



# Greater Vallejo Recreation District

GVRD promotes wellness and healthy lifestyles  
by providing safe parks and innovative and fun  
recreation programs for all residents.

## BOARD OF DIRECTORS

Rizal Aliga  
Robert Briseño  
Thomas Judt  
Tom Starnes

## GENERAL MANAGER

Gabe Lanusse

In compliance with the Americans with Disabilities Act, Special assistance for participating in this meeting can be obtained by contacting the District Office at 707-648-4604. A 48-hour notification would enable the District to make reasonable accommodations to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II).

## Policy and Personnel Committee Agenda

Directors: Aliga and Judt

Monday, September 16, 2024 - 3:30 p.m.

Administrative Building – Board Room, 401 Amador Street

This committee shall study and recommend the compensation and welfare of District staff. This committee shall include a meet and confer with the General Manager regarding the terms and conditions of the General Manager's employment by the district. This committee shall review the functions of District staff and other policies not assigned to other committees.

### 1. Public Comment:

- a. Members of the public may speak on items within the jurisdiction of the Committee. Each speaker is limited to 3 minutes and a spokesperson for an organization is limited to 5 minutes.

### 2. Policy & RR Review:

- a. Policy 2015, Hours of Work-Overtime (2<sup>nd</sup> review)
- b. RR 2015, Hours of Work-Overtime (2<sup>nd</sup> review)
- c. Policy 2280, Volunteer Services (2<sup>nd</sup> review)
- d. RR 2280, Volunteer Services (2<sup>nd</sup> review)

### 3. Discussion Items:

- a. Policy Tracking Spreadsheet
- b. Sample - Murphys Cemetery District Employee Handbook

### 4. Meeting Adjourn:

# Greater Vallejo Recreation District

## POLICY MANUAL

POLICY TITLE: Hours of Work and Overtime (Amended)

POLICY NUMBER: 2015

~~The calculation of hours of work each day shall be consecutive except for interruptions for meal periods. A basic workweek is normally generally defined to consist of five (5) consecutive work days/workdays Monday through Friday. Due to the varied types of operations in the District/District operations, alternative workweeks may be scheduled. For overtime purposes, the workweek is defined as Sunday through Saturday. Employees shall be at their designated work area ready to work at the start of their scheduled shift.~~

Employees who work over five (5) hours a day ~~are required by law to shall~~ take a lunch break of not less than 30 minutes unless the ~~work day/workday~~ will be completed in six hours. Employees scheduled to work six hours a day may submit a request in writing to waive their lunch break subject to supervisor's approval. All ~~full-time/full-time~~ employees are to take their meal periods prior to the start of the fifth hour in their scheduled shift. Employees who work over 10 hours per day are required to take a second ~~lunch/meal~~ break of not less than 30 minutes. ~~Employees scheduled to work six hours a day may submit a request in writing to waive their lunch break subject to supervisor's approval.~~ The "on duty" meal period requires prior approval from their supervisor and shall be used only in extraordinary circumstances. Employees are to be relieved of all duty during the meal period. Occasionally when the nature of the work prevents an employee from being relieved of all duty ~~during the break~~, an "on duty" meal period ~~may be taken and will be~~ counted as time worked. ~~This requires prior approval from their supervisor.~~ Employees shall ~~be entitled to receive~~ a paid rest period of 15 minutes ~~for every for each~~ four (4) hours worked. Employees shall not combine rest periods or add them to meal periods. The rest periods shall also not be used to allow ~~an employees~~ to ~~come in early before arrive late to the start of~~ their shift or leave early at the end of their shift. Rest periods will be counted as time worked.

Approved 3/8/2007

2015-1

Revised 6/26/2008, 6/2012, 3/2013, 12/2016

~~Revised 6/2012~~

~~Revised 3/2013~~

~~Approved 12/2016~~

\_\_\_\_\_ Overtime is defined as ~~time worked~~paid -time in excess of 40 hours in a workweek, ~~and time worked on a designated holiday.~~ Hours of work for purposes of overtime calculation includes all hours in paid status including vacation, compensatory, sick and holiday time off. Except for emergency ~~call-outs~~callouts, employees must obtain prior authorization from their supervisor to work overtime. Hourly ~~Employees considered to be non-exempt by the Fair Labor Standards Act~~ may choose compensatory time off for all overtime worked except emergency call outs. (See Rule and Regulation RR2015) Compensatory time off shall be credited at the rate of time and one-half (1½) for hours worked over 40 hours, and double time ~~(2)~~ for hours worked on a holiday. If terms and conditions set forth in this policy differ from -or as noted in- current bargaining agreements, the bargaining agreements shall -supersede.

Because the District is held accountable for the expenditure of public funds, all employees, including exempt employees, will be required to complete and submit a bi-weekly time report setting forth all hours worked. The District reserves its right to make schedule changes to minimize overtime.

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Approved 3/8/2007

2015-2

Revised 6/26/2008, 6/2012, 3/2013, 12/2016

Revised 6/2012

Revised 3/2013

Approved 12/2016

# Greater Vallejo Recreation District

## Rules and Regulations

POLICY NUMBER/TITLE: 2015 Hours of Work and Overtime (Amended)  
Rule and Regulation: RR2015

### Work Time

~~Employee work time belongs to the District.~~ Employees should refrain from doing "personal" ~~things~~ conducting personal business during work time. ~~If personal calls are necessary, they~~ Personal calls need ~~to~~ should be held to a minimum. Solicitation, whether for personal gain or fundraisers, should not be done at the work site or on District time.

### Overtime Procedures

The following rules are applicable to fulltime, hourly employees or as noted in a current bargaining agreement:

- ~~\_\_\_\_\_~~ Hours of work for purposes of overtime calculation includes all hours in paid status including annual and sick leave, as well as compensatory and holiday time off.
- Except for emergency call outs, all overtime work must be pre-approved.
- Employees shall receive a minimum of two and one-half (2.5) hours, and four (4) hours for holidays, regardless of time worked on a call out.
- ~~The employee timesheet shall include reasons for hours worked and for overtime.~~
- ~~Timesheets must record all hours worked.~~
- ~~For all call outs, the reason for, location of, and work performed are to be noted on the timesheet.~~ Compensatory time is calculated at a rate ~~of~~ and ~~one~~ &and ~~one~~ half (1 ½) hours ~~for actual time worked for every paid hour~~ with a minimum of 2 hours recorded, ~~or as noted in current bargaining agreements.~~
- All ~~overtime work performed over~~ paid hours over 40 hours in a work week, shall be ~~calculated at~~ compensated at a rate ~~of~~ one ~~&and~~ one ~~half~~ (1 ½) ~~hours for actual time worked times the regular rate of pay.~~
- ~~Without prior written approval from the general manager, work~~ Work performed by an employee on behalf of a non-GVRD-District activity is ~~excluded from overtime~~ not compensable without prior approval from the General Manager.

Approved 3/8/2007

Revised 6/26/2008  
Approved 6/2012  
Revised 1/2013  
Approved 12/2016

RR2015-1

- ~~Employees For GVRD recognized holidays, fulltime employees must be approved in receive advance by the General Manager approval in advance to work on one of these holidays- a District-observed holiday.~~
- ~~For Part time staff any off site mandated training seminars, work related meetings shall be compensated. Pre-approval for mandated attendance shall be given by the General Manager.~~
- Employees directed by the General Manager or Department Manager to represent the District at any meetings, including Board meetings, City Council meetings, commission meetings, community activity meetings, etc., will be compensated according to the overtime policy.
- Where possible, and with supervisory approval, employees may adjust their normal work schedule to accommodate known overtime activities. Employees who opt to flex their schedule must do so in during the same or following bi-weekly pay period workweek (Sunday through Saturday).
- The District reserves its the rights to make schedule changes to minimize overtime with at least two weeks' notice.
- If terms and conditions set forth in this Rules and Regulations differ from current bargaining agreements, the bargaining agreements shall prevail.

Overtime and call-out for Fair Labor Standards Act, LA-Exempt Status Employees

~~E— According to the Fair Labor Standards act, Exempt status is not employees who are exempt from the Fair Labor Standards Act (not hourly) are not entitled to the payment of overtime or compensatory time off. in lieu of payment the Board of Director's authorizes 9 paid Executive Leave days per fiscal year, to compensate for extra time worked.~~

Approved 3/8/2007

Revised 6/26/2008  
 Approved 6/2012  
 Revised 1/2013  
 Approved 12/2016

RR2015-2

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# Greater Vallejo Recreation District

## POLICY MANUAL

POLICY TITLE: Volunteer Services (Amended)

POLICY NUMBER: 2280

### Volunteer Definition and Qualifications

A volunteer is any individual who performs services for the ~~Greater Vallejo Recreation~~ District without compensation, remuneration or other consideration and who otherwise meets the requirements of the policy.

### Volunteer Status

Under no circumstances shall volunteers be considered employees or independent contractors of the ~~Greater Vallejo Recreation~~ District. Volunteers shall not receive ~~wages, salary, compensation~~ or other valuable consideration for the performance of ~~his or her~~their services. Volunteers may be reimbursed ~~of costs for expenses related to~~ volunteer work at the discretion of their supervisors.

### Scope of Activity

The role of a volunteer is to assist, but not to replace the responsibilities or authority of any ~~Greater Vallejo Recreation~~ District employee.

### Safety requirements

Except in the case of an emergency, volunteers shall not administer first aid or other medical assistance. All volunteers are asked to work diligently to maintain safe and healthful working conditions and adhere to proper operating practices and procedures and safety policies to prevent injury and illness.

### Use of Tobacco Products/ Drug and Alcohol Abuse

Volunteers will adhere to the ~~Greater Vallejo Recreation District~~ District's policies regarding DD Drug and AA Alcohol AA abuse, Policy Number 2190, and Use of Tobacco Products, Policy Number 2195.

### Confidentiality

No volunteer shall be permitted to access, review, disclose, or use ~~conditional confidential~~ customer/-employee data, or participate in conversations in which confidential information is discussed. Each volunteer shall keep strictly confidential all information he or she may ~~learn~~ have access to during the course of while performing services.

### Volunteer Training

The ~~Greater Vallejo Recreation~~ District coordinator or supervisor will be responsible for training the volunteer assigned to them to perform the specific duties associated with their assignments. Volunteers are also required to attend Mandatory Child Abuse and Neglect Prevention and Reporting training if they work with children.

### Volunteer Workers' Compensation Insurance

An unpaid person who qualifies pursuant to the previous of Labor Code Sections 3361.5 and 3363.5, and any amendment thereto, who is authorized to perform volunteer service for the District shall be deemed to be an employee of the District for the purposes of Workers' Compensation Insurance benefits provided for by law for any Volunteers are covered under injury sustained by them while engaged in the performance of services for the District under its direction and control. The Legislature of the State of California has provided through legislation authorization for the inclusion of such coverage in the District's Workers' Compensation Insurance policy the District's Workers Compensation Insurance for work-related injuries or illnesses. (Policy Title: Refer to Policy 2115, Volunteer Workers' Compensation Insurance, for more information. Policy Number: 2115)

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# Greater Vallejo Recreation District

## **POLICY MANUAL RULES AND REGULATIONS**

POLICY TITLE: 2280 Volunteer Services (Amended)

POLICY NUMBER: RR2280

### Before Volunteer Services Begin

1. Volunteer applicants must ~~fill-out~~complete the following ~~three~~ forms; Volunteer Application, Volunteer ~~Waiver of Liability Agreement, Waiver and Release, and Workers Compensation~~Volunteer Background Questionnaire. Completed forms ~~go to the Recreation Superintendent or the Maintenance and Development Manager, depending on the volunteer work the applicants' desire. Each department will maintain paperwork. are kept secure in the human resources department.~~
2. Volunteer applicants must obey the following ~~criminal fingerprinting guidelines~~background check guidelines:
  - a. All ~~adult~~ volunteers 18 and over must be fingerprinted and incur the fee, exception: parent volunteers in the ~~sSports pPrograms~~ are exempt from the fingerprinting requirement ~~as long as if District staff is are~~ on site and supervising.
  - b. ~~Underage volunteers~~Volunteers under the age of 18 cannot be fingerprinted, and therefore must be supervised at ~~all~~ times. At no point should these volunteers be left alone with children or other ~~underage~~ volunteers under the age of 18.
3. Once volunteers have submitted the ~~three required~~ forms and ~~their fingerprints clear~~ the District receives acceptable results from the Department of Justice, the Recreation ~~Services Director~~Superintendent or the ~~Maintenance and Development Manager~~Parks and Facilities Director will refer approved volunteers to a coordinator ~~Recreation Supervisor or Park the~~ Landscape Supervisors for duties.

### Volunteer Supervision

The Recreation ~~Superintendent~~ Services Director or the ~~Maintenance and Development Manager~~ Parks and Facilities Director assume the responsibility of supervising each volunteer unless they delegate the responsibility to another supervisor or coordinator.

### Volunteer Timesheets

~~Volunteers are to turn in their completed timesheets to their supervisor for signature. Volunteers should follow the same GVRD timesheet that all GVRD employees follow.~~

### Volunteer Breaks and Lunch Meal Periods

~~Like employees, volunteer must also follow California Labor Code (CLC). Please~~ Volunteers should refer to GVRD Policy & Rules and Regulations number 2015 regarding Hours of Work and Overtime for CLC laws. breaks and meal periods.

