future date. Non-FMLA/CFRA eligible employees will not be eligible for continued health insurance benefits, except through COBRA, or any other benefits.

## Unlawful Acts

Commission policy and federal and state law prohibits any interference with, restraint, or denial of the exercise of any right provided by state and federal law.

## Pregnancy Disability Leave

Under the California Fair Employment and Housing Act (FEHA), if you are disabled by pregnancy, childbirth or related medical conditions, you are eligible to take a pregnancy disability leave (PDL). If you are affected by pregnancy or a related medical condition, you are also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties if this transfer is medically advisable. The Commission will also provide reasonable accommodations for an employee for conditions related to pregnancy, childbirth, or related medical conditions, if she so requests, with the advice of her health care provider.

- The PDL is for any period(s) of actual disability caused by your pregnancy, childbirth or related medical conditions, up to four months (or 88 work days for a full-time employee) per pregnancy.
- The PDL need not be taken in one continuous period of time but can be taken on an as-needed basis.
- Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth would all be covered by your PDL.
- Generally, we are required to treat your pregnancy disability the same as we treat other disabilities of similarly situated employees. This affects whether your leave will be paid or unpaid.
- You may be required to obtain a certification from your health care provider of your pregnancy disability or the medical advisability for a transfer. The certification should include:
  - The date on which you became disabled due to pregnancy or the date of the medical advisability for the transfer;
  - The probable duration of the period(s) of disability or the period(s) for the advisability of the transfer; and
  - A statement that, due to the disability, you are unable to work at all or to perform any one or more of the essential functions of your position without undue risk to yourself or to other persons, the successful completion of your pregnancy, or a statement that, due to your pregnancy, the transfer is medically advisable.
- At your option, you can use any accrued PTO or other accrued time off as part of your pregnancy disability leave before taking the remainder of your leave as an unpaid leave. You may also be eligible for state disability insurance for the unpaid portion of your leave. Employees may use any accrued, available PTO during the leave. If the employee is taking pregnancy disability leave, unless the employee specifically requests to preserve his or her Paid Time Off, it will be charged for any period of pregnancy disability leave.
- Taking a pregnancy disability leave may impact certain of your benefits and your seniority date. The Commission will maintain group health insurance coverage for up to a maximum of four months (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. In some instances, the Commission may recover premiums it paid to maintain health coverage for the employee if the employee fails to return to work following pregnancy disability leave. If the employee is on pregnancy disability leave and is not eligible for continued paid coverage, the employee may continue her group health insurance coverage through the Commission in conjunction with federal guidelines by making monthly payments to the Commission for the amount of the relevant premium.

If you want more information regarding your eligibility for a leave, the impact of the leave on your seniority and benefits, and our policy for other disabilities, please contact the Executive Officer.



If you are eligible for FMLA/CFRA leave, your PFL period will run concurrently with any FMLA/CFRA leave, and the Commission will continue your health and other benefits and provide reinstatement to the extent required by the FMLA/CFRA.

## **Personal Leave**

A personal leave of absence without pay may be granted at the discretion of the Executive Officer. Requests for personal leave should be limited to unusual circumstances requiring an absence of no longer than two weeks. Approved personal absences of shorter duration are not normally treated as leaves, but rather as excused absences without pay. During this period of leave, all paid leave benefits will cease to accrue.

## **Bereavement Leave**

In the event of the death of your current spouse or domestic partner, your child, parent, legal guardian, brother, sister, grandparent, grandchild, or mother-in-law, father-in-law, son-in-law or daughter-in-law, you may take up to three consecutive scheduled work days off with pay with the approval of the Executive Officer. In addition, if you have no PTO available, you may take up to two additional work days off with pay upon the approval of the Executive Officer. The Executive Officer may approve additional unpaid time off.

## **Jury Duty or Witness Leave**

The Commission encourages employees to serve on jury selection or jury duty when called. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of having served. If work time remains after any day of jury selection or jury duty, you will be expected to return to work for the remainder of your work schedule.

If the employee is selected for jury duty during a peak work period and jury service would be a hardship for the Commission, the employee and the Executive Officer will attempt to obtain a deferment of jury service.

Full-time employees shall be entitled to receive full salary or wages less any fees received for jury or witness duty for up to thirty (30) days of performing jury or witness service. In extraordinary circumstances, the Commission retains the rights to extend the paid time off for jury service in its sole discretion and on a case-by-case basis.

## **Domestic Violence, Sexual Assault and Stalking Leave**

The Commission also permits an employee who is the victim of a crime to appear in court in compliance with a subpoena or court order to appear as a witness in court or in any judicial proceeding. The Commission will allow employees who are the victim of a sexual assault, domestic violence, or stalking to take off from work to obtain or attempt to obtain a restraining

order or other injunctive relieve to help insure the health, safety or welfare of the employee or the employee's child. You should give your supervisor reasonable advance notice of your intention to take time off when feasible. If it is not feasible to give advance notice, then you should notify your supervisor within a reasonable time after the absence that the absence as to the reason for the absence. You may be required to provide certification of the absence, such as a police report, court order or other evidence that the absence was related to a court appearance or documentation from a medical professional, domestic violence advocate, or sexual assault advocate, health care provider or counselor. Any certification provided under this section will be maintained in a confidential manner and will be disclosed only as allowed by law.

## Military Leave

The Commission will grant an unpaid military leave of absence if you are a regular full-time employee and absent from work because you are serving in the U.S. uniformed services in accordance with the Uniformed Services Employments and Reemployment Rights Act (USERRA) and state law. If you have any questions about military leaves of absence, please contact the Executive Officer.

In addition, the Commission will provide any employee who works 20 or more hours per week with up to 10 days of unpaid leave when their spouse is on leave from military duty. The Commission will not retaliate against a qualified employee for requesting or taking this leave.

A member of the National Guard or Reserves is entitled to a temporary leave of absence without pay, not to exceed 17 days annually, for required training or similar duty.

An employee will be paid for military leave for the first thirty days of military leave, upon proof of military orders. Thereafter, an employee may use any available accrued PTO to coordinate with your military pay.

Continuation of health insurance benefits is available as required by USERRA based on length of the leave and subject of the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

An employee's benefits, such as PTO, will not accrue during any unpaid military leave. When you return from leave, benefits will start accruing again.

An employee who needs to be absent from the Commission to fulfill military service shall provide advance written or verbal notice to their Supervisor or the Executive Officer, unless the giving of such notice is precluded by military necessity or is otherwise impossible or unreasonable. Employees who wish to take family military leave must provide the Commission with (1) notice of intention to take family military leave within two business days of receiving official notice that the employee's military spouse will be on leave from deployment, and (2) documentation certifying that the employee's military spouse will be on leave from deployment during the time that the employee requests leave.

As a general rule, you are entitled to reinstatement upon completion of military service, provided your application for reinstatement is made within 90 days of your discharge.

## Sick Leave

Certain California employees are entitled to state-mandated paid sick leave ("PSL"). PSL is different from, and in addition to, the Commission's Paid Time Off and Holiday Policy. An employee is eligible for PSL if the employee works in California for thirty (30) or more days within a year from the commencement of employment.

At the commencement of employment, an eligible employee will be provided with a lump sum of twenty-four (24) hours or three (3) days of PSL, whichever is greater, and shall receive a lump sum amount of twenty-four (24) hours or three (3) days of PSL annually thereafter. Employees who are eligible to receive PSL are permitted to carry over any unused PSL to the following year. However, PSL is capped at forty-eight (48) hours or six (6) days. No PSL will accrue once the maximum amount of forty-eight (48) hours or six (6) days is reached.

An employee may use PSL beginning on the ninetieth (90th) day of employment. Upon an oral or written request, an employee may use PSL for the diagnosis, care or treatment of an existing condition, or preventive care, for the employee or for a family member. PSL can also be taken by the employee if the employee is a victim of domestic violence, sexual assault, or stalking. The employee should provide notice of the need for leave as soon as practicable, and in advance if foreseeable. Family members include a child (biological, adopted, foster, step), legal ward, child to whom the employee stands in loco parentis; parent (biological, adoptive, step), legal guardian of the employee or employee's spouse or registered domestic partner, person who stood in loco parentis when employee was a minor; spouse; registered domestic partner; grandparent; grandchild; and sibling. Employee must use PSL in at least two-hour increments.

PSL will be paid at the employee's hourly rate of pay. A poster describing PSL rights is located in the Commission offices. The Commission will maintain records documenting hours worked and PSL provided in lump sum and used. Commission will make them available to Employee within twenty-one (21) days upon request.

Commission will not lend PSL to Employee in advance. Unused PSL will not be paid to Employee at the separation of employment. However, if Employee is rehired by Commission within one (1) year of the date of separation, previously unused PSL, if any, may be reinstated at the time of rehire. If the reinstated employee returns within one year of his or her original commencement of employment, the employee will be provided with any PSL that was unused before he or she left his or her original employment with the Company. For example, if an employee is hired in January 1, 2019 and terminates his or her employment in June, after only using sixteen (16) hours of his PSL and becomes re-employed with the Company in September of the same year, the employee will be provided with eight (8) hours of PSL upon his return. Similarly, if the reinstated employee returns subsequent to the expiration of his or her original

commencement of employment, but within the year of termination, the employee will be provided with twenty-four (24) hours or three (3) days of paid sick leave upon his or her return.

## Volunteer Firefighters

No employee shall receive discipline for taking time off to perform emergency duty as a volunteer firefighter. If you are participating as a volunteer firefighter, please alert your supervisor so that he or she may be aware of the fact that you may have to take time off for emergency duty.

## Leave to Seek Office

An employee, who in a manner prescribed by law declares himself as a candidate for elective office may be granted a leave of absence without pay. The procedure and length of time shall be as provided in the County Ordinance Code, Section 3.08.120.

## Organ Bone Marrow Donation

After completing 90 days of employment with the Commission, an employee undergoing an organ donation procedure of treatment shall be entitled to 30-days of paid leave. An employee undergoing bone marrow procedures shall receive 5 days of paid leave.

# Injury and Illness Prevention Program

The health and safety of employees and others on Commission property are of utmost concern. The Commission strives to maintain the highest level of safety in all operations and activities for all employees and others in the workplace. The Commission will make every effort to provide working conditions that are as healthy and safe as possible.

Employees are expected to be conscientious about workplace safety such as proper work methods and reporting potential safety hazards. Any unsafe conditions in the work area, or that might result in an accident, should be immediately reported to a supervisor or the Executive Officer.

To promote the concept of a safe work place, the Commission maintains a safety program contained in its Injury & Illness Prevention Plan.

## Injury Reporting Procedure

Employees are required to *immediately* report any work-related injury or illness, no matter how small, to the Executive Officer. The Commission will provide the employee with any required paperwork. The employee is expected to cooperate in the reporting process.

## Employee General Safety Training

Although it is unlikely that a position at the Commission will warrant special safety protocol, new employees are provided with general safety training and training required for specific assignments as needed. All employees must comply with the Commission's safety procedures, to the extent that any are required.

Supervisors (or a designated representative) will show the new employee where First Aid stations and fire extinguishers nearest their location are located.

Employees are expected and encouraged to report any unsafe acts and/or unsafe conditions to their supervisor.

Poor safety performance can result in disciplinary action up to and including termination.

## Emergency Procedures

Dial 911 to report a:

1. Medical life-threatening emergency such as chest pain, shortness of breath, seizure, fainting, injury.
2. Fire, smoke, explosion.
3. Crime.
4. Give location of emergency (building and room number) and phone number where you can be reached.

## Fire Drills

The California Building Code requires the Commission's building to conduct fire drills quarterly. Employees will be notified of dates and times of drills and are asked to cooperate with the drills and follow the drill procedures.

## Operating Equipment

Employees should never use any equipment that they have not been taught to operate properly.

Operating any machine or tool requires the supervisor's permission. Employees may not operate machinery unless there are at least two people in the building who are aware that the machinery is being used.

DO NOT ATTEMPT REPAIR WORK ON MECHANICAL OR ELECTRICAL EQUIPMENT UNLESS YOU ARE TRAINED AND AUTHORIZED BY YOUR SUPERVISOR TO DO SUCH WORK.

## Workplace Violence Policy

The Commission has a zero-tolerance policy for workplace violence, verbal and non-verbal threats and related actions.

The Commission is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the Commission has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should always be treated with courtesy and respect. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

The Commission will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action.

Employees should immediately report to their immediate supervisor such incidents or threats. We encourage employees to promptly report such incidents and to suggest ways to reduce or eliminate risks. The Commission will not retaliate against any employee for reporting such an incident, in good faith, and will not knowingly permit any retaliation by management or non-management employees.

## Security

In simplest terms, security is for the purpose of protecting people, Commission property and information.

The security of our facility as well as the welfare of our employees requires that every individual be constantly aware of potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner, in or around the facility, or when keys or similar items are lost or misplaced.

Employees entrusted with keys to the office or other Commission facilities are responsible for the safekeeping of the keys, the security and protection of Commission property, as well as any activity taking place while the employee is present, and the office is closed.

## Employees Required to Drive

Employees who are required to drive must always maintain a current valid license and effective insurance. The employee must possess automobile insurance with limits of not less than \$100,000/\$300,000 public liability, and \$25,000 property damage, or a combined single limit of \$300,000 public liability, and \$25,000 property damage, or a combined single limit of \$300,000. Any accidents or traffic violations should be reported to the Executive Officer immediately if the incident occurs during your duties. Employees will use their own automobiles and will be reimbursed for mileage incurred at the IRS specified rate.