### Volunteer Support



Volunteers should first seek resolution with their supervisor if they have concerns about their assignments, incomplete training, and/ or inadequate supervision. If such efforts do not result in an effective resolution, volunteers should contact the Recreation ~~Superintendent~~ Services Director or ~~Maintenance and Development Manager~~ the Parks and Facilities Director.

#### Volunteer Conduct

Volunteers will serve as positive role models, use appropriate language, and discuss age appropriate topics when assigned to assist minors. Volunteers should be prompt and dependable. If volunteers are ill or an emergency occurs, they must notify their supervisor or leave a message with the front staff.

#### Mandatory Reporter Training

Volunteers who work with or around children are required to attend a two-hour Mandatory Child Abuse and Neglect Prevention and Reporting Training.

#### Dress Code

The dress code for volunteers should be appropriate for their duties, and also comfortable for any task they may be assigned.

# Policy Update Report

Last Edit Date 9/11/2024

2000 Employment  
3000 General Policies  
4000 Board Policies



No date listed means the date is unknown.

6	Policy Number	Policy # & Policy Title	What's needed	Committee Review	Board First Read	Legal Reviewed	Union Meet and Confer	Board Final Read/Approved	Added to Policy Manual	% COMPLETE	DONE	NOTES	Notes2	Last Update	
7	4000	Policy 4000 Board Selection	Staff brought up two term limits for this policy, along with a restriction that ex-employees could not be on the board. Another option was that exemployees would have to wait possibly 10 years to apply to be appointed. Director Briseno did not agree and pointed out that one person could not sway the board. Staff cited that a couple ex-employees had applied, and that staff were concerned about retaliation. 12/19/22	12/19/2022								○	Staff commented that per Legal Counsel the appointing agency should determine parameters. GVRD could make recommendations to the appointing agencies for a "cooling off period." 2/27/23	Committee recommends no changes 5/22/23	5/22/2023
8	4005	Policy 4005 Board Powers, Duties and Responsibilities										○			
9	RR4005	Policy RR4005 Board Powers, Duties and Responsibilities										○			
10	4010	Policy 4010 Code of Ethics	Next Steps: General Manager will review the City of Vallejo's Robert's Rules and work with HR Director to create a new policy for the Committee's review.	2/20/2024, 4/18/2024								○	•The General Manager expressed a need to have a process of communication with board members before going to the appointing agency if board members are not conducting themselves in a manner expected of a public official. The Committee discussed the need for a "civility code" and guidance regarding appropriate actions if the code is violated. Roberts Rules and Rodgers Rules were discussed.		4/4/2024
11	RR4010	Policy RR4010 Code of Ethics		4/18/2024								○	•The Committee suggested the need for a "civility code" and guidance regarding the conduct of board members and appropriate actions.		4/18/2024
12	4015	Policy 4015 Board Staff Communication										○	Directors Aliga and Judt discussed the "Roberts Rules" and "Rodgers Rules".		
13	4020	Policy 4020 Attendance at Board Meetings	8/14/2024 HR told GM and legal they need direction on next steps.	11/22/2022 7/24/2023, 4/18/2024, 5/30/2024, 6/26/2024		to legal 6/27						○	Committee discussed the need for consistent board member attendance at board meetings. This again brought up a discussion of sanctioning board members should it ever become necessary. 11/22/22	4/18/24. GM provided background for the need to amend the policy. Directors recommended Chair have conversation with the board member who has attendance issues. Then appt. authority would be contacted.	7/11/2024
14	4030	Policy 4030 Remuneration and Reimbursement										○			

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15	4040	Policy 4040 Board Officers	Chairperson requirements. Potentially changing the 2-year experience requirement to 18 months								<input type="radio"/>	a. Committee discussed making changes to the Committee Chair criteria but ultimately decided that the current language is reasonable. b. Regarding the section about the Secretary, Committee discussed making a change to the second to the last sentence of the policy so that it would read, "The Secretary may be called upon..." 11/22/22	After discussion it was deemed that General Manager could move the policy 4040 to the appropriate committee if deemed necessary. 11/10/22.	11/22/2022				
16	4040	Policy 4040 Board Officers	a. Committee recommends adding the word staff to two (2) years' experience and also add experience does not need to be consecutive. b. Committee recommends changing in the 4th paragraph the words "shall also" to "may be".								<input type="radio"/>	c. Committee would like clarification to the 4th paragraph 3rd sentence and to only define what the Secretary does. d. Committee recommends striking the 3rd sentence in the 4th paragraph 5/22/23		5/22/2023				
17	4050	Policy 4050 Members of the Board of Directors									<input type="radio"/>							
18	4060	Policy 4060 Committees of the Board of Directors		6/13/22 10/24/22 12/19/22	??	??	NA	??	7/27/2023	100%	<input checked="" type="checkbox"/>	GVRD board members would like to swap committees now knowing that the next committees will be longer in order to sync up timing with calendars to change committees in January to follow new appointments which take place in January. Staff are working with the Solano County to get the County appointments to synchronize in January instead of August and September. 6/13/22	Discussion occurred regarding the time frame of when the Board committees change. It was strongly recommended that the committees line up with the board appointments in January. So, following the BOD change in January, the committees should change after. 10/24/22					
19	4070	Policy 4070 Basis of Authority									<input type="radio"/>							
20	4080	Policy 4080 Board of Directors - General Manager Relationship									<input type="radio"/>							

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21	4090	Policy 4090 Training, Education and Conferences	Policy that it is separate from employee training, education, and conferences. This policy only applies to the Board of Directors. Restrictions should be placed up front, and per diem spending should be explained to the board member participating in the training. Other topics were range. If the conference is nearby, do they still get a hotel room? Distance. Is there a radius of distance for conference location travel? How many times a board could use it during a year, or 4-year term? To be examined again by the committee with proposed changes. 7/11/22	7/11/2022							<input type="radio"/>			7/11/2022				
22	4095	Policy 4095 Membership in Associations									<input type="radio"/>							
23	5000	Policy 5000 Committee Board of Directors Meetings	Potential changes to allow for Rotating Board meetings.	12/1/2021 10/24/22							<input type="radio"/>	Committee agreed it would lead to less civic engagement and the possibility for more confusion. Dec 2021	Discussion of possibly moving the day of the week from Thursday night to another night, as well as rotate the meeting locations. With the capability to have meetings on zoom in the new location, this may not be a much as a concern. 10/24/22	10/24/2022				
24	RR5000	Policy RR5000 Board of Directors Meetings							3/14/2024		<input type="radio"/>							
25	5010	Policy 5010 Board Meetings Agenda		2/20/2024	3/14/2024	3/5/2024		3/14/2024	3/14/2024	100%	<input checked="" type="radio"/>	Board approved with no changes upon first read 3/14/2024.		3/14/2024				
26	RR5010	Policy RR5010 Board Meeting Agenda		2/202/2024	3/14/2024	3/5/2024		3/14/2024	3/14/2024	100%	<input checked="" type="radio"/>	Board approved with no changes upon first read 3/14/2024.						
27	5020	Policy 5020 Conducting Board Meetings	Committee discussed changing pronouns in this and all other policies from he/she to they/them 11/22/22	11/22/2022							<input type="radio"/>	a. Committee suggested to be more specific in the 2nd paragraph 2nd bullet point as this could be open to interpretation. b. Committee suggested to add the verbiage "including board members" with "District Employee" in the 2nd paragraph 3rd bullet point .		11/22/2022				
28	5030	Policy 5030 Board Actions and Decisions									<input type="radio"/>							
29	RR5030	Policy RR5030 Board Actions and Decisions									<input type="radio"/>							
30	5040	Policy 5040 Review of Administration Decisions									<input type="radio"/>							
31	5050	Policy 5050 Minutes of Board Meetings									<input type="radio"/>							
32	RR5050	Policy RR5050 Minutes of Board Meetings									<input type="radio"/>							

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33	5060	Policy 5060 Rules of Order for Board and Committee Meetings									<input type="radio"/>							
34	0	0000 Introduction																
35	5	Policy 0005 (Basic Principles)									<input type="radio"/>							
36	RR005	Policy RR 0005 (Basic Principles)									<input type="radio"/>							
37	1000	Policy 1000 Purpose of Board Policies									<input type="radio"/>							
38	1010	Policy 1010 Adoption/Amendment of Policies	Adoption/Amendment of Policies	11/27/2023	1/25/2023	1/18/2023	NA	2/8/2024	2/12/2024	100%	<input checked="" type="checkbox"/>			2/12/2024				
39	1020	Policy 1020 Conflict of interest	Add to policy manual	8/22/2024	8/22/2024	??		8/22/2024			<input type="radio"/>							
40	1030	Policy 1030 Public Complaints									<input type="radio"/>							
41	RR1030	Policy RR 1030 Public Complaints									<input type="radio"/>	The committee and staff discussed the policy but realize that there is more depth to what is going on. The definition of complaints was discussed and the difference of complaints regarding the district, specific employees, the General Manager, and complaints against the board were discussed. Staff will research how other agencies process complaints and who handles which ones. Discussion that the GM handle all complaints was debated, but if the complaint was against the GM, should it not go a different route? A complaint about a board member would need to go to the Board Chair. Staff could create an online form. All public complaints need to go to some sort of clearing house. Look to CSDA? GM to create an online form. 7/11/22		7/11/2022				
42	1035	Policy 1035 Reporting to the Press									<input type="radio"/>							
43	RR1035	Policy RR1035 Reporting to the Press									<input type="radio"/>							
44	1040	Policy 1040 Advertising									<input type="radio"/>							
45	1045	Policy 1045 Website Privacy									<input type="radio"/>							

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46	1050	Policy 1050 Financial Assistance	This is regarding recreation program discounts															
47	RR1050	Policy RR1050 Financial Assistance	This is regarding recreation program discounts															
48	1060	Policy 1060 Copying Public Documents																
49	1070	Policy 1070 Donations	4/18. Create separate policy for rentals. Add donations are to be directed to the Open Space Foundation. HR Director to make changes then send to finance then legal.	7/11/2022104/18/2024 5/30/2024	6/13?							7/11/2024 On hold due to Open Space Foundation named in lawsuit.	The committee suggested there be a separate policy for rentals. Committee agreed to add Open Space Foundation and allow donors to specify where they want their donations to go and have a choice of not identifying a specific purpose or project. 4/18/2024	7/11/2024				
50	1080	Policy 1080 Property Losses and Claims																
51	RR1080	Policy RR1080 Property Losses and Claims																
52	1090	Policy 1090 District Sponsored Groups																
53	2000	Policy 2000 Executive Officer																
54	2005	Policy 2005 Definitions	Our PT handbook says 1000 hours and our FT Manual says 1200 hours. We need to decide as a District which we will do															3/14/2022
55	2010	Policy 2010 Safety Program																
56	2015	Policy 2015 Hours of Work-Overtime	Legal update	8/22/2024, 9/19/2024		8/22/2024												
57	2015	Policy RR 2015 Hours of Work-Overtime	Legal update	8/22/2024, 9/19/2024		8/22/2024												
58	2020	Policy 2020 Annual Leave	Review policy and change may use AL after 6 months 3/12/24.	9/23/2021, 4/11/2022	9/23/2021							#REF!	Annual Leave, Executive Leave, and Compensatory Time Off, Leave Without Pay and Floating Holiday	Committee discussed possible updates to the Policy . Ultimately, the committee did not think updates were necessary at this time. Feb 2022	Apr-22			
59	RR2200	Policy RR2020 Annual Leave																
60	2030	Policy 2030 Holidays	Distribute to staff, save in handbook, save on web.	X	11/9/2023	X	X	Approved 11/9	X	100%	✓	10/23/23 Committee approved staff can use floating holiday after hire and will be paid if not used.	Board approved 11/9/23	11/09/2023				

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61	2035	Policy 2035 (Dress Code)	Language outdated: "Your appearance and behavior shall always be impeccable." This should, at minimum, be reworded, but possibly deleted. (CH)															
62	RR2035	Policy RR2035 (Dress Code)	Board Dress code and Staffing Dress code	11/28/22 1/25/23								a. Director Briseno suggested that, if we are to update a dress code policy we would want to create separate policies for Staff and Board Members b. Committee discussed Board Members wearing logo apparel from another agency during board/committee meetings and Committee Chair did not see an issue with this c. Committee discussed perfume and cologne and HR Director suggested that, should employees need it, GVRD could move toward a low scent/scent free environment d. RR needs to be updated to match the changes made in the aquatics department e. Staff suggests that it's important to consider that employees from diverse experiences will have diverse understandings of what "dress code" is necessary. It's important to consider multiple perspectives. 11/28/22 (LM)		1/25/2023				
63	2040	Policy 2040 Sick Leave	Need to update. Remove Catastrophic Leave.	7/24/2023 3/18/2024	8/12/2021								Staff need to call in sick on the day they are sick in order to use sick leave while on vacation. 4/11/22 Staff commented the MOU for the Unions have updated the procedure on how to notify immediate supervisor they are sick by leaving a voice mail or text message. Another change in the MOU's is to notify immediate supervisor before shift starts. Sick leave has changed from .25 increments to a tenth of an hour. 7/24/2023	4/11/2022 7/24/2023				
64	RR2040	Policy RR2040 Sick Leave	Need to update									Should be 8 hour to buy in then 1 hour each year.	Edits/Updates 3/11/22 & 7/24/2023	3/11/2022 7/24/2023				
65	2045	Policy 2045 Family and Medical Leave	Need to update															
66	2050	Policy 2050 Bereavement		11/27/2023	12/14?	12/1/2023	NA	1/11/2024	2/12/2024	100%	✓	Added domestic partner, increased to 5 and 6 days and added deadlines to take leave and to submit documentation.		2/12/2024				
67	2055	Policy 2055 Catastrophic Leave		4/18/2024	4/25/2024	4/19/2024	NA	4/25/2024	5/31/2024	100%	✓							
68	2060	Policy 2060 Jury Duty																