## Drug and Alcohol Policy

### Illegal Drugs, Controlled Substances, Alcohol, and Marijuana Policy

The past success and future growth of the Commission is a direct result of our most important asset: Our people. Consequently, the Commission is concerned about the use of alcohol, illegal drugs or controlled substances as it affects the work place. Use of these substances whether on or off the job can adversely affect an employee's work performance, efficiency, safety and health and, therefore, seriously impair the employee's value to the Commission.

In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the Commission to the risks of property loss or damage, or injury to other persons. The Commission has a vital interest in maintaining safe and efficient working conditions for its employees and ensuring that all Commission vehicles are properly maintained and operated in a safe manner.

Furthermore, the use of prescription drugs and/or over-the-counter drugs may affect an employee's job performance and seriously impair the employee's value to the Commission.

Any employee who is using prescription and/or over-the counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, should not report for work during the time the employee is using the medication. The employee should use any accrued Paid Time Off during this time period. If the employee does not have accrued PTO, the employee should request a personal leave of absence.

Proper use of prescriptive drugs directly prescribed to the employee is exempt from these restrictions so long as the employee is complying with physician orders. The following rules and standards of conduct apply to all employees either on Commission property or during the work day (including meals and rest periods). The following are strictly prohibited by the Commission:

1. Possession or use of alcohol or being under the influence of alcohol while on the job.
2. Distribution, sale or purchase of an illegal or controlled substance, including marijuana, while on the job.
3. Possession or use of an illegal or controlled substance, including marijuana, or being under the influence of an illegal or controlled substance while on the job.
4. Being under influence of a controlled or prescription drug, including medicinal marijuana, while at work if it in any way negatively affects the employee's ability to perform his or her job in a safe and efficient manner.

Violation of the above rules and standards of conduct will not be tolerated. The Commission may also bring the matter to the attention of appropriate law enforcement authorities.

If you appear to be under the influence of intoxicating beverages or illegal drugs, you may be asked to submit to an impartial medical examination. Whenever there is a work-related injury requiring medical treatment, and the Commission has reasonable suspicion that an employee involved in the work-related injury is under the influence, the Commission reserves the right to require a drug screen test to determine if the injury was caused by intoxication or being under the influence of drugs.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off Commission property will not be tolerated because such conduct, even though off duty, adversely reflects on the Commission. In addition, the Commission must keep people who sell or possess controlled substances off Commission premises in order to keep the controlled substances themselves off the premises.

## Drug or Alcohol Rehabilitation

The Commission will reasonably accommodate any employee who volunteers to enter an alcohol or drug rehabilitation program, provided the reasonable accommodation does not impose an undue hardship on the Commission. We will encourage and reasonably



accommodate employees with chemical dependencies (alcohol or drug) to seek treatment and/or rehabilitation. Reasonable accommodation would include, among other actions, time off with or without pay, and adjustment of working hours. Employees may apply accrued, unused Paid Time Off in lieu of unpaid time off for these purposes. If no accrued Paid Time Off is available, the time off will be considered unpaid.

Employees desiring such assistance should request a treatment or rehabilitation leave from their Supervisor. We are not obligated however to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the Commission obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person is unable to perform his or her job duties, or cannot perform his or her job duties in a manner that would not endanger the health or safety of the employee, as a result of current chemical dependency.

## **Work Area. Employee Container Search Policy**

The Commission reserves the right to inspect any employee's work area, locker, desk or any other enclosed container kept by the employee on the work premises or in a Commission vehicle. Such inspection may be done with or without notice and with or without cause.

## **Equipment, Computer Usage, E-mail Policy**

### **Use for Business Purposes/Commission Access, Review Deletion and Disclosure**

The Commission's equipment, including but not limited to telephones, FAX machines, computers, and cellular telephones (collectively, "Equipment"), and other services and computer software, such as Internet connection and e-mail and voicemail systems (collectively, "Services"), are provided to employees at the Commission's expense to assist you in carrying out Commission business. The Commission's Equipment and Services are to be used for business related purposes only and not for commercial, recreational, or excessive social activities. While employees are allowed use of the Commission's Equipment and Services for limited personal business during business hours provided that such use does not interfere with the work of the employee or other employees, the Commission prohibits abuse of this policy and requires that all employees use good judgment. Examples of "limited use" would include short personal telephone lasting a minute or two or briefly viewing a news site on the internet. Any "limited use" should be conducted during rest breaks and meal periods. Any other use of Commission equipment for limited personal use must be approved in advance by the employee's supervisor.

Use of the Equipment and Services outside the scope of this policy is not authorized. The Commission is liable or responsible for acts of its employees outside the course and scope of their employment. Accordingly, the Commission will not be liable for damages suffered due to

any employee's use of the Commission's Equipment or Services that is inconsistent with this policy.

Other than noted above, access to the internet, web sites and other types of Commission-paid computer access are to be used for Commission-related business. Any information about the Commission, our products or services, or other types of information that will appear in the electronic media about the Commission must be approved by your supervisor before the information is placed on an electronic information source. Under no circumstances is an employee to access subject matters dealing with illegal activities, gambling, drugs, satanic rituals or cults, religious or racial intolerance, sexual acts, or nudity.

Email is not to be used for the purposes of solicitation for commercial ventures or religious causes, outside Commissions or other non-business matters. Additionally, the following forms of e-mail transmittal are prohibited:

- Transmitting, retrieving, or storing messages or images that are offensive, derogatory, off-color, sexual in content or otherwise inappropriate in a business environment;
- Making threatening or harassing statements about, or to another employee, customer or outside party;
- Sending or receiving confidential or copyrighted materials without prior authorization; or
- Sharing with another employee, vendor, customer or outside party, confidential information received by you via e-mail, whether intentionally or unintentionally directed to you.

The Commission treats all electronic mail messages sent, received or stored in the e-mail system as business messages. The Commission prohibits access through the Internet to inappropriate or illegal material. The Commission has the capability to access, review, copy and delete any messages sent, received or stored on the e-mail or voicemail system and can review the history of the Internet usage. The Commission reserves the right to access, review, and/or copy the history of the employee's Internet usage and all such email and voicemail messages for any purpose and to disclose them to any party (inside or outside the Commission) it deems appropriate. The Commission may exercise such rights if it feels the Internet, computer, or e-mail policies have been violated.

Should employees make incidental use of the e-mail system to transmit personal messages; such messages will be treated no differently from other messages. Employees should not use the computer, the e-mail system, or other Commission Equipment or Services to send, receive or store any message that they wish to keep private. Users should treat the Commission's Equipment and Services (including the computer and e-mail system) like a shared file system – with the expectation that content, or information sent, received or stored in the system (including individual hard disks) will be available for review by the Commission for any purpose.