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
	Policy Number	Policy # & Policy Title	What's needed	Committee Review	Board First Read	Legal Reviewed	Union Meet and Confer	Board Final Read/Approved	Added to Policy Manual	% COMPLETE	DONE	NOTES	Notes2	Last Update				
69	2070	Policy 2070 Continuity of Service									<input type="radio"/>							
70	RR2070	Policy RR 2070 Continuity of Service									<input type="radio"/>							
71	2080	Policy 2080 Union Members	The committee and staff reviewed this policy and realized that it states the unrepresented need to choose a representative. This is a contradiction and would then create an association. Language regarding that employees must join the union to employees may choose to join the union. A review by legal should be in order as well for an update 7/11/22 (CH)	7/11/2022							<input type="radio"/>			7/11/2022				
72	2085	Policy 2085 Employee Recruitment & Selection									<input type="radio"/>							
73	RR2085	Policy RR2085 Employee Recruitment and Selection									<input type="radio"/>							
74	2090	Policy 2090 (Probationary Period)	Updates needed to match MOU								<input type="radio"/>	Edits/updates . 3/14/22		3/14/2022				
75	2095	Policy 2095 Orientation of New Employees									<input type="radio"/>							
76	RR2095	Policy RR2095 Orientation of New Employees									<input type="radio"/>							
77	2100	Policy 2100 Expense Allowance									<input type="radio"/>							
78	2105	Policy 2105 Purchase of Meals, Refreshments, and other Non-Cash Items		Not sure when	5/11/2023	Not sure when	Gabe said no response by union	10/12/2023	1/9/2024	100%	<input checked="" type="radio"/>	Emailed policy to staff with signature ling.		1/9/2024				
79	2110	Policy 2110 Health and Welfare Benefits									<input type="radio"/>							
80	2115	Policy 2115 Volunteer Workers' Compensation Insurance									<input type="radio"/>							
81	2120	Policy 2120 Workers Compensation	Edits/Updates	9/13/2021	10/14/2021					0%	<input type="radio"/>	Sent to Unions		10/14/2022				
82	RR2120	Policy RR 2120 Workers' Compensation Occupational Sick Leave									<input type="radio"/>							
83	2130	Policy 2130 Educational Assistance Plan	Add Grade C or better or pass/fail; approve by Dept. Director first. Ch								<input type="radio"/>							



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
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	2135	Policy 2135 Abuse and Molestation Policy		8/28/2023, 1/22/2024	1/25/2024	12/20, 1/19	NA	1/25/2024	2/12/2023	100%		Approved by Board on first review with no changes.	Policy was required by the School District.	2/12/2024				
84	2150	Policy 2150 Compensation	There is more detail in the PT Handbook than the FT Manual. We may want to consider putting the same level of detail in the FT Manual															
85	2155	Policy 2155 Whistleblower Protection	The language is not user friendly and could be updated in the future but is low priority.															
86	2160	Policy 2160 Leave of Absence																
87	2165	Policy 2165 Skelly Hearing	Need to create policy per GM															
88	2170	Policy 2170 Performance Evaluations																
89	2180	Policy 2180 Grievance Procedures	Not in line with MOUs.															
90	RR2180	Policy RR2180 Grievance Procedures	Not in line with MOUs.															
91	2190	Policy 2190 Drug and Alcohol Abuse	Needs updating.															
92	2190	Policy RR2190 Drug and Alcohol Abuse	Needs updating.															
93	2195	Policy 2195 Use of Tobacco Products																
94	2200	Policy 2200 Pre-employment Physical and Drug Screen																
95	2205	Policy 2205 HIPAA Releases																
96	2215	Policy 2215 Harassment	Needs updating.															
97	2215	Policy RR2215 Harassment	Needs updating.															
98	2225	Policy 2225 Equal Opportunity																
99	2230	Policy 2230 Degrees of Relationship of Employees																
100	2235	Policy 2235 Social Media	New Policy. Need to re-write and focus on District social media.															3/25/2024
101	2240	Policy 2240 Outside Employment																
102	2250	Policy 2250 Separation from District	Add unemployment information.															
103	RR2250	Policy RR2250 Separation from District																
104																		

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
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105	2255	Policy 2255 Letters of Recommendation /References									<input type="radio"/>							
106	2260	Policy 2260 Disciplinary Action									<input type="radio"/>	Committee discussed and will move this forward to meet and confer with Unions 9/26/22		9/26/2022				
107	RR2260	Policy RR2260 Disciplinary Action									<input type="radio"/>							
108	2265	Policy 2265 Confidentiality	P&P Committee suggested we dev. a policy for the Agreement	10/23/2023 (Just the Agreement)							<input type="radio"/>	IBEW said classifying staff as "confidential" should include a pay increase. Not sure about moving forward with the Agreement and Policy.		10/23/2023				
109	2270	Policy 2270 Electronic Devices, Electronic Mail and Internet Use									<input type="radio"/>							
110	RR2270	Policy RR2270 Electronic Devices, Electronic Mail and Internet Use									<input type="radio"/>							
111	2275	Policy 2275 Telephone Usage									<input type="radio"/>							
112	RR2275	Policy RR2275 Telephone Usage									<input type="radio"/>							
113	2280	Policy 2280 Volunteer Services		8/22/2024, 9/19/2024		8/22/2024					<input type="radio"/>							
114	RR2280	Policy RR2280 Volunteer Services		8/22/2024, 9/19/2024		8/22/2024					<input type="radio"/>							
115	2295	Policy 2295 Vehicle Policy Driver Training and Record Review									<input type="radio"/>							
116	2300	Policy 2300 Miscellaneous									<input type="radio"/>							
117	2310	Policy 2310 Employer-Employee Relations									<input type="radio"/>							
118	RR2310	Policy RR2310 Employer Employee Relations									<input type="radio"/>							
119	2315	Employee Code of Conduct									<input type="radio"/>							
120	2320	Disaster Service Worker Designation	Gabe checking with Andrew to see if board clerk qualifies. 4/3	Not sure when	Not sure when	Not sure when	NA	BOD approved in Oct. 2020			<input type="radio"/>	There was a question regarding terminating staff if they refuse to take the Oath. Legal said yes per Govt. Code Sect. 3107	Implement January 2024	11/1/2023				
121	3010	Policy 3010 Master Plan									<input type="radio"/>							
122	3012	Policy 3012 Fees Subsidy Pricing Policy									<input type="radio"/>		New June 23, 2022	6/23/2022				
123	3014	Policy 3014 Sponsorship & Partnership Opp.		2/20/2024, 6/27/2024		2/9/2024, 7/08/2024					<input type="radio"/>	7/08/2024 Andrew said not going forward; should be an operational procedure		7/8/2024				
124	3020	Policy 3020 Joint use Agreement									<input type="radio"/>							

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
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125	3025	Policy 3025 Accounting for Financial Transactions																
126	RR3025	Policy RR3025 Accounting for Financial Transactions																
127	3030	Policy 3030 Budget Process and Reserve Fund																
128	RR3030	Policy RR3030 Budget Process																
129	3031	Policy 3031 Debt Management	GVRD staff will work with Legal Counsel and loan funders to answer legal questions. On the second to last page, GVRD staff will define SEC 6/13/22	5/26/2022	5/26/2022 12/8/22							1st read approved of Debt Management 5/26/22	Board approved 1st read of Policy 3031 12/8/22	12/8/2022				
130	3034	Policy 3034 Financial Controls																
131	RR3034	Policy RR3034 Financial Controls									0							
132	3035	Policy 3035 Expense Authorization																
133	RR3035	Policy RR3035 Expense Authorization																
134	3036	Cash Handling (new)	Noel needs to take to Budget and Finance Committee															2/11/2024
135	3040	Policy 3040 Capital Outlay		7/15/2024									7/15 GM asked Committee for recommendations and wants to make the committee award of the policy re park ded. Fees.					7/15/2024
136	RR3040	Policy RR3040 Capital Outlay																
137	3045	Policy 3045 Grant Application																
138	3050	Policy 3050 Fixed Asset Accounting																
139	RR3050	Policy RR3050 Fixed Asset Accounting																
140	3055	Policy 3055 Public Projects																
141	RR3055	Policy RR3055 Public Projects																

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
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142	3059	Policy 3059 Vehicle Fleet Safety Policy									<input type="radio"/>							
143	3060	Policy 3060 Insurance									<input type="radio"/>							
144	3065	Policy 3065 Investment of District Funds									<input type="radio"/>							
145	3066	Policy 3066 Pension Funding	1st read of Policy 3066 Pension Funding approved by Board 5/26/22		5/26/2022						<input type="radio"/>	Motion passed on 12/8/22 by the board. Pension funding		12/8/2022				
146	3069	Policy 3069 Use of Concession Facilities (New)		5/30/2024		6/27/24					<input type="radio"/>	Operational procedure not a policy.						
147	3070	Policy 3070 Use of Parks and Facilities									<input type="radio"/>							
148	3071	Policy 3071 Refunds									<input type="radio"/>							
149	RR3071	Policy RR3071 Refunds									<input type="radio"/>							
150	3072	Policy 3072 Temporary Shelter Homeless Encampment	a. Counsel has spoken with the City of Vallejo and was recommended that GVRD update this policy. b. Committee recommends to table this and to be reviewed by the City of Vallejo and legal Counsel. c. Committee recommends showing red line changes and all comments. d. Committee asked if our Policies are being reviewed by another company and has it stopped or been put on hold. 1/25/23	1/25/2023							<input type="radio"/>	a. Committee recommends that the City of Vallejo needs to review the policy after the City Attorney reviews then present to the Committee with the red line changes. b. Staff commented that per the City of Vallejo, GVRD must store the homeless Persons property for 3 months. 1/25/23		1/25/2023				
151	RR3070	Policy RR3070 Use of Parks and Facilities	No changes as new Counsel has not reviewed this at this time. 1/25/23								<input type="radio"/>							
152	3073	Policy 3073 Cunningham Aquatics Complex Procedures & Expectations		1/25/2023	2/23, 10/12	??	NA	11/9/2023	1/9/2024	100%	<input checked="" type="checkbox"/>		Board approved 11/09/2023	11/3/2023				
153	3074	Policy 3074 Fee Waiver & Reductions for Community or Governmental Agencies	On hold. Hired consultants to conduct a fee study	8/28/2023 10/23/23, 5/30/2024, 7/15/2024	6/27/2024	7/10/23 10/2/23	NA				#REF!			7/15/2024				

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154	RR3074	Proposed RR 3074 Fee Waiver	a. Committee recommends that there be a 30-day timeline. b. Committee suggested that we establish a clear procedure for any organization to have fee's waived and that this should be determined by the General Manager first if it is a smaller amount before it goes to the Board of Directors to determine.									○	There is no R&R, just a request form					
155	3075	Use of Community Centers										○						
156	3075	Policy RR3072 Temporary Shelter Homeless Encampment										○						
157	RR3075	Policy RR3075 Use of Community Centers	Comments were given on revising the chart on page 7 of RR3075 regarding the number of security guards needed at events. Director Bowen offered the motion , seconded by Director Aliga to approve the 1st read.	2/23/2023	2/23/2023							○		2/23/2023				
158	3075	Policy 3075 Use of Community Centers	a. Committee recommends a change under Alcohol #1 to 1 additional security guard. b. Committee asked what would staff do if more guests are present than what was told at the time of booking the event, and if staff would call in another guard. Staff answered that a final guest count is reported after the event is over. Staff also said that a note would be placed in the booking persons account that more guests were at the event than what was approved, and that staff would either add a fee for the additional guests or a note in the account stating that they are not allowed to have another event. Committee suggested to put in the policy that their will be a penalty if more guests are present than what was approved.	1/25/2023	2/23/2023							○	Continued c. Staff mentioned that each event is a case-by-case basis to require more security. d. Committee feels that a larger crowd would require more of a security guard presence. Committee suggests talking to the security company to see if they agree with what is proposed in this policy. Staff confirmed that the security company agrees. Committee also suggested to talk with the Vallejo Police Department to get their input. 1/25/23					
159																		
160																		
161	3080	Policy 3080 Records Management										○						
162	RR3080	Policy RR3080 Records Management										○						
163	3090	Policy 3090 Credit Card Purchases										○						
164	6000	Policy 6000 Concepts and Roles										○						

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
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165	6010	Policy 6010 Naming of Facilities									<input type="radio"/>							
166	RR6010	Policy RR6010 Naming of Facilities									<input type="radio"/>							
167	6020	Policy 6020 Master Plan Recreational Facilities									<input type="radio"/>							
168	6030	Policy 6030 Determining Needs									<input type="radio"/>							
169	6040	Policy 6040 Patriating in Planning									<input type="radio"/>							
170	6050	Policy 6050 Relationship with other Government Agencies									<input type="radio"/>							
171	6060	Policy 6060 Architectural Engineering and other Prof Services									<input type="radio"/>							
172	6070	Policy 6070 Site Selection and Development									<input type="radio"/>							
173	6080	Policy 6080 Annexation									<input type="radio"/>							
174	6090	Policy 6090 Development Agreements									<input type="radio"/>							
175		Policy Video Recording Surveillance	Committee discussed creating a review log to understand why an employee is accessing video recording								<input type="radio"/>			4/11/2022				
176		Policy RR___ Video Recording Surveillance									<input type="radio"/>							

# Murphys Cemetery District

## Employee Handbook

Approved by Murphys Cemetery District on June 9, 2019

# Murphys Cemetery District Employee Handbook

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# Murphys Cemetery District Employee Handbook

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## **Introduction**

### **Personal Message from the MCD**

We are pleased you have accepted a position with Murphys Cemetery District (MCD).