## Email Security and Computer Security

The security on the Commission e-mail system and other computer programs is as good as password security can be. If an employee's network and e-mail passwords are easy to discover, an employee's email may easily be accessed by anyone with that intention. It is strongly advised that employees not use their first or last name, the Commission name or other such passwords. It is also advisable that employees change their passwords periodically. Employees are required to provide the Executive Officer with all passwords.

## Viewing and Protecting E-Mail

In order to guard against dissemination of confidential information, users should not access their e-mail message for the first time in the presence of others. Email passwords (as well as other computer passwords) should be routinely changed when prompted by County ITSD.

## Copyrighted Information

Use of the email system to copy and/or transmit any documents, software, or other information protected by copyright laws is prohibited.

## Email Usage

Essentially, Commission email messages should be treated in the same way as other Commission, confidential printed material. There are three common circumstances where confidentiality can be breached:

- An employee leaves the email program running on his or her screen or leaves an e-mail message on his or her screen. In either case, this allows others to view email messages should they sit at the employee's computer.
- A confidential message is printed on a printer in an employee's office or perhaps on a shared printer down the hall. Anyone with access to that printer can view this document.
- An email message is inadvertently sent to someone who was not intended to receive it. Caution should be exercised regarding any confidential message before it is sent.
- Caution should be used when using the Internet. The Internet is a convenient, cheap way to send business communications that are not security risks or time sensitive. Employees should not rely on the Internet for critical communications due to the possibility of compromise.

Users must exercise a greater degree of caution in transmitting Commission information on the e-mail system than they take with other means of communicating information (e.g., written memoranda, letters or phone calls) because of the reduced human effort required to redistribute such information. Confidential information should never be transmitted or

forwarded to outside individuals or companies not expressly authorized to receive that information and should not even be sent or forwarded to other users inside the Commission who do not need to know the information. Always use care in addressing e-mail messages to make sure that messages are not inadvertently sent to outsiders or the wrong person inside the Commission. In particular, exercise care when using distribution lists to make sure that all addressees are appropriate recipients of the information. Lists are not always kept current and individuals using lists should take measures to ensure that the lists are current. Refrain from routinely forwarding messages containing confidential information to multiple parties unless there is a clear business need to do so.

Please bear in mind that your e-mail messages may be read by someone other than the addressee you sent them to and may even someday have to be disclosed to outside parties or a court in connection with litigation. Accordingly, please take care to ensure that your messages are courteous, professional and businesslike.

## Other Prohibited Uses

The Commission prohibits use of the e-mail system or the Commission computer system to engage in any communications that are in violation of Commission policies, including but not limited to transmission of defamatory, obscene, offensive or harassing messages, or messages that disclose personal information about other individuals without authorization.

## Internet Access

The Internet offers a vast amount of easily accessible information to those who access it. The Commission is linked to the Internet to allow employees access to information and resources for Commission purposes and in order to enable employees to perform their job duties more efficiently. Other than the "limited use" noted above any employee access to the Internet for non-Commission purposes must be authorized in advance and in writing. Any "downloading" from the Internet by employees for their personal use must be authorized in advance and in writing. Accessing pornographic, offensive or other inappropriate information in violation of Commission policy is expressly prohibited. Employees are urged to use their common sense and judgment.

## Open Communication Policy

In the spirit of working together as a team, we encourage you to discuss any issue you may have with a co-worker directly with that person. We hope that, as professionals, a resolution can be reached at this stage. Since it is counterproductive to a harmonious workplace for employees to create or repeat office rumors or office gossip, we encourage you to first consult your Supervisor immediately with any questions, seek out all the facts, share only what you know firsthand, be truthful about what happened, and avoid faultfinding. However, if a

resolution is not reached, please arrange a meeting with your Supervisor or the Executive Officer to discuss any concern, problem, or issue that arises during the course of your employment. Any information discussed in an informal Open Communication meeting is considered confidential, unless claims of harassment or discrimination, or threats of violence or insubordination are made. Retaliation against any employee for appropriate usage of Open Communication channels is unacceptable and will not be tolerated.

**Document Adoption and Revision Dates:**

**Adopted: November 7, 2012**

**Revised: May 6, 2015**

**September 9, 2015**

**June 14, 2017**

**October 29, 2018**

## Employee Acknowledgment

I hereby acknowledge receipt of the Fresno Local Agency Formation Commission **Employee Handbook**, that I have read its provisions, and agree to its contents and the procedures contained therein. I understand that except for the employment at-will, any and all policies or practices can be changed at any time by the Commission.

In consideration of my employment, I agree to conform to the rules and regulations of the Commission and agree that my employment and compensation can be terminated, with or without cause, and with or without notice, at any time, at the option of either the Commission or me. I understand that no supervisor or representative of the Commission other than the Executive Officer has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing, and that such changes must be in writing.

My signature below certifies that I understand that the foregoing agreement on employment at-will status is the sole and entire agreement between the Commission and me concerning the duration of my employment and the circumstances under which my employment may be terminated. This acknowledgment supersedes all prior agreements, understandings and representations concerning my employment, unless an offer letter or written agreement showing a change is signed by the Executive Officer of the Commission and the employee.

DATED: \_\_\_\_\_  
Employee Signature

### Fresno Local Agency Formation Commission:

WITNESSED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

## **RESOLUTION NO. 191**

### **A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION ESTABLISHING A SCHEDULE OF SALARIES AND POSITION DESCRIPTIONS FOR LAFCO EMPLOYEES**

WHEREAS, January 2013, Fresno LAFCo adopted the Employee Handbook with all pertinent information required by law. This handbook has been amended from time to time; and

WHEREAS, prior to the FY 16-17 budget, LAFCo staff was composed of two County employees working under contract and the Executive Officer, who worked under a separate employment agreement; and

WHEREAS, starting with the FY16-17 budget, all positions (existing and proposed) have been presented along with their respective salaries, benefits, and expenses prior to hiring staff to fill those positions, the sole exception being the FY 16-17 budget, which authorized and budgeted a Clerk position, and when that staff member retired after the budget was approved, the Executive Officer hired a replacement at a lower-cost position description; and

WHEREAS, On April 3, 2019, during discussion of the FY 19-20 budget, the Commission expressed an interest in aligning its personnel policies with other public agencies and expressed an interest in a salary resolution, at which time Chair Santoyo appointed Commissioners Pacheco and Parra to a subcommittee to work with the Executive Officer to draft job descriptions, salary ranges, and policies on merit increases, and to query other LAFCOs regarding same, and the subcommittee was to meet to discuss the matter, provide direction to staff and return to the Commission at its June 12 meeting with a recommendation; and

WHEREAS, on April 29, 2019, the subcommittee conducted its first meeting, and at this meeting subcommittee member Pacheco sought parity of LAFCo's position descriptions and salaries with similar positions used by Fresno County based on the County's contribution to the annual LAFCo budget; and

WHEREAS, the County of Fresno has numerous departments whose employees perform prescribed duties and responsibilities and, in contrast, employees in smaller organizations like LAFCo often have a broader range of responsibilities than those assigned to large organizations that tend to compartmentalize employees to a specific set of duties or assigned areas of responsibility; and

WHEREAS, on May 9, 2019, the Executive Officer met with the County HR Director to review a draft salary resolution using similar employee positions and responsibilities as they compared to like positions in the County of Fresno as well as salary ranges established for positions with a similar breadth and depth of duties; and



WHEREAS, on May 21, 2019, the subcommittee met to review the amended draft salary resolution and agreed to recommend that employee position descriptions and salary ranges as attached as Attachments 1 through 8 should be approved by the Commission, and amended as necessary when job functions and salaries change in the coming years; and

WHEREAS, on May 31, 2019, the subcommittee met and agreed upon a draft salary resolution and supporting attachments to recommend to the full Commission; and

WHEREAS, Fresno LAFCo has a total of four full time employees performing highly technical and specialized duties. Such is not the case in a city or county with a number of employees that do not require the level of training, breadth of knowledge, and development opportunities needed for efficient analysis and service to the 15 cities, 88 independent special districts, and 29 dependent special districts under Fresno LAFCo jurisdiction; and

WHEREAS, adoption of a salary resolution will ensure that Fresno LAFCo is competitive in the market place and will attract and retain high caliber employees, will ensure that Fresno LAFCo remains an agency capable of producing results and innovative in its approach to problem solving.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

#### **SECTION 1. JOB CLASSIFICATIONS.**

Fresno LAFCO hereby establishes the following employee classifications to be presented in each annual budget along with their respective funding:

Position

1. Executive Officer
2. Clerk to the Commission I, II, III
3. Senior LAFCo Analyst
4. LAFCo Analyst I, II, III
5. LAFCo Student Intern

#### **SECTION 2. POSITION DESCRIPTIONS.**

LAFCo position descriptions are attached as Attachments 1 through 5.

#### **SECTION 3. SALARIES.**

3.1. The salaries of all LAFCo employees are hereby established by the Commission as set forth in Attachment 6.



3.2. The salary resolution for all employees except the Executive Officer shall include allowance for up to 5% merit-based step increases. In accordance with the LAFCo Employee Handbook, the Executive Officer shall conduct annual performance reviews and determine if merit-based step increases are warranted.

3.3. The Commission shall perform a written performance evaluation of the Executive Officer annually in accordance with his/her approved employment agreement and may amend the Executive Officer's compensation as it sees fit.

3.4. In recognition of the value to Fresno LAFCo of long-term employees' breadth and depth of knowledge, once an employee reaches the top step of the salary range for their position, each year, in conjunction with the annual performance evaluation, employees are eligible, at the Executive Officer's sole discretion, to receive merit/performance incentive pay of up to 3% of their annual base salary.

#### **SECTION 4. ADJUSTMENTS TO SALARY AND POSITION DESCRIPTIONS OF EXISTING LAFCO EMPLOYEES.**

4.1. On the effective date of this resolution the following amendments of existing employee salaries and classifications shall be effective:

- Office Assistant II shall be reclassified to Clerk to the Commission II/step 3 salary and position description;
- LAFCo Analyst II shall be subject to the revised LAFCo Analyst II/step 1 salary and position description;
- Senior LAFCo Analyst shall be subject to the revised Senior LAFCo Analyst/step 1 salary and position description; and
- LAFCo Intern hourly rate shall be reduced from \$15 to \$12 per hour, shall be amended from time to time to conform with the California minimum wage, and shall remain a part-time position.
- Salary ranges shall be amended from year to year, as necessary, to conform with Fresno County's salary resolution.

#### **SECTION 5. THIS RESOLUTION SHALL BE EFFECTIVE JULY 1, 2019.**

#### **ADOPTED THIS 12th DAY OF JUNE, 2019, BY THE FOLLOWING VOTE:**

AYES:	Mendes, Silva, Pacheco, Parra, Santoyo
NOES:	None
ABSENT:	None
ABSTAIN:	None

\* \* \* \*

\* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO )

**CERTIFICATION**

I, Mario Santoyo, Chair of the Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 12th day of June, 2019.

  

---

Mario Santoyo, Chair  
Fresno Local Agency Formation Commission

G:\LAFCo Projects\Personnel\00 Salary Resolution\Salary Resolution 2019-20 final.docx

**FRESNO LOCAL AGENCY FORMATION COMMISSION EXECUTIVE OFFICER**

**Position Description**

Administers Fresno LAFCo business and related functions and conducts special studies as directed by the Commission as per state law and LAFCo adopted policies.

**Distinguishing Characteristics**

The LAFCo Executive Officer is responsible for conducting the day-to-day business of the Fresno Local Agency Formation Commission (LAFCo). LAFCo is a state mandated commission, which is charged with the responsibility to insure orderly growth of cities and districts and to discourage the creation of islands, peninsulas, and other irregular city and district boundaries. The Commission is also charged with preserving prime agricultural lands. LAFCo functions as an independent public agency in accordance with the Cortese-Knox-Hertzberg Local Government Act of 2000.

The LAFCo Executive Officer reports directly to the Commission and is responsible for reviewing and analyzing all proposals in conjunction with Commission policies and state law requirements. The Executive Officer is also responsible for conducting monthly public hearings. The incumbent coordinates activities with County departments, state and city governments, special districts, and community groups. The Executive Officer may be called upon to speak to and educate special interest groups such as the Fresno County Grand Jury, service clubs, and neighborhood groups. Also, special workshops may be conducted on such topics as agricultural preservation, municipal service reviews, and sphere of influence program updates.

The LAFCo Executive Officer must be strong in oral and written communication skills, initiative and imagination, and timely accomplishment of job assignments. Because of the sensitive nature of relationships and assignments, the incumbent is expected to be able to relate well with various groups of people, use good judgment, demonstrate initiative, and maintain a high-level of maturity.

**Samples of Duties**

The information listed below is meant to serve as samples of job duties and responsibilities for positions in this classification. This list is neither inclusive nor exclusive, but indicative of several types of duties performed. Consequently, this information does not reflect essential functions for any given position in this classification.

1. Administers the day-to-day operations of the Local Agency Formation Commission.
2. Reviews and analyzes all proposals submitted to Fresno LAFCo according to Commission *Policies Manual*.
3. Prepares reports and recommendations pertaining to each proposal.
4. Conducts public hearings and issues Certificates of Completion for all approved projects.