We are here to serve the public and to meet their needs by providing responsive service. We take great pride in our uncompromising standard of service excellence and commitment to the public. We are confident that you will recognize the importance of this standard and share the same sense of commitment as you meet the challenges and rewards of your job with MCD.

This employee handbook is intended to provide you with a clear understanding of MCD's vision, mission, goals and objectives. It also provides the necessary information regarding our operational policies and procedures, what you can expect from us and our overall expectations related to your job performance in order to help you succeed. Your work is a self-portrait. Always sign it with excellence and let your work tell the story.

Your understanding of this handbook is important, and we encourage you to discuss with the MCD Board Chairperson any suggestions or questions you may have regarding the information in this handbook, your job responsibilities and/or ways to improve services.

The success of our programs is the direct result of a dedicated team of professionals working together toward a common goal and purpose. We continue to build our cultural environment through an unwavering commitment to ethics, diversity, leadership, employee safety and environmental responsibility. As a new member of the MCD team, your contributions are important for both your future success and the continued success of MCD.

### **Welcome!**

Welcome! As an employee of Murphys Cemetery District (MCD), you are an important member of a team effort. We hope that you will find your position with MCD rewarding, challenging, and productive. Because our success depends upon the dedication of our employees, we are highly selective in choosing new members of our team. We look to you and the other employees to contribute to the success of MCD.

This employee handbook is intended to explain the terms and conditions of employment of all full- and part-time employees. Written employment contracts between MCD and some individuals may supersede some of the provisions of this handbook. Where not specifically modified by a contract signed by the Board Chair, the terms of this handbook govern.

This handbook summarizes the policies and practices in effect at the time of publication. This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described here. If you have any questions about our policies and practices that are not answered by this handbook, please feel free to ask your supervisor or a board member.

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

Nothing in this employee handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

## **Our Purpose and Mission Statement**

Murphys Cemetery District (MCD) is a Special District formed in 1930 to provide a dignified setting for the burial place of the deceased of the District.

### **Mission Statement**

On behalf of the citizens of the Murphys Cemetery District, the trustees strive to maintain Buena Vista Cemetery in a well maintained, aesthetically pleasing manner while maintaining the historical aspects of the cemetery. The cemetery is administered under the guidance of the Murphys Cemetery District Board of Trustees and according to the laws and ordinances of the State of California and Calaveras County. Our goal is to maintain the cemetery, keep its neat appearance and keep it a source of community pride.

## **Contract Disclaimer**

This Employee Handbook is not a contract. Accordingly, it should not be interpreted to create any expressed or implied contractual rights between MCD and any employee. It is expressly understood that the contents of this Handbook do not constitute the terms of a contract of employment or benefits. Thus, this Handbook should not be construed as a guarantee of continued employment. Any verbal or written representations to the contrary are invalid and should not be relied upon by current or prospective employees.

MCD 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 document, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by the MCD Board Chair. MCD's Board of Directors approves policy-related and operation-related sections.

## **Employment Practices**

### **MCD Rights**

The Board of Directors has the exclusive right, in accordance with applicable laws and regulations, to maintain the efficiency of MCD operations and take all necessary action to prepare for and carry out MCD's mission, and to take certain actions including, but not limited to, the following:

# Murphys Cemetery District Employee Handbook

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- Hire, train, promote, direct, transfer, classify and assign employees, offer overtime work, relieve employees from duty, determine the content of job classifications, and establish compensation for employees.
- Discipline or dismiss employees.
- Determine MCD's budget and organization.
- Determine the methods, means and personnel by which MCD operations are to be conducted, and determine and effectuate methods of implementing the foregoing;
- Have full charge and control of the maintenance and operation of MCD.
- Discharge those duties prescribed by law.
- Have the right to reallocate funds when a position becomes vacant.

The exercise of MCD management rights shall not preclude an employee from presenting a grievance concerning an adverse effect of the exercise of such rights upon him or her; provided, however, the basic right of management to act hereunder or make decisions is unimpaired.

## **Equal Employment Opportunity**

MCD is an equal opportunity employer and makes employment decisions on the basis of merit. MCD's policy prohibits unlawful discrimination based on race, color, creed, age, gender, gender identity, gender expression, sex, sexual orientation, national origin or ancestry, religion, marital status, military or veteran status, pregnancy or related medical condition, physical or mental disability, medical condition, including genetic characteristics, or any other consideration made unlawful by applicable federal, state, or local laws. It also includes a perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is unlawful. MCD maintains a zero tolerance of violations of this policy by any employee or other persons doing business with MCD and will take prompt and appropriate measures to enforce an atmosphere of non-discrimination in the workplace.

Any employee with questions or concerns about discrimination in the workplace should bring these issues to the attention of their supervisor, or the Board Chair of MCD (whichever the employee feels more comfortable addressing in light of the parties involved). Employees can raise concerns, report problems, or make complaints without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination, or submitting a fraudulent complaint, will be subject to corrective action up to and including termination.

## **Accommodations for Disability**

The employment related provisions of the Fair Employment and Housing Act (FEHA) and the Americans with Disabilities Act (ADA) apply to all employees and job applicants seeking employment with MCD. Under these laws, a qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the position.

# Murphys Cemetery District Employee Handbook

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MCD will attempt to provide reasonable accommodation for known physical or mental disabilities if a job applicant or employee is otherwise qualified, unless undue hardship would result. An applicant or employee who requires accommodation in order to perform the essential functions of the job should inform the Board Chair to request an evaluation of such an accommodation. MCD will engage in an interactive process to obtain information relevant to the requested accommodation. You may be required to provide medical certification regarding your disability and need for accommodation. All medical information will be kept in a confidential medical file and shared only on a need to know basis. While MCD welcomes your suggestions for accommodations to enable you to perform the essential functions of your job, MCD will make the final decision regarding whether it can provide a reasonable accommodation and, if so, which accommodation to provide.

## **Anti-Harassment and Anti-Retaliation**

### **Policy Statement**

MCD strictly prohibits workplace harassment. All employees, applicants, volunteers, and independent contractors (“workers”) working with MCD are to be treated with respect and dignity. MCD is committed to providing an atmosphere free of harassment and discrimination based on factors such as sex, sexual orientation, race, color, ancestry, religious creed, disability, pregnancy or related medical condition, medical condition, age, genetic characteristic, national origin or ancestry, military or veteran status, marital status, gender, gender identity, gender expression, or any other protected class under applicable law.

### **Application**

This policy applies to all phases of the employment relationship, including recruitment, testing, hiring, upgrading, promotion/demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training.

This policy applies to all officers and employees of the MCD including, but not limited to, board members, full- and part-time employees, temporary employees, volunteers, and persons working under contract for the MCD. It prohibits co-workers, third parties, supervisors, and managers from engaging in discrimination, harassment, or retaliatory conduct toward workers on any protected classifications identified above.

### **Harassment Defined**

Harassment may consist of offensive verbal, physical, or visual conduct when such conduct is based on or related to an individual’s sex and/or membership in one of the above-described protected classifications, and:

- Submission to the offensive conduct is an explicit or implicit term or condition of employment. Submission to or rejection of the offensive conduct forms the basis for an employment decision affecting the employee.



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- The offensive conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Examples of what may constitute prohibited harassment include, but are not limited to, the following:

- Kidding or joking about sex or membership in one of the protected classifications.
- Hugs, pats, and similar physical contact.
- Assault, impeding or blocking movement, or any physical interference with normal work or movement.
- Cartoons, posters, e-mails and other materials referring to sex or membership in one of the protected classifications.
- Threats intended to induce sexual favors.
- Continued suggestions or invitations to social events outside the workplace after being told such suggestions are unwelcome.
- Degrading words or offensive terms of a sexual nature or based on the individual's membership in one of the protected classifications.
- Prolonged staring or leering at a person.

Similar conduct directed at an individual on the basis of race, color, ancestry, religious creed, disability, medical condition, age (over 40), marital status, sexual orientation, gender identity or any other protected classification under applicable law.

## **Internal Reporting Procedure**

It is important that workers inform MCD Board Chair person as soon as possible about any prohibited harassment because nothing can be done to remedy the situation if MCD does not know that it exists.

Any individual who feels comfortable doing so should let a fellow worker know when that worker's behavior or comments are offensive or unwelcome, even if the situation does not rise to the level of a violation of this Policy. However, individuals are not required to handle these situations on their own. If an individual is not comfortable handling a situation directly with another worker, the individual should immediately report the conduct to one of the persons listed below.

Any employee who believes that he or she or any co-worker has been the victim of sexual or other prohibited harassment by co-workers, supervisors, clients or customers, visitors, vendors, or others must immediately notify his or her supervisor or, in the alternative, the MCD's Board Chair, depending on which individual the employee feels most comfortable contacting.

Additionally, supervisors who observe or otherwise become aware of harassment that violates this policy have a duty to take steps to report such conduct, to initiate the process for investigating and remedying such harassment and prevent its recurrence.

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## **Individual Responsibility**

If individuals are assigned positions of supervision, each supervisor has the responsibility of maintaining a work environment free of harassment. This responsibility includes being available to discuss this Policy with the workers that they supervise and to assure the workers that they are not required to endure any form of prohibited harassment. If someone reports a harassment allegation to a supervisor, it is the responsibility of the supervisor to take immediate action by documenting the incident(s) and reporting the allegation of harassment to the MCD Board Chair or their designee, depending on the nature and target of the allegations.

Any supervisor who fails to take appropriate action to report or address harassment, discrimination or retaliation can and will be disciplined up to and including termination.

## **Investigation**

Upon the filing of a complaint with the MCD, the complainant will be provided with a copy of this policy. The MCD Board will investigate all complaints of harassment in a prompt, objective, and thorough manner, including interviews of those with relevant knowledge. The MCD Board Chair is the person designated by the MCD to investigate complaints of harassment. The Board Chair may, however, delegate the investigation and/or oversight of it at his/her discretion. In the event the harassment complaint is against the Board Chair, an investigator shall be appointed by the Board of Directors, and the Board Vice Chair will assume the role of the Board Chair throughout the process. MCD will ensure that a prompt and thorough investigation is undertaken and will track progress to ensure timely closure.

The MCD's investigation will be designed to maintain, to the extent possible, the privacy and confidentiality of all parties and witnesses involved. Complete confidentiality cannot occur, however, due to the need to investigate fully and to take effective remedial action. The Board Chair is responsible for directing an investigation into such allegations and for implementing appropriate remedial action, where warranted.

## **Internal Documentation Procedure**

When an allegation of harassment is made by an employee, the person to whom the complaint is made shall immediately prepare a report of the complaint according to the preceding section and submit it to the Board Chair.

The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of harassment, witnesses interviewed during the investigation, the person against whom the complaint of harassment was made, and any other person contacted by the investigator in connection with the investigation. The investigator's notes shall be made at the time the verbal interview is in progress. Any other documentary evidence shall be retained as part of the record of the investigation. Upon completion of the investigation, the results (i.e., the finding only of sustained, not sustained, or inconclusive) shall be given to the complainant, the alleged harasser, and the Board Chair (or whoever is overseeing the investigation). All information obtained in connection with the investigation shall remain confidential to the extent possible.

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Based on the report and any other relevant information, the Board Chair shall, within a reasonable period of time, determine whether the conduct of the person against whom a complaint has been made constitutes harassment. In making that determination, the Board Chair shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question; the context in which the conduct, if any, occurred; and the conduct of the person complaining of harassment. The determination of whether harassment occurred will be made on a case-by-case basis by the Board.

## **Remedies**

If the Board Chair determines that the complaint of harassment is founded, the Board Chair in conjunction with the MCD Board, shall take immediate and appropriate disciplinary action consistent with the requirements of law and any policies pertaining to employee discipline. Other steps may be taken to the extent reasonably necessary to prevent recurrence of the harassment.

Disciplinary action shall be consistent with the nature and severity of the offense, the rank of the harasser, and any other factors relating to the fair and efficient administration of the MCD's operations.

## **Confidentiality**

All records and information relating to the investigation of any alleged harassment and resulting disciplinary action shall be confidential, except to the extent disclosure is required by law, as part of the investigatory or disciplinary process, or as otherwise reasonably necessary.

## **Reports to Department of Fair Employment and Housing (DFEH)**

In addition to this policy, the State of California Department of Fair Employment and Housing ("DFEH") provides additional information regarding the legal remedies and complaint process available through government agencies. If a worker thinks he or she has been harassed, discriminated against, or that he or she has been retaliated against for complaining, that person may file a complaint or obtain additional information from DFEH at (800) 884-1684. Charges filed with the DFEH are subject to the DFEH's investigation procedure.

## **Retaliation**

Retaliation against anyone for opposing conduct prohibited by this policy or for filing, in good faith, a complaint with or otherwise participating in an investigation, proceeding or hearing conducted by the MCD or DFEH is strictly prohibited by the MCD and state regulations. Engaging in retaliatory conduct may subject the offending person to, among other things, disciplinary action, up to and including, termination of employment.

## **Employee Obligation**

Employees are not only encouraged to report instances of harassment but they are obligated to report instances of harassment.

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Employees are obligated to cooperate in every investigation of harassment, including, but not necessarily limited to:

- Coming forward with evidence, both favorable and unfavorable to a person accused of harassment.
- Fully and truthfully making a written report or verbally answering questions when required to do so during the course of a MCD investigation of alleged harassment.
- Knowingly, falsely accusing someone of harassment, knowingly giving false or misleading information in an investigation of harassment, or otherwise not acting in good faith shall be grounds for disciplinary action, up to and including, termination of employment.

## **Immigration Law Compliance**

MCD employs only United States citizens and non-citizens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present appropriate documentation establishing identity and employment eligibility no later than three (3) days following date of hire. If appropriate documentation is not received within this time, the employment relationship will be terminated.

## **Job Duties & Job Descriptions**

MCD maintains job descriptions for each job classification. Such job descriptions contain a general summary of the job duties, minimum and desired qualifications and background, essential job functions, and physical/environmental factors associated with performance of the job. Job descriptions are used for such purposes as employment advertising, pay rate assignment, selection testing including pre-employment medical assessments, work related injury assessments, and performance evaluations.

An employee's job responsibilities that are within the general scope, responsibilities and skills required may change at any time during employment. From time to time, an employee may be asked to work on special projects or to assist with other work if necessary or important to the operation of the department or MCD. An employee's cooperation and assistance in performing such additional work is expected (even if the exact duty/function is not specifically listed in the job description). Additionally, work hours and/or schedules may be subject to change at any time during employment. Employees are expected to cooperate and perform additional work or work a different schedule as requested.

## **Responsibilities**

Employees of MCD may expect that:

- They will be fully informed of their duties and responsibilities.
- They will be provided with adequate administrative and supervisory direction.

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- Their work performance will be regularly appraised, and they will be encouraged and helped to improve their level of performance.
- Their eligibility for promotion will be dependent on demonstrated merit and availability of positions.
- Mediocrity and incompetence will not be tolerated.

MCD expects that its employees will:

- Perform the duties and responsibilities contained in their job description.
- Be courteous and professional.
- Provide faithful and effective performance.
- Effectively contribute to MCD's mission and purpose.
- Respect proper protocol and the normal chain of command.
- Display proper personal conduct for the position.
- Not abuse the rights, privileges, and benefits provided by the employment with MCD.
- Maintain regular and predictable attendance.

## **Temporary Reclassifications**

The MCD Board Chair may temporarily assign an employee to perform additional work not normally done by the employee. For the first four weeks in a temporary assignment, the employee will not receive any additional compensation. Higher pay for a temporary assignment needs to be in writing and signed by the Board Chair. The temporary assignment will not exceed 960 hours each fiscal year, unless the employee is filling a vacancy caused by a leave of absence.

## **Categories of Employment**

Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

### **Regular Full-Time**

Regular full-time employees are those who are scheduled for and do work between 32 and 40 hours per week. Regular full-time employees are eligible for most employee benefits described in this handbook. For regular full-time employees working less than 40 hours per week, some benefits, including paid holidays, will be pro-rated based upon hours paid.

### **Regular Part-Time**

Regular part-time employees are those who are scheduled for and do work fewer than 32 hours per week. Regular part-time employees are eligible for the following MCD benefits: pro rata vacation based on hours paid, sick leave and holidays.

### **Temporary**

Temporary employees are hired for a limited period or for a specific purpose (such as emergencies). All temporary employees serve at the will and pleasure of the MCD Board and may be dismissed at any time without cause or right of appeal, grievance or hearing.

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Temporary employees are not entitled to employee benefits beyond those required by federal and state laws.

## **Hiring of New, Re-Employed or Reinstated Employees**

This process will apply to all staff positions who shall be hired by the Board of Directors.

### ***New Hires***

The MCD may, at their discretion, formally announce and post job openings to solicit both internal and external candidates. Candidates who wish to be considered for posted jobs should submit a written request to that effect to the MCD. All candidates applying for any posted position must meet at least the minimum qualifications of the job description. When positions are posted, all interested candidates are encouraged to apply. In the selection process, the MCD may consider a number of factors, including (but not limited to) the candidate's applicable skills, knowledge and education, overall fit for the position, and other factors deemed relevant. The MCD Board will review each candidate before a final determination is made with respect to the position. The MCD Board must give final approval on all new hires.

### ***Promotions***

Alternatively, the MCD may, in their discretion, opt not to post or publicly announce an open position. The MCD may instead consider internal candidates and may promote an existing employee without first conducting a formal recruitment. In the selection process, the MCD may consider a number of factors, including (but not limited to) the employee's applicable skills, knowledge and education, overall fit for the position, performance and conduct record, time in current position, length of service, and other factors deemed relevant by MCD. Any internal candidates will be considered, and the best person for the position, based on all relevant criteria, will be selected. The MCD Board must give final approval on all promotions.

### ***Rehires/Reinstatements***

Former employees who resigned their employment with MCD may be eligible for re-employment, and those employees who were laid off may be eligible for reinstatement. Consideration will be given to factors concerning prior work experience, the former employee's work record, and circumstances involving the prior separation from MCD. Former employees being considered for re-employment or reinstatement will be subject to the same pre-employment testing processes as potential new hires.

The MCD Board must review each candidate before a final determination is made with respect to rehiring any former employee. Under normal circumstances, employees will not be eligible for rehire more than one time. The MCD Board must give final approval on all rehires.

In addition, hiring decisions, job assignments, promotions, pay increases, and similar decisions are solely within the MCD Board.

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## **Employment of Relatives**

In order to avoid the appearance of impropriety in selection, promotion and other employment decisions as well as actual conflicts of interest, MCD does not hire relatives of employees or of MCD Board members. For purposes of this policy, relatives and those holding a familial relationship are defined as: spouse or registered domestic partner; mother, father, brother, sister, child of spouse or registered domestic partner; grandmother, grandfather, grandchild, cousin, aunt, uncle, brother-in-law, sister-in-law, father-in-law or mother-in-law. If co-employees marry (or enter into a relationship similar to marriage, including a registered domestic partnership) or become related by marriage, MCD will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security and morale. If such efforts prove to be unsatisfactory, MCD reserves its rights terminate either of the employees as may be appropriate to alleviate the problem.

This policy shall apply to all employees of MCD, including both full-time and part-time positions.

## **Terms of Employment**

All employees hired to work by the MCD are “at-will” employees. At-will employees are free to terminate their employment with MCD at any time, with or without notice or a reason, and MCD has the right to terminate their employment at any time, with or without notice or cause or right of appeal, grievance or hearing. No one other than the MCD Board can enter into an agreement for employment for a specified period of time or make any agreement contrary to the policy of at-will employment. Further, any such agreement must be in writing and signed by the MCD Board Chair.

## **Driver’s License**

A candidate for employment must possess and maintain a valid California motor vehicle driver’s license at the required level, if driving is required in the duties of a position. For employees who are required to drive in connection with their employment, insurability and compliance with established MCD vehicle operation standards are a condition of employment.

## **Background Security Check**

Within ten (10) days of the initial conditional offer of employment, a background authorization form shall be completed for processing on each prospective employee.

Criminal conviction history does not constitute an automatic bar to employment. MCD will evaluate several relevant factors to determine whether the conviction acts as a bar to employment. Those factors include the type of position involved, the date of conviction, the age at the time of conviction, the existence of remediation, and the relationship of the offense to the position.

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## **Performance Evaluations**

The MCD Board will prepare, in writing, a performance evaluation for each employee. All performance evaluations become a permanent part of the employee's records. As provided on the evaluation form, each employee can submit their own input to be attached to the evaluation.

Performance evaluations will be prepared in the following instances:

- When an employee has worked an initial six (6) month period in his or her new job classification (this applies not only to newly hired employees, but also to employees who have been promoted or otherwise transferred to new job positions).
  1. Upon completion of the employee's first eighteen (18) months of service.
  2. The frequency of further performance evaluations may vary depending upon length of service, job position, past performance or changes in job duties.
- When an employee is promoted or demoted.
- Whenever the employee's supervisor believes there has been a significant change in the employee's performance.

Your performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. The performance evaluations are intended to make you aware of your progress, areas for improvement, and objectives or goals for future work performance. Even a satisfactory performance review does not entitle an employee to an increase in pay, nor does a pattern of receiving increases in the past. Increases are committed solely to the discretion of the MCD Board.

After the review, you will be required to sign the evaluation report simply to acknowledge that it has been presented to you, that you have discussed it with the MCD board and that you are aware of its contents. Employees can request a copy of the signed performance appraisal.

## **Employee Records**

You have a right to inspect certain documents in your personnel file as provided by law, in the presence of an MCD representative at a mutually convenient time. If you wish to inspect your file, please schedule an appointment with the Board Chair. If you wish to make copies of any document, a reasonable fee may be charged.

MCD will restrict disclosure of your personnel file to authorized individuals within MCD. Any request for information contained in personnel files (by you or anyone else on your behalf) must be directed to the MCD Board Chair. Only the MCD Board Chair is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, MCD will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.



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## **Employee References**

All requests for references for former employees and requests for information about current employees must be directed to the MCD Board Chair. No other manager, supervisor, or employee is authorized to release this information.

When a prospective employer calls for a reference, (for either a current or former employee), the MCD discloses only the dates of employment and the title of the last position held. If the employee for whom information is requested authorizes the disclosure in writing, MCD also will inform prospective employers of the amount of salary or wage last earned.

If information is sought about current employees (i.e., verification of employment), the MCD Board Chair will advise the affected employee about the request for information and, when appropriate, obtain the employee's consent for disclosure. MCD will release information as authorized by employees and otherwise as required by law.

No MCD Board member may provide information about a current or former employee without prior written authorization of the MCD Board Chair. Violation of this policy may result in disciplinary action up to and including termination.

## **Employee Information/Emergency Data**

It is important that employees promptly notify MCD of any changes to their personal information including:

- Name
- Home and/or Mailing Address
- Telephone and/or email information
- Change of Emergency Contact Information
- Payroll Deductions

## **Business Related Travel**

Employees will be reimbursed for the cost of authorized travel to:

- Any mandatory business-related meeting.
- Purchase needed work related items if authorized in advance by the MCD Board.
- Mandatory training programs.

Reimbursement may be made upon written request and accompanied by appropriate receipts, only if the travel has been previously authorized by the employee's supervisor.

## **Reimbursement Procedure**

Upon completion of the trip, an expense form must be completed, signed, and submitted to the MCD Board for review and payment authorization. Copies of all receipts shall be attached to the statement. Reimbursement will be made for that portion of expenses directly attributable to the authorized business activities. As noted above, reimbursement may be made upon written request and accompanied by appropriate receipts, if the travel has been previously authorized by the employee's supervisor.

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## **Request for Advance Funds**

The MCD Board must approve all requests for advance funds for business expenses. Employees must account for all expense advances within two working days after returning from an authorized trip. Receipts must be provided, and residual funds returned to MCD within five working days. If actual approved expenses exceed the amount advanced, MCD will reimburse the employee following submission of receipts and an expense report form.

## **Use of Personal Vehicles**

Employees of MCD will be reimbursed for costs associated with driving their personal automobile on MCD business based on the rate established by the Internal Revenue Service (IRS) at that time, which contemplates expenses such as wear and tear on the vehicle, gas, insurance, etc. While driving on MCD business, the employee's personal auto insurance is intended to provide the primary insurance coverage. Employees who operate their own vehicles on MCD business may do so provided the following conditions are followed:

- The vehicle must be in sound and safe operating condition and maintained as such at the employee's own expense.
- The employee and vehicle must be insured.
- The employee must obey all state and local driving laws and observe driving conditions with the utmost care, including but not limited to wearing a seat belt.
- The employee must possess and maintain a valid California driver's license.
- All vehicles driven on MCD business must be properly registered with the California Department of Motor Vehicles.
- The employee must provide authorization for MCD to access the employee's driver license record through the DMV Employer Pull Notice Program.
- Employees who have their driver's license suspended or revoked are required to report these conditions to their supervisor promptly.
- You will be reimbursed for travel from the MCD to the business location and back to the MCD. You will not be reimbursed for any direct travel between your home and the MCD.
- Travel expenses for spouses or guests of staff members will not be reimbursed.
- You will not be reimbursed for traffic or parking violations, damage to your car or loss of any personal articles from your vehicle. Such damage or loss should be reported to your insurance carrier.

MCD accepts no responsibility for citations issued to an employee by any law enforcement agency while driving a vehicle on MCD business under any circumstance. All liabilities created by any citation will be the responsibility of employees who receive them.

## **Personal Auto Insurance Requirements**

All employees who use their personal vehicle for business travel are required to maintain general automobile liability insurance of at least the minimum amounts required by the State of California. Employees must provide proof of adequate insurance coverage to MCD. Any

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employee who does not maintain the required insurance coverage will not be authorized to drive his or her personal vehicle on MCD business.