5. Prepares Commission resolutions reflecting Commission actions.
6. Evaluates projects in accordance with the California Environmental Quality Act (CEQA) requirements and recommends appropriate findings.
7. Translates policies and actions of the Commission to local agencies and acts as a liaison with County departments, state and local governments, special districts, and community groups.
8. Prepares budgets and administers contracts and agreements for the Commission.
9. Guides the preparation of municipal service reviews for special districts and cities as required by state law and prepares sphere of influence updates for said districts and cities at least once each five years or as necessary.
10. Prepares special studies or research as directed by the Commission.
11. Supervises LAFCo staff and makes staff assignments. Holds regular staff meetings to discuss agendas and proposals and provide general agency direction.
12. Supports a "team approach" to problem solving and seeks input/communication from staff members in creating a greater sense of agency unity and promoting personal and agency growth.

**Minimum Qualifications**

- Education:** Graduation from an accredited four-year college or university with a bachelor's degree that is acceptable within the United States' accredited college or university system.
- Experience:** Four (4) years of full-time, paid work experience in a management level position with a city, county, special district, or other with LAFCo experience.
- Substitution:** Additional qualifying experience may be substituted for the required education on a year-for-year basis.
- License:** Possession of a valid Class "C" California Driver's License may be required.

Adopted June 12, 2019

**CLERK TO THE COMMISSION (CONFIDENTIAL\*) I, II, III**

**Position Description**

Under general supervision, responsible for the administrative and business activities of the Fresno Local Agency Formation Commission (LAFCo), acts as the personal assistant to the LAFCO Executive Officer in coordinating administrative functions, and performs related work as required.

**Distinguishing Characteristics**

The Clerk to the Commission, reporting directly to the LAFCo Executive Officer, manages the administrative, business, and personnel functions of LAFCo. Responsibilities include coordinating and supervising Commission billing, accounting, purchasing, personnel/payroll, and budget preparation. Typically, the incumbent also coordinates and supervises clerical, secretarial, and other administrative support services. The Clerk to the Commission differs from an Administrative Secretary in that the administrative, business, and personnel related responsibilities are more complex and greater personal responsibility is expected.

The Clerk is required to attend all LAFCo meetings and ensure accurate recording of the proceedings. Meeting preparation is one of the most important services that the Clerk provides to the Commission including: preparation of the meeting agenda, distribution of agenda packets, recording any and all actions taken by the Commission; and the safekeeping and preservation of meeting minutes, agreements, resolutions, ordinances, and contracts.

Internally, the Clerk provides administrative, accounting, procurement, personnel, payroll, reimbursement, office management, and hospitality services to the Executive Officer and Commissioners.

Incumbents in this classification must possess a high degree of maturity, personal integrity and good judgment, strong oral and written communication skills, the ability to maintain effective interpersonal relationships with staff, Commissioners, local agencies, and the public; be knowledgeable in accounting and business administration practices; and possess effective office management and task oversight skills.

Clerk to the Commission (Confidential\*) I is the entry-level classification in this series. This classification differs from Clerk to the Commission II in that incumbents at the I level typically perform the less difficult assignments, which are subject to close supervision and review, while the Clerk to the Commission II is the experienced level, expected to complete assignments with minimal supervision and given increased responsibility and latitude of judgment to complete assignments.

Clerk to the Commission (Confidential\*) II is the experienced level classification in the Clerk to the Commission (Confidential\*) classification series and is responsible for performing



paraprofessional work in support of the LAFCo Executive Officer. These responsibilities include: preparing and publishing agendas for the Commission; recording and publishing actions taken by the Commission and, when Commission responsibilities have been duly delegated, the Executive Officer; receiving and processing proposal applications; providing assistance and education to the general public on the LAFCo processes; providing copies of all records that the Commission is required to maintain; assisting local agencies, other entities, and the public with research and retrieval of information.

This classification differs from the Clerk to the Commission I in that incumbents at the II level are fully trained and are expected to handle assignments with a minimum amount of supervision. Clerk to the Commission II differs from Clerk to the Commission III in that incumbents at the III level perform complex and technical assignments requiring greater initiative, independent judgement, and experience.

Clerk to the Commission (Confidential\*) III is the advanced experienced level classification in the Clerk to the Commission classification series and is responsible for performing complex and technical paraprofessional work in support of the LAFCo Executive Officer. These responsibilities include: preparing and publishing agendas for the Board and other authorities; recording and publishing actions taken by the Commission; receiving and processing assessment appeal applications; providing assistance and education to the general public on the assessment appeals process; providing copies of all records that the Executive Officer is required to maintain; assisting local agencies, the County, other entities and the public with research and retrieval of information.

\*Confidential means that the employee in this classification is privy to decisions of LAFCo management affecting employer-employee relations.

### **Samples of Duties**

The information listed below provides samples of job duties and responsibilities for positions in this classification. This list is neither inclusive nor exclusive, but indicative of several types of duties performed.

- Coordinates and oversees the administrative, business and personnel support functions for LAFCO which includes budget control and accounting functions, purchasing, personnel/payroll/retirement records, facilities maintenance, maintaining the LAFCo website, conducting research and special studies, preparation of reports, correspondence and other documents, and serving as liaison to appropriate local agencies, County, state and other agencies involved in these functions.
- In support of the Executive Officer and LAFCo project managers, reviews applications for completeness and tracks applications throughout the process to ensure that all deadlines and procedures per the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 are met.

- Functions as liaison between the Commission, the County, local agencies, and other agencies.
- Clerks all Commission meetings which are typically conducted in the Board of Supervisors chambers but will manage changes of venue when necessary, introducing items on the agenda and manages audio recording of Commission proceedings; prepares Commission voting record and meeting minutes.
- Prepares the Commission hearing calendar and deadlines for notices, staff reports, etc.
- Oversees the performance of contract bookkeeper, prepares monthly financial reports to the Commission.
- Provides secretarial support for the LAFCO Executive Officer including scheduling appointments, conferences and meetings, and arranging travel and lodging accommodations.
- Maintains office services by organizing office operations and procedures; preparing payroll; controlling correspondence; designing filing systems; reviewing and approving supply requisitions; assigning and monitoring clerical functions.
- Provides historical reference by defining procedures for retention, protection, retrieval, transfer, and disposal of records.
- Maintains office efficiency by planning and implementing office systems, layouts, and equipment procurement.
- Designs, implements, and continuously improves office practice by establishing standards and procedures; measuring results against standards; making necessary adjustments.
- Keeps the Executive Officer informed by reviewing and analyzing special reports; summarizing information; identifying trends.
- Maintains professional and technical knowledge by attending educational workshops; reviewing professional publications; establishing personal networks; participating in professional societies.
- May supervise and coordinate clerical and secretarial staff including selecting, training, developing, evaluating, and disciplining.
- Achieves financial objectives by collecting data in support of the annual budget; scheduling expenditures; analyzing variances; initiating corrective actions.

### **Knowledge, Skills and Abilities**

Knowledge of techniques and common practices in the fields of:

- Accounting and business administration
- Personnel administration policies, procedures, regulations and legislation
- Effective office management and supervisory practices
- Organizational, analytical and administrative procedures
- Processes and procedures associated with management of a public administrative record associated with public hearing
- Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Fresno LAFCo's various policies and procedures.