MCD does not provide primary liability or comprehensive/collision coverage for use of a personal vehicle – the mileage reimbursement paid by MCD covers the employees' costs for such coverage. In the event of an accident where the employee is determined to be at fault while on approved MCD business and the loss exceeds the personal auto policy limits of liability, then MCD's coverage, if they have any, will become secondary to the personal auto policy.

You must complete a signed form reporting all travel expenses with attached receipts for all expenses incurred. When completing the expense form, the date(s) of the travel, the trip location, the auto miles and amount, and all other reimbursable items and costs must be indicated.

## **Accident Reporting**

If an employee sustains damage to or loss to their private vehicle or is involved in an accident while on MCD business, they must immediately notify their supervisor.

### ***In the Event of an Accident***

Employees who are involved in an accident in the course of using any vehicle on MCD business are expected to adhere to the following procedure:

1. Notify the police and their supervisor.
2. Obtain the names and addresses of:
  - a. Owner of other vehicle(s)
  - b. Insurance Carrier of the other driver(s)
  - c. Witnesses
  - d. Injured person(s)
  - e. Other driver(s), including the number of and state issuing the driver's license
3. Note these items:
  - a. Speed of each vehicle with its direction of travel
  - b. Signal given by each driver, if any
  - c. Point and time of accident
  - d. Any mechanical aspect of the other vehicle, which may have caused the accident (e.g., no brake lights, etc.)
  - e. Promptly report to their supervisor any damage done to a customer, the public, an employee, or their property.

## **Attendance & Punctuality**

As an employee of MCD, you are required to be punctual and regular in attendance. Regular attendance and being on time is essential in performing your job and providing excellent public focused services. When you are absent, your assigned work must either be delayed or be performed by others.

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Employees are required to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized MCD business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

If you are unable to report for work on any particular day, you must under all but the most extenuating circumstances contact your supervisor (by phone or e-mail) at least one hour before the time you are scheduled to begin working for that day. If you contact your supervisor less than one hour before your scheduled time to begin work and do not arrive in time for your assigned shift, you will be considered tardy for that day. In all cases of absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Excessive absenteeism or tardiness, whether excused or not, will not be tolerated.

If you fail to report for work without any notification to your supervisor and your absence continues for a period of three (3) days MCD will consider that you have abandoned your employment.

## **Approved Time Off**

Employees who know in advance they will be absent or late are required to make the necessary arrangements with their supervisor. Planned time off includes any situation that might prevent an employee from reporting to work on time for any scheduled workday or that needs to be scheduled (e.g., vacations, doctor's appointments, personal obligations, leaves of absence, etc.).

If prior arrangements have not been made, employees must discuss an absence or inability to be at work on time directly with their supervisor.

## **Separation of Employment**

Separation of employment can be either voluntary or involuntary and may be initiated either by the employee or MCD.

### **Voluntary Separation**

When an employee resigns, the separation is considered voluntary. If possible, employees are requested to give advance written notice, including reasons for the resignation, to their supervisor.

### **Involuntary Separation/Dismissal**

An involuntary separation/dismissal is one that is initiated by MCD.

### **Job Abandonment**

An employee who has been absent for three (3) consecutive scheduled workdays without notification to his/her supervisor, will be considered to have abandoned his/her job and voluntarily terminated his/her employment without notice.

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Failure to return from an approved leave of absence or vacation within the time limits established also will be considered as a voluntary termination of employment without notice.

## **Exit Interviews**

Whenever possible, exit interviews normally will be conducted for all separating employees. This interview allows employees to communicate their views on working at MCD as well as the job requirements, operations, and training needs of the position.

## **Final Pay**

All wages that are due and payable (including any accrued and unused vacation time) will be paid upon separation of employment. The employee's final pay will be available either on the last day of employment or no later than the next payday after separation following the processing of the normal pay period.

## **Return of Authority Property**

It is the responsibility of any separating employee to return all property issued to them by MCD. All such property, including any keys, manual, documents, and other items that the employee may have in his/her possession, must be returned on or before the last day of work.

## **Notification of Reductions in Work Force**

Under some circumstances, MCD may need to restructure or reduce its workforce. If restructuring our operations or reducing the number of employees becomes necessary, MCD will attempt to provide advance notice, if possible, to help prepare affected individuals. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite.

In determining which employees will be subject to layoff, MCD will take into account, among other things, operation and requirements, the skill, productivity, ability, and past performance of those involved, and also, when feasible, the employee's length of service. In all cases, MCD will make the decision based on operating needs and providing service to the public.

## **Compensation and Time Keeping**

### **Salary Schedule**

MCD employees shall receive the compensation provided in the basic salary schedule adopted by the Board, except that the Board may at any regular meeting or special meeting duly called for that purpose, adjust the salaries or salary ranges by minute order or resolution. Employees shall be employed at the first step of the salary range for the particular position to which the appointment is made. In the event an applicant is found to possess qualifications extraordinary for the position the applicant is being hired for, the MCD Board may authorize the employment of such applicant anywhere within the appropriate salary range. For the

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purposes of this section, "extraordinary" means that the applicant has education, experience, and/or skills superior to that commonly required and expected for the position.

## **Work Schedule**

Employees are required to be at their station and ready to work at their scheduled starting time. To accommodate emergency and/or special work assignments, working hours of all personnel may be adjusted as approved by the MCD Board Chair.

The workweek begins on Sunday at 12:01 a.m. and ends the following Saturday at midnight. The workday begins at 12:01 a.m. and ends at midnight.

Employees shall be scheduled to work regular work shifts having regular starting and quitting times. MCD may make temporary assignments to different or additional locations, work shifts, or duties for the purpose of meeting an emergency or for special work assignments.

## **Flextime Work Schedule (FTWS)**

Flextime helps employees meet the unpredictable demands of family life, illness, and personal emergencies.

All employees participating in a Flex Time Work Schedule must work a prescribed number of hours a pay period and be present during a daily "core time."

## **Eligibility**

All employees with the understanding that:

- A flextime schedule is not appropriate for all positions, or in all settings, or for all employees
- A flextime schedule during the probationary period is not advisable because of the need to clarify job responsibilities, establish relationships with co-workers and clients, and assess suitability for continued employment
- Employees who have problems with punctuality, attendance, and/or performance, or who require close supervision, are not good candidates

The FTWS Schedule does not change the number of hours an employee is scheduled to work in a two-week period, but simply allows an individual the flexibility to rearrange part of their work schedule while considering the needs of MCD. An employee may not participate in an FTWS without the approval of the MCD Board.

The FTWS Program shall be available to non-exempt employees, all subject to the direction of the MCD Board and the operational needs of the cemetery.

## **Requirements for Non-Exempt Employees**

The following requirements shall apply to non-exempt employees only.

- Under an FTWS, full time non-exempt employees will be required to maintain their work week to ensure that they do not work over 40 hours in any consecutive seven-day period. The employee shall take lunch after the first four hours of working..
- Once an employee is approved for an FTWS, the FTWS will become the employee's regular schedule, subject to change by the MCD Board, with or without the employee's

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request. Employees are prohibited from changing or switching their regular work days, without obtaining pre-approval for the schedule change by the MCD Board. It will be the responsibility of the employee to ensure that the employee takes his/her lunch break and rest period before working more than five hours on a workday.

Limited, periodic schedule adjustments within the approved FTWS may be allowed based on operational and/or personal needs, with supervisor approval. It is the responsibility of the employee to ensure overtime will not accrue as a result of an FTWS. All overtime requires prior approval of the immediate supervisor.

## **Procedures**

Each non-exempt employee desiring to work an FTWS must complete the FTWS form and receive the required MCD Board approval. A copy of the signed acknowledgement will be placed in the employee's payroll file.

## **Time Reporting**

All non-exempt employees working an FTWS will be required to report all hours worked, as well as any hours on paid leave. This will ensure proper recordkeeping as well as tracking of sick leave or other credit hours that may be accumulated on an FTWS.

## **MCD's Right to Modify or Terminate a FTWS and/or the Program**

This Flextime Work Schedule Program is a voluntary privilege extended to employees by MCD, at the MCD discretion. Employees participating in the Program shall have no protected property or other right in the flextime work week schedule or program, or its continuation. This Program may be changed or terminated at any time, with or without notice, and with or without cause.

Any individually approved FTWS may be modified or terminated by the MCD, with or without request of the employee, all at the discretion of the MCD, with or without notice, and with or without cause. Unless otherwise specified upon termination of an FTWS, all FTWS terminations are effective the last day of the pay period after payroll is notified of the termination.

## **Pay Periods & Paydays**

Pay periods are bi-weekly. Paychecks are mailed by the Calaveras County Auditor's office to arrive by the Friday of the week following the end of the pay period. Arrangements can be made with the Calaveras County Auditor's office for payroll deposits to be made to the employee's bank. If you observe an error on your check, please report it immediately to your supervisor.

Paychecks, or pay stubs if payroll is made by electronic deposit to the employee's bank, are, upon written request of an employee, mailed to the home address of employees on payday, or can be emailed upon request. Paychecks will not be given to anyone other than employees except with their prior written authorization.

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If a regular payday falls on a holiday, employees will be paid on the last business day before the holiday.

## **Timekeeping/Time Records**

It is the responsibility of every non-exempt employee to accurately record time worked. Federal and state laws require MCD to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is the time actually spent on the job performing assigned duties.

Overtime work must always be approved before it is performed. In accordance with applicable law, MCD rounds this time to the nearest one-quarter hour/fifteen minutes.

It is the employee's responsibility to submit time records to the appropriate person for approval, certifying the accuracy of all time recorded.

## **Rest & Meal Periods**

All regular, full-time employees may take periods of rest during the workday consisting of a fifteen-minute rest period in the morning, another ten-minute rest period in the afternoon, and a one-hour meal period.

Part time employees must take a fifteen-minute rest period about half way through each four hour shift and a half hour meal period if working at least five hours. Rest periods may not be taken consecutively or in conjunction with a lunch break or at the beginning or end of the workday. Rest periods are paid; meal periods are not.

Please keep in mind that when employees are not on a break or meal period, they are expected to devote their full efforts to their duties.

Normally, employees are relieved of all active responsibilities and restrictions during meal periods and are not compensated for that time. Employees are responsible for making sure they take their breaks and meal period.

## **Overtime for Non-Exempt Employees**

Employees may be required to work overtime as necessary. When necessary, overtime is mandatory not voluntary. Employees who refuse to work overtime shall be subject to corrective action, up to and including termination, depending upon the circumstance.

Only actual hours worked in a given workday or workweek can apply in calculating overtime. MCD will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must have prior written authorization by a supervisor. The maximum compensation for overtime worked shall be one and one-half times the employees' regular rate of pay.

MCD provides compensation for all overtime hours worked by non-exempt employees in accordance with federal law as follows:



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## **For employees on a normal work schedule:**

All hours worked in excess of eight hours in one workday or 40 hours in one workweek will be treated as overtime. A workday begins at 12:01 a.m. and ends at midnight 24 hours later. Workweeks begin each Sunday at 12:01 a.m. and end on each Saturday at midnight.

Compensation for hours in excess of eight hours in one workday or 40 in one workweek shall be paid at a rate one and one-half times the employee's regular rate of pay; MCD does not pay any hours at double-time, regardless of the number of hours worked in one day or workweek. Holiday hours worked shall be paid at the overtime rate.

## **For employees on a flextime work schedule:**

All hours worked in excess of eight hours in one workday or 40 hours in one workweek will be treated as overtime. A workday begins at 12:01 a.m. and ends at midnight 24 hours later. Workweeks begin each Sunday at 12:01 p.m. and end on each Saturday at midnight.

Compensation for hours in excess of eight hours in one workday or 40 in one workweek shall be paid at a rate one and one-half times the employee's regular rate of pay; MCD does not pay any hours at double-time, regardless of the number of hours worked in one day or workweek; and

Holiday hours worked shall be paid at the overtime rate only if the MCD requires that the employee work on the holiday.

## **Overtime Exemption Status**

Based upon an employee's job duties and responsibilities, each employee is classified as "exempt" or "non-exempt" for payroll purposes. These terms refer to whether or not an employee is exempt from the overtime and minimum wage provisions of applicable federal wage and hour laws.

**MCD currently has no positions designated as "Exempt".**

## **Non-Exempt Status**

All exempt employees are salaried; however, all salaried employees aren't exempt. There's yet another classification of salaried employees who do receive overtime pay. These are salaried, non-exempt workers who are paid a fixed rate for an agreed-upon number of hours. When salaried, non-exempt employees work more than 40 hours in a workweek, they receive overtime pay that's 1.5 times their equivalent hourly rate.

Employees whose positions do not meet certain legal requirements necessary for exemption from applicable federal overtime laws are classified "non-exempt." Any questions regarding exemption status should be directed to the MCD Board.

## **Payroll Deductions**

MCD is required by state and/or federal law to withhold a portion of an employee's pay for tax or government-mandated benefit programs and other mandatory deductions from time to time. These legally required deductions include, but are not limited to, the following items:

- Federal Income Tax

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- State Income Tax
- Medicare Deduction
- Employee's contribution to Social Security
- Court Ordered Deductions (such as garnishments) and Tax Liens

All deductions, whether they are legally required or voluntary, are itemized on each employee's paycheck stub.

## **Paycheck Direct Deposit**

MCD offers automatic payroll deposit for employees. You may begin and stop automatic payroll deposit at any time. To begin automatic payroll deposit, you must complete a form available from the Calaveras County Auditor's office and return it to them at least 10 days before the pay period for which you would like the service to begin. You should carefully monitor your payroll deposit statements for the first two pay periods after the service begins. To stop automatic payroll deposit, complete the form available from the Calaveras County Auditor's office and return it to them at least 10 days before the pay period for which you would like the service to end. You will receive a regular payroll check on the first pay period after the receipt of the form, provided it is received no later than 10 days before the end of the pay period.

## **Pay Advances**

MCD does not allow pay advances on either earned or scheduled but not yet worked hours. Employees are therefore not eligible to receive manually processed paychecks for hours worked through an existing pay period in advance of MCD's normal payday regardless of the reason for such request.

## **Wage Garnishments**

A garnishment is a legal levy by a creditor against an employee's pay. MCD expects all employees to manage their personal finances so as not to involve MCD. All garnishments and other attachment orders that are required by law will be honored. An employee who suspects this may happen to him/her should review the situation with the MCD Board Chair immediately.

## **Employment Benefits**

### **General Information & Eligibility**

This section of the Handbook is intended to provide a general overview of the benefits currently available to eligible employees of MCD. State and/or federal laws govern some of these benefits, while others are determined by MCD or governed by a benefit provider. Should there be a discrepancy between the contents of this Handbook and a provision of an applicable law, benefit plan or contract, then the law, plan document, or contract will prevail.

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All employees should receive information regarding benefits plans during their initial employee orientation. Employees having questions regarding benefit matters should speak with their supervisor.

MCD reserves the right to change, suspend or eliminate any benefit at its sole discretion when conditions warrant and following communications to employees. Employees will be notified of any changes in employee benefit programs at meetings or through memos or other methods.

MCD has developed a broad, comprehensive set of employee benefit programs to supplement our employees' regular wages. We are continually investigating new opportunities to improve our present programs as organization funding and budgets permit.

It is our intent that the following pages will provide you with enough information as to their proper use.

## **Disability Insurance**

Each employee contributes through payroll tax to California's state disability insurance program. Disability insurance is mandated by the California Unemployment Insurance Code and administered by the Employment Development Department. Disability insurance is payable when you cannot work because of illness or injury not caused by employment at the Company. An additional tax funds the state's Paid Family Leave program and provides partial wage replacement for absences related to care of a family member, or bonding with a new child.

## **Social Security**

MCD participates in social security. MCD pays a matching contribution to each employee's Social Security taxes.

## **Workers' Compensation**

You are protected by the MCD's workers' compensation insurance policy while employed by MCD at no cost to you. The policy covers you in case of occupational injury or illness in connection with your work at MCD.

## **Holidays**

MCD provides seven paid holidays for all regular employees. If a regular part-time employee is normally scheduled to work on a holiday, that employee will be compensated for his or her normally scheduled work hours on that holiday. Temporary employees are not entitled to paid holidays. If a non-exempt employee is required to work on a scheduled holiday, the employee will be paid at 1.5 times his or her regular hourly rate for all hours worked. MCD observes the following paid holidays:

1. January 1 (New Year's Day)
2. Memorial Day
3. July 4th (Independence Day)
4. Labor Day

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5. Veteran 's Day
6. Thanksgiving Day
7. Christmas Day

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. If a paid holiday should fall on a day the employee is not scheduled to work, there is no paid time off for that day.

## **Vacation**

Regular full-time employees earn vacation for each year of continuous employment as follows:

<u>Years of Service</u>	<u>Annual Accrual</u>	<u>Maximum Cap on Accrual</u>
Less than one (1) year	3 days	6 days
After five (5) years	6 days	12 days
After ten (10) years	9 days	18 days

Vacation accrues on a biweekly basis on the last day of the pay period, based upon hours paid. Regular part-time employees earn vacation on a pro-rata basis according to their regularly scheduled workweek. Employees who are in unpaid status (i.e. not at work and not using vacation or sick leave benefits) do not accrue vacation time.

Vacation can accrue up to a maximum of 2 times the employee's annual accrual. Once this cap is reached, no further vacation will accrue until some vacation is used. An employee may not use vacation in advance of its accrual. Employees may use vacation in increments no smaller than four (4) hours.

Employees become eligible to take accrued vacation after twelve months of active service as work schedules permit. MCD will make every reasonable effort to allow employees to take vacation when requested. Each year, each employee shall submit to his or her supervisor a written vacation request. In order to ensure minimum staffing levels to meet member service and workload needs, requests for vacation will be granted only when staffing requirements permit and upon mutual agreement of the employee and their supervisor.

Conflicts in scheduling requests will be resolved in favor of the employee with the greater seniority within his or her current department, except that timely requests shall have preference over late requests.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work. Vacation will be paid at the employee's regular rate of pay at the time of termination.

## **Sick Leave**

Sick leave is a form of insurance that employees accumulate in order to provide a cushion for incapacitation due to illness. It is intended to be used only when actually required to recover from illness or injury; sick leave is not for "personal" absences. Time off for medical and dental appointments will be treated as sick leave. MCD will not tolerate abuse or misuse of your sick leave privilege.

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MCD offers paid sick leave to all employees upon completion of your new hire period of ninety days. Paid sick leave accrues at the rate of 1 hour per every 30 hours worked, based upon hours paid per biweekly pay period. Accrued paid sick days shall carry over to the following year of employment. Once a cap of 48 hours or accrued sick leave has accumulated, no more sick leave will be accrued or carried over to the next year, until some sick leave has been used. However, the MCD limits an employee's use of accrued paid sick days to 24 hours or three days in each calendar year.

Sick leave accrues on a biweekly basis on the last day of the pay period. Part-time employees earn sick leave on a pro-rata basis according to their regularly scheduled workweek (in no case, however, will part-time employees earn less than one hour of sick leave for every thirty (30) hours worked). Employees who are in unpaid status (i.e. not at work and not using vacation or sick leave benefits) do not accrue sick leave time.

Sick leave can be taken for the following reasons:

- The diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member. (See Kin Care)
- To attend legal proceedings, or to obtain medical treatment, counseling or other victims' services for domestic violence, sexual assault, or stalking.

A "family member" for these purposes is defined as a child (a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stand in loco parentis), a parent (a biological, adoptive or foster parent, stepparent, or legal guardian of an employee of the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was minor child), a spouse or registered domestic partner, a grandparent, grandchild, and sibling.

MCD does not pay employees in lieu of unused sick leave. Any sick leave hours unused at the time of termination cannot be cashed out. However, previously unused sick days will be reinstated if an employee separates from employment and is then re-hired by MCD within one year.

If you are absent longer than three (3) consecutive days due to illness, medical evidence of your illness and/or medical certification of your fitness to return to work satisfactory to MCD may be required. Sick leave is a benefit intended to provide employees with some compensated time off during times of sickness and recuperation in order to facilitate a return to work. Employees are not guaranteed the right to use or otherwise exhaust all accrued sick leave. In appropriate circumstances, steps can be taken to terminate employment if an employee cannot return to work even if sick leave remains available.

## **Kin Care**

Every calendar year, a full-time employee can use up to forty (40) hours of sick leave every year to attend to an illness of or seek medical care for a family member (as defined above in this policy). A part-time employee can use up to one-half of his or her annual accrual of sick leave (12 hours) to attend to an illness of or seek medical care for a family member (as defined above in this policy). An employee seeking to use more sick leave hours for kin care than one-

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half of their annual accrual may request approval from the MCD Board. In extenuating circumstances where MCD's business needs are not adversely impacted, the MCD Board may approve the use of more time. In reviewing the request, the MCD Board will consider MCD business needs, employee productivity, work flow, the availability of others to complete necessary tasks, and any other relevant factors.

## **School Activities Time Off for Children**

The MCD allows a parent or guardian who is a full time employee to take up to a total of 40 hours of time off each calendar year (but no more than 8 hours in one month) without pay to participate in their children's activities at school (grades K through 12) or licensed day care. Part time employees may take may take the same leave on a pro-rata basis according to their regularly scheduled work week. The absence is subject to all of the following conditions:

- 1) Employees planning to take time off for school visitations must provide as much advance notice as possible and must be approved by the employee's supervisor;
- 2) Employees must use accrued vacation off in order to receive compensation for this time off; and
- 3) Employees who do not have accrued vacation time will take the time off without pay.

## **School Suspension**

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. No discriminatory action will be taken against an employee who takes time off for this purpose.

1. Employees must use accrued vacation time off in order to receive compensation for this time off.
2. Employees who do not have accrued vacation time or compensatory time off available will take the time off without pay.

## **Bereavement Leave**

MCD grants leave of absence to employees with six or more months of tenure in the event of the death of the employee's current spouse or the employees registered domestic partner or their child/step-child, parent, brother, sister, grandparent, or grandchild. An employee with such a death in the family may take up to three (3) consecutive scheduled workdays off with pay with the approval of MCD. The MCD may approve additional unpaid time off. You will receive your regular pay for each day of absence up to the three days. You will be considered in a non-pay status for any day(s) over the paid days off permitted by this policy.

Employees with less than six months of consecutive employment will be allowed up to three days unpaid time off for the same reasons as stated above.

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## **Jury Duty & Witness Leave**

MCD recognizes and supports its employees' obligations to appear for jury duty or when required by law to appear in court as a witness pursuant to Government Code Section 1230.1. MCD paid leave is not granted where the employee is a party to the litigation or an expert witness.

Employees who have completed their introductory periods will receive full pay for the hours that they are regularly scheduled to work while serving up to three days of jury duty. 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. Paper work from the courts must be provided to show proof of attendance. You are required to provide written verification from the court clerk of performance of jury service and the rate of pay. MCD will pay for the difference between what the court pays and what the employee makes in average earnings at MCD

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.

MCD provides a paid leave of absence only for jury duty and witness leave under section 1230.1. Therefore, MCD employees are expected to report for work whenever the court schedule permits and to turn in to MCD any compensation, excluding mileage and parking reimbursement, received from the court or the party on whose behalf the employee testifies. In no event shall double pay to the employee result from court duty. MCD will not compensate the employee for mileage or meal expenses, unless the employee is testifying on an MCD-related matter.

An employee who is the victim of certain felonies, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered victim may be eligible to take unpaid leave to be absent from work to attend judicial proceedings related to that crime.

## **Unemployment Insurance**

Unemployment compensation provides a weekly benefit for a specified period due to a qualifying condition of unemployment. These benefits change periodically and are established by State law. Employees do not contribute for this benefit.

Benefit and eligibility determinations are made by the Employment Development Department. Unemployment insurance benefits are generally not available to employees who voluntarily quit without good cause or who are terminated for serious misconduct. At the time of employment separation, employees may, upon request, be provided with a booklet published by the Employment Development Department explaining benefits, eligibility, and claim filing procedures.

## **Mandatory Meetings or Training**

It may be necessary for employees to attend training programs, meetings or other outside activities for the benefit of MCD. Attendance at such activities may be required by MCD or requested by individual employees and subject to their supervisor's approval. MCD will pay

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non-exempt employees for their attendance at meetings and training programs under the following conditions:

- Attendance is mandatory;
- The meeting or training course is directly related to the employee's job.

The employee who is required to attend such meetings or training programs will be notified of the necessity for such attendance by his or her supervisor. The employee will be paid at the then applicable normal rate of pay for time spent at required meetings, and training programs. Any hours in excess of eight in a day or 40 in a week will be paid at the appropriate overtime rate, at the hourly rate in effect at the time the overtime work is being performed.

Mandatory training may include Sexual Harassment and Ethics training as well as other training required by law or by the County of Calaveras.

Where attendance is required or authorized by MCD, the MCD will reimburse reasonable expenses that generally include registration fees, materials, transportation, and parking. Employee attendance at such authorized outside activities will be considered time worked and the employee will be compensated in accordance with normal payroll practices.

## **Leaves of Absence**

### **General Information**

Employees may need to request a leave of absence for a variety of reasons. A request for a leave of absence should be made with the employee's supervisor. It is the employee's responsibility to ensure that MCD receives all necessary documentation regarding the leave and any subsequent requests for extension fifteen (15) days prior to the effective date. Employees absent without leave and those who fail to return to work promptly at the end of a leave are considered to have voluntarily resigned their positions.

### **Usage of Accrued Leave**

Employees on a leave of absence are required to exhaust all forms of accrued paid leave in connection with that absence (except as otherwise required in the Pregnancy Disability Leave and Workers' Compensation Leave policies). If an employee is absent for reasons allowing usage of sick leave, then the employee is required to exhaust all available sick leave. Once any available sick leave is exhausted, the employee is required to exhaust all available vacation leave. Once all forms of paid leave have been exhausted, any approved leave will continue on an un-paid basis. Unless an employee is using sick leave or vacation (consistent with MCD's policies regarding those benefits), or is approved for some type of leave, an employee is expected to be at work. MCD does not provide employees with an option of taking un-paid leave unless specifically authorized by policy or law. If an employee needs leave from work for a reason not specifically addressed by the policies in this section, the employee should refer to MCD's Personal Leave section in this Handbook and, if appropriate, request a personal leave of absence. That request will be evaluated and either granted or denied according to all relevant factors.



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## **Paid Status**

The employee will remain in paid status with MCD during the period of leave as long as the employee is utilizing appropriate and approved leave benefits (i.e. sick leave, depending on the type of leave). Employee benefit accruals, such as sick time will continue during periods of leave as long as the employee remains in paid status. Employee benefit accruals will be suspended during leaves where the employee is in un-paid status (see Employment Benefits section), and will resume upon the employee's return to paid status.