- A thorough knowledge and understanding of MS Word, Access, and Excel are essential.

### Skills/Abilities to:

- Meet critical deadlines
- Communicate effectively, both orally and in writing
- Work independently as well as in team environment
- Plan, assign, review, and evaluate work of subordinate staff
- Establish and maintain effective working relationships with staff and the public
- Show initiative and imagination
- Display a high degree of maturity and integrity

### Minimum Qualifications

License: A valid Driver's License may be required for all levels.

#### **Clerk to the Commission (Confidential\*) I**

Experience: Two (2) years of full-time, paid clerical work experience equivalent to that gained as an Office Assistant or administrative assistant with Fresno LAFCo or equivalent, which included interaction with the public, staff at various organizational levels, or representatives from other agencies or organizations.

Education: Completion of thirty (30) semester units from an accredited college or university that is acceptable within the United States' accredited college or university system may be substituted for one year of experience.

#### **Clerk to the Commission (Confidential\*) II**

Experience: Two (2) years of experience equivalent to that gained as a Clerk to the Commission.

Education: Completion of thirty (30) semester units from an accredited college or university that is acceptable within the United States' accredited college or university system may be substituted for one year of experience.

#### **Clerk to the Commission (Confidential\*) III**

Experience: Four (4) years of experience equivalent to that gained as a Clerk to the Commission.

Education: Completion of thirty (30) semester units from an accredited college or university that is acceptable within the United States' accredited college or university system may be substituted for one year of experience.

Adopted June 12, 2019



**SENIOR LAFCO ANALYST**

**Position Description**

Under general direction of the Executive Officer, the Senior LAFCo Analyst plans, supervises, coordinates, and performs a wide variety of the more complex professional and technical functions and programs of the Fresno Local Agency Formation Commission; and performs related work as required.

The Analyst classification series performs a wide variety of professional planning, research, and analytical assignments involving compiling, researching, analyzing and evaluating data related to activities and programs of the Fresno Local Agency Formation Commission. The Senior Analyst is the first-line supervisor in the Analyst classification series. Incumbents handle the more complex professional and technical planning functions, and supervise the day-to-day activities of subordinate staff. Supervisory duties may include interviewing, selecting, training, assigning and reviewing work, evaluating and disciplining subordinate staff, and communicating division policy and objectives to staff.

The Senior Analyst classification differs from the Analyst III in that the former may perform full supervisory duties.

**Examples of Job Duties**

The information listed below is meant to serve as samples of essential job duties and responsibilities for positions in this classification. This list is neither inclusive nor exclusive, but indicative of several types of duties performed.

1. Prepares and administers schedules for projects and adopted programs.
2. Assists the Executive Officer with administration of LAFCo programs and functions.
3. Supervises staff involved in various activities and programs of the Fresno Local Agency Formation Commission. Supervisory duties may include interviewing, training, assigning and reviewing work, evaluating subordinate staff; and ensuring effective communication of LAFCo policy and objectives to subordinate staff.
4. Participates in directing the development, interpretation and implementation of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) and Fresno LAFCo policies, procedures and practices.
5. Schedules, plans and completes special studies and prepares comprehensive reports, correspondence, statistical data and Commission agenda items regarding various complex matters.
6. Interacts with state, County, city, special district, agencies and the public regarding planning issues, ordinances, codes, regulations, policies and procedures and other planning functions.
7. Implements and interprets state laws and regulations, and LAFCo policies, procedures, and practices.
8. Prepares and monitors an applicable section of the LAFCo's operating budget.

9. Prepares and processes California Environmental Quality Act (CEQA) documents.
10. Conducts oral presentations at public meetings before the LAFCo, Board of Supervisors, City Councils, Planning Commissions, or at other agencies or organizations.
11. May act as the Deputy Executive Officer under the direction, or in the absence of the Executive Officer.

Essential job functions: duties 1 through 7 are designated as ADA Essential Functions and must be performed in this job. All other job duties are secondary functions.

**Knowledge, Skills and Abilities**

Knowledge of:

- Knowledge of Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) and Fresno LAFCo policies, procedures and practices.
- Advanced standard terminology, techniques and practices of LAFCo.
- Ability to conduct timely and effective advanced intra- and inter-governmental and statutory research and to prepare technical papers.
- Knowledge of state planning, and development laws and the California Environmental Quality Act.
- Knowledge of special district principal acts.
- Knowledge of principles and practices of operational budgets.
- Principles and practices of effective employee supervision, including selecting, training, and evaluation.
- GIS system management.
- English usage, spelling, grammar and punctuation.

Skills/Abilities to:

- Plan and supervise the work of staff in compilation of data, research, enforcement and the preparation of municipal service reviews, policy analysis and recommendations, and studies for the implementation of LAFCo law and policy.
- Calculate mathematics relating to planning and statistical research.
- Prepare clear, concise and comprehensive reports.
- Interpret LAFCo law and policy.
- Effectively and independently manage multiple work assignments, set priorities and meet critical deadlines.
- Communicate effectively, both orally and in writing.
- Exercise sound independent judgment.
- Establish and maintain effective working relationships at all organizational levels as well as with other agencies and the public.
- Display a high degree of initiative, maturity, integrity, creativity and good judgment.
- Maintain accurate records.
- Utilize various computers and programs for report writing and statistical analysis.

**Minimum Qualifications**

- Education:** Possession of a bachelor's degree that is acceptable within the United States' accredited college or university system, in Urban or Regional Planning, Engineering, Geography, Architecture, Public or Business Administration or closely related field.
- Experience:** Three (3) years of full-time, paid work experience equivalent to that gained as a LAFCo Analyst.
- License:** Possession of a valid driver's license and maintenance of adequate automobile insurance.

**Work Environment**

Generally works in an office environment but may occasionally be required to perform job duties outside of the typical office setting. For example, may occasionally (2-3 times per month) travel to visit local agencies and meet with local agency representatives and other parties within Fresno County; may occasionally (2-4 times per year) travel to training, meetings, or conferences around the State.

**Physical Demands**

Ability to occasionally lift up to 25 pounds.

Adopted June 12, 2019

G:\LAFCo Projects\Personnel\Senior LAFCo Analyst.docx



## LAFCO ANALYST I, II, III

### Position Description

The LAFCo Analyst series is primarily oriented to assisting the Executive Officer by performing a wide variety of research, analysis, planning, evaluation, and administrative duties. Assignments may be directed toward accomplishing either specific proposals or in support of LAFCo's work program.

LAFCo Analyst I – Under immediate supervision of the LAFCO Executive Officer, performs a variety of assignments involving research, analysis, planning, evaluation, and administrative duties; and performs related work as required. LAFCo Analyst I is an entry level classification in the LAFCo Analyst classification series. Incumbents receive training and close supervision, review, and direction in the completion of assignments. LAFCo Analyst I differs from LAFCo Analyst II in that the latter has a greater scope of responsibility and latitude of judgment given.

LAFCo Analyst II – Under general supervision, performs a variety of analytical tasks; may train and orient employees; and performs related work as required. LAFCo Analyst II is the experienced level classification in this the LAFCo Analyst classification series. Incumbents are expected to work independently with a minimum of supervision and complete more difficult assignments than at the LAFCo Analyst I level. LAFCo Analyst II differs from LAFCo Analyst III in that the latter works with more independence and a higher latitude of judgment. In addition, LAFCo Analyst III incumbents routinely train and review the work of lower-level professional and support staff.

LAFCo Analyst III – Under general supervision, performs the most complex, difficult, and critical analytical tasks; may act in a lead capacity; may train employees; and performs related work as required. LAFCo Analyst III is the advanced experienced level classification in this the LAFCo Analyst classification series. Incumbents are expected to complete more difficult assignments and work with more independence and a higher latitude of judgment than at the LAFCo Analyst II level. LAFCo Analyst III differs from Senior LAFCo Analyst in that the latter performs specialty assignments or acts in a lead or supervisory capacity. In addition, LAFCo Analyst III incumbents may train and review the work of lower-level professional and support staff, and may act in a lead capacity.

### Samples of Duties

The information listed below is meant to serve as samples of job duties and responsibilities for positions in this classification. This list is neither inclusive nor exclusive, but indicative of several types of duties performed. Consequently, this information does not reflect essential functions for any given position in this classification.

- Confers with LAFCo Executive Officer, gathers and analyzes information relative to present conditions.
- Performs research, conducts studies to determine needs, prepares reports, and recommends implementation procedures for a variety of special studies and projects.

- Evaluates alternative policies and develops recommendations consistent with LAFCo policy and statute.
- Designs work items for LAFCo's work program; administers programmatic activities and sub-projects as assigned.
- Prepares agenda items and presentations to go before the Commission.
- Maintains records and files, and prepares statistical materials, reports, and correspondence.
- Represents the LAFCo at various meetings and before boards, commissions, and committees.
- Researches and prepares reports in support of the annual budget.

### Knowledge, Skills and Abilities

#### Knowledge of:

- Principles of public administration, budgeting, organization, and management;
- Organization and functional structure of the LAFCo;
- Current issues affecting the local agencies;
- Practices and techniques of administrative and statistical analysis and report preparation;
- Effective customer service principles and practices;
- Effective techniques for speaking before groups;
- Intermediate math including basic algebra.

#### Skills/Abilities to:

- Prepare clear and concise comprehensive reports, summaries, abstracts, correspondence and other documentation;
- Research, gather and analyze data, and make recommendations on complex issues, proposals, and projects;
- Read, analyze, and interpret applicable codes, ordinances, laws, and legislation;
- Interpret and/or develop rules, regulations, policies, and procedures;
- Effectively manage multiple work assignments, set priorities, and meet established deadlines;
- Communicate effectively both orally and in writing;
- Make presentations to large groups;
- Establish and maintain effective working relationships at all organizational levels as well as other agencies and the general public;
- Handle confidential matters discreetly and effectively;
- Independently plan and accomplish work assignments;
- Be flexible and adaptable;
- Display a high degree of initiative, maturity, integrity, loyalty, accountability, creativity, and good judgment.

**Minimum Qualifications**

**LAFCo Analyst I:**

**Education:** Graduation from an accredited college or university with a bachelor's degree that is acceptable within the United States' accredited college or university system.

**LAFCo Analyst II:**

**Experience:** One (1) year of full time, paid work experience equivalent to that gained as a LAFCo Analyst with Fresno LAFCo.

**Education:** Graduation from an accredited college or university with a bachelor's degree that is acceptable within the United States' accredited college or university system.

**LAFCo Analyst III:**

**Experience:** Two (2) years of full-time, paid work experience equivalent to that gained as a LAFCo Analyst with Fresno LAFCo.

**Education:** Graduation from an accredited college or university with a bachelor's degree that is acceptable within the United States' accredited college or university system.

**License:** Possession of a valid driver's license may be required.

**Adopted June 12, 2019**

G:\LAFCo Projects\Personnel\Position Descriptions\Analyst\LAFCo Analyst I\_II\_III 061219.docx



**Fresno Local Agency Formation Commission Student Intern**

**Position Description**

The Fresno Local Agency Formation Commission (LAFCo) is a public agency established in each county by the State Legislature to encourage the orderly formation of local governmental agencies; preserve agricultural land resources; and to discourage urban sprawl.

**Job Responsibilities**

Under close supervision, the intern will perform a variety of administrative and planning tasks, manage and maintain LAFCo's GIS database, conduct project research, field studies, environmental assessment, project and data management, and related work as required.

**Qualifications**

Knowledge of English spelling, grammar, and punctuation; basic ArcGIS competency, mapping, geo coding, data management; accurate record-keeping methods and appropriate safety precautions and procedures, attention to detail, responsible work ethic.

**Ability to**

Operate a vehicle observing legal and defensive driving practices; learn to operate office personal computer for record-keeping; maintain accurate records; understand and carry out oral and written instructions and establish and maintain effective working relationships with those contacted in the course of work.

Possession of a valid California Driver's License and a good driving record is desirable.

**Education Requirement**

Thirty-two (32) semester units of college-level coursework; general education units are acceptable but an emphasis on coursework in planning, urban geography, architectural design or a closely related field is desirable.

A stipend of \$12.00/hour is provided. There are no supplemental benefits associated with part-time and temporary positions.

Work schedule will be negotiated based on a balance of the LAFCo's needs and the intern candidate's schedule.

Adopted June 12, 2019

## Attachment 6

Positions	Monthly Salaries with 5% steps				
	Step 1	Step 2	Step 3	Step 4	Step 5
Intern	\$ 12	--	--	--	--
Clerk to the Commission I	\$ 3,163	\$ 3,321	\$ 3,487	\$ 3,662	\$ 3,845
Clerk to the Commission II	\$ 3,538	\$ 3,715	\$ 3,901	\$ 4,096	\$ 4,300
Clerk to the Commission III	\$ 3,962	\$ 4,160	\$ 4,368	\$ 4,587	\$ 4,816
LAFCo Analyst I	\$ 3,985	\$ 4,184	\$ 4,393	\$ 4,613	\$ 4,843
LAFCo Analyst II	\$ 4,418	\$ 4,639	\$ 4,871	\$ 5,114	\$ 5,370
LAFCo Analyst III	\$ 5,105	\$ 5,360	\$ 5,628	\$ 5,909	\$ 6,205
Senior LAFCo Analyst	\$ 5,618	\$ 5,900	\$ 6,195	\$ 6,504	\$ 6,829
Executive Officer	Salary range \$7,917 - \$12,500				