## **Workplace Accommodations**

MCD may attempt to accommodate employees returning to work from injuries or illnesses with short term "modified duty" assignments when practical and when required by applicable law. Such accommodations may be made depending upon the extent and nature of the work restrictions imposed by the health care provider, the anticipated duration of the restrictions, the availability of modified duty assignments, and other relevant considerations.

## **Leaves are Concurrent**

Instances may exist where two or more leave of absence policies provide overlapping protection for eligible employees. It is the intention of MCD's policies to limit employees to the time available under the single most favorable leave of absence policy and to prevent employees from exceeding the limitations of that policy. This means that all leaves of absence run concurrently as provided by law.

Accordingly, any leave of absence that is taken by an employee under any policy that could have been taken under any other policy of MCD (if the employee had requested to do so) shall be credited against the maximum limit on leaves established in each of the policies that provided the employee a basis to request a leave of absence. The sections below provide more detailed information regarding the different types of leaves of absence. We have attempted to address all issues related to compensation, use of accrued leave balances, and continuation of employee benefit plans. However, additional issues may arise which have not been contemplated. Any unanticipated issues will be addressed as provided by law or on a case-by-case basis.

## **FMLA and CFRA Leave**

Employees may need to request a leave of absence that qualifies for the protections under the Family and Medical Leave Act (FMLA) and/or California Family Rights Act (CFRA). For an employee to qualify for FMLA or CFRA, the employee must have worked for MCD for at least 12 months and worked at least 1,250 hours in the past 12 months. In addition, the employee must be employed at a worksite where the employer employs at least 50 employees within 75 miles of that worksite.

**At this time, MCD has no CFRA or FMLA eligible employees.**

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## **Personal Leave**

Requests for personal leaves of absence will be considered on a case-by-case basis typically based on factors related but not limited to staffing levels in the department, existing or projected workload demands, the requesting employee's work record, the basis of the request, and any additional costs and/or hardship caused by the leave. Personal leaves are generally considered for personal reasons such as a verifiable family or personal emergency not provided for by legally mandated leaves of absence, or to attend to a medical condition not otherwise eligible or qualified under legally mandated leaves of absence.

Employees who are a victim of domestic violence, sexual assault, or a violent or serious crime are eligible for leave, which is a form of a personal leave, subject to the applicable laws and regulations.

Personal leaves must be approved by the employee's supervisor and the MCD Board and shall be for an initial period not to exceed 90 calendar days, unless otherwise approved by the MCD Board. Requests for an extension of the initial leave will not be considered unless submitted in writing with reasons for the extension prior to the expiration of the initial period granted, and shall not exceed an additional 90 calendar days, unless otherwise required by law.

Additional conditions related to approved personal leaves are as follows:

- The employee will remain in paid status while using appropriate accrued leave balances (sick leave, vacation). Appropriate accrued leave, to the extent available, must be utilized during the period of leave.
- The employee will be in unpaid status for the remainder of any approved leave period after exhaustion of appropriate accrued leave balances.
- If disability insurance is applicable, the employee must coordinate appropriate accrued leave balances, to the extent available, to maintain the equivalent of full salary.
- MCD will continue payment of premiums for employee benefit plans in place at the time the leave begins through the end of the month in which the employee is in paid status (i.e., using appropriate accrued leave balances). The employee must reimburse MCD for any portion of benefits they would have paid through payroll deduction. Such reimbursement must be received by MCD within 30 days of the date of the invoice or written notification. If MCD does not receive the reimbursement from the employee within 30 days, MCD can cancel any policies and/or plans for which they have not been reimbursed.
- Once all appropriate accrued leave balances are exhausted and/or the employee is in unpaid status, and at the employee's election to continue the benefit plans while on leave, employee must reimburse MCD for such benefit premiums. Reimbursement must be received by MCD within 30 days of the date of the invoice or written notification. If MCD does not receive the reimbursement from the employee within 30 days, MCD can cancel any policies and/or plans for which they have not been reimbursed.

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- If the employee is absent because of a medical condition or procedure, they must provide a physician's certificate that they are fit for duty upon return.

While MCD may endeavor to allow the employee to return to their same job, MCD is not required to reserve the job of any employee who takes an authorized personal leave of absence, and such employees should not have a right or expectation to return to the same or similar job upon completion of the leave, unless otherwise required by law.

## **Workers' Compensation Leave**

If an employee is injured at work and is temporarily unable to perform his or her usual and customary work, the employee will be allowed to take an unpaid leave of absence while receiving workers' compensation benefits. Certification from a recognized medical professional confirming the necessity of the leave must be provided to MCD within fourteen (14) days after the leave begins. The duration of the leave will be determined on a case-by-case basis, considering both the injured employee's medical condition and MCD's business needs.

The employee may elect during such absence to apply sick leave on a prorated basis to such absence and receive compensation in an amount equal to the difference between compensation received as regular salary and the amount received as Workers' Compensation benefits, not to exceed the amount of accrued sick leave. Similarly, the employee may elect to use any accrued paid leave time after the sick leave is exhausted.

The employee may return to work only after a recognized medical professional certifies that the employee is capable of resuming all of the essential functions of the employee's position. MCD may, in its discretion, provide modified or light duty work if the employee's release contains such limitation. If the employee has been released without limitation, the employee will be offered the same position he or she held previously, unless the job no longer exists or has been filled so that MCD can operate safely and efficiently or the employment relationship has otherwise been terminated.

Workers' compensation leave will run concurrently with any family and medical leave (if applicable). During the period of leave, MCD will continue payment of all premiums for employee benefit plans in place at the time the leave begins. MCD will also continue the employer contribution for employee benefit premiums, as if the employee were not in leave status, for the duration of the leave. The employee must reimburse MCD for any portion of benefits they would have paid through payroll deduction. Such reimbursement must be received by MCD within 30 days of the date of the invoice or written notification. If MCD does not receive the reimbursement from the employee within 30 days, MCD can cancel any policies and/or plans for which they have not been reimbursed.

## **Military Leave**

Military leave is a form of a personal leave of absence subject to the applicable laws and regulations. Leaves of absence and re-employment resulting from service in the National Guard or U.S. Military Armed Forces will be in accordance with applicable state and federal

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laws. A copy of the applicable, official military orders for training or active duty must accompany an employee's request for a leave of absence.

An employee who is assigned to an U.S. Military Armed Forces Reserve organization and is subject to active or inactive duty training will be granted leaves of absence without pay, generally for up to two weeks.

The following conditions also apply: The employee may remain in paid status while using appropriate accrued leave balances (vacation) to supplement his/her military pay to maintain the equivalent of full salary.

## **Other Leaves**

MCD provides other leaves of absence to eligible employees where required by applicable law. If you need leave for a reason not specifically addressed in this handbook, please contact the MCD Board Chair.

## **Returning From a Leave of Absence**

When an employee is returning from an approved leave, the employee must notify their supervisor at least seven calendar days prior to the scheduled return date. MCD, at its discretion and based on anticipated business needs and operational concerns, may or may not be able to hold an employee's position open during a leave of absence.

If the position held no longer exists upon an employee's return, placement in another position, if available, for which such employee may be reasonably qualified will be made if feasible. If placement in another position cannot be accomplished, such employee will be laid off. Reinstatement after leaves regulated by law will be in accordance with applicable state and federal laws in effect at that time.

## **Termination During a Leave of Absence**

Employees will be replaced or terminated during a leave of absence for any of the following reasons:

- Notice of intent to resign or demonstration of intentions not to return to work is given.
- Employee fails to return to work within the time specified for the leave without having obtained an MCD approved extension of the original leave expiration date.
- Employee fails to supply a doctor's certificate or other requested documentation to substantiate the need for, or an extension of, a leave.
- Employee fails to accept their former position upon return, or if not available, another position for which they may be reasonably qualified.
- Employee's position no longer exists at the conclusion of his/her leave.

## **Employee Standards**

### **Ethics Policy**

It is the policy of MCD to carry out its mission in accordance with the strictest ethical guidelines and to ensure that MCD members and employees conduct themselves in a manner that fosters public confidence in the integrity of MCD its processes, and its accomplishments. To ensure effective enforcement of this policy at all levels and to ensure that management is aware of pertinent information bearing on the existence of any potential conflict of interest or ethical concerns, supervisors are required to disclose any suspected violations of this policy to their immediate supervisor or manager, or to the Board Chair.

### **Code of Conduct**

MCD and its employees must, at all times, comply with all applicable laws and regulations. MCD will not condone the activities of employees who achieve results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates and bribery. MCD does not permit any activity that fails to stand the closest possible public scrutiny.

All business conduct should be well above the minimum standards required by law. Accordingly, employees must ensure that their actions cannot be interpreted as being, in any way, in contravention of the laws and regulations governing MCD operations.

### **Conducting Personal Business**

Employees are to conduct only MCD business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

### **Conflicts of Interest**

All employees must avoid situations involving actual or potential conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of MCD, which impairs an employee's ability to exercise good judgment on behalf of MCD, creates an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, any MCD Board member or the Board Chair for a determination about whether a potential or actual conflict exists. Both individuals involved in the relationship are expected to report to one or more of the individuals identified above. If an actual or potential conflict is determined, MCD may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

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## **Relationship with Clients and Vendors**

Employees shall avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with MCD, or that provides goods or services, or both to MCD, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties on behalf of MCD.

## **Gifts, Entertainment or Favors**

Employees must not accept entertainment, gifts, or personal favors that could, in any way, influence, or appear to influence, business decisions in favor of any person or organization with whom or with which MCD has, or is likely to have, business dealings. Similarly, employees must not accept any other preferential treatment under these circumstances because their position with MCD might be inclined to, or be perceived to, place them under obligation.

## **Kickbacks and Secret Commissions**

Regarding MCD's business activities, employees may not receive payment or compensation of any kind, except as authorized under MCD's remuneration policies. In particular, MCD strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule will result in immediate termination and prosecution to the fullest extent of the law.

## **Funds and Other Assets**

Employees who have access to MCD funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in the MCD's instructional manuals or other explanatory materials, or both. MCD imposes strict standards to prevent fraud and dishonesty. If an employee becomes aware of any evidence of fraud and dishonesty, they shall immediately advise their supervisor so that MCD can promptly investigate further.

When an employee's position requires spending MCD funds or incurring any reimbursable personal expenses, that individual must use good judgment on MCD's behalf to ensure that good value is received for every expenditure.

MCD funds and all other assets of MCD are for business purposes only and not for personal benefit. This includes the personal use of organizational assets.

## **Organization Records and Communications**

Accurate and reliable records of many kinds are necessary to meet the MCD's legal and financial obligations and to manage the affairs of the MCD. The MCD's books and records must reflect in an accurate and timely manner all business transactions. The employees responsible for accounting and record keeping must fully disclose and record all assets, liabilities, or both, and must exercise diligence in enforcing these requirements.

Employees must not make or engage in any false record or communication of any kind, whether internal or external, including but not limited to:

- False expense, attendance, production, financial, or similar reports and statements.

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- False advertising, deceptive marketing practices, or other misleading representation.

## **Confidentiality**

Each employee is responsible for safeguarding the confidential information obtained during employment. In the course of your work, you may have access to confidential information regarding MCD, its suppliers, the public or perhaps even fellow employees. You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a “need-to-know” basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated, and appropriate action will be taken by MCD.

## **Outside Employment**

While employed by MCD, employees are expected to devote their energies to their jobs with MCD. The following types of employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee’s work schedule, duties, and responsibilities at MCD.
- Additional employment that creates a conflict of interest or is incompatible with the employee’s position with MCD.
- Additional employment that impairs or has a detrimental effect on the employee’s work performance with MCD.
- Additional employment that requires the employee to conduct work or related activities on MCD property during the employer’s working hours or using MCD facilities and/or equipment.
- Additional employment that directly or indirectly competes with the business or the interests of MCD.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written notice to MCD explaining the details of the additional employment. MCD shall not provide workers’ compensation coverage or any other benefit for injuries occurring from or arising out of additional employment.

## **Standards of Conduct/Prohibited Conduct**

The following conduct is prohibited and will not be tolerated by MCD. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare, work efficiency and MCD operations also may be prohibited.

- Falsifying employment records, employment information, or other MCD records.
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time card, either your own or another employee’s.
- Theft and deliberate or careless damage or destruction of any MCD property, or the property of any employee or customer.

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- Removing or borrowing MCD property without prior authorization.
- Unauthorized use of MCD equipment, time, materials, or facilities.
- Provoking a fight or fighting during working hours or on MCD property.
- Threatening violence or destruction of MCD property.
- Participating in horseplay or practical jokes on MCD time or on MCD premises.
- Engaging in criminal conduct whether or not related to job performance.
- Possession of dangerous or unauthorized materials, such as explosives or firearms or any other weapon on MCD property at any time or while on duty.
- Causing, creating, or participating in a disruption of any kind during working hours on MCD property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
- Using abusive language at any time on MCD premises.
- Failing to notify a supervisor when unable to report to work.
- Unreported absence of three (3) consecutive scheduled workdays.
- Failing to obtain permission to leave work for any reason during normal working hours.
- Failing to observe working schedules, including rest and lunch periods.
- Failing to provide a physician's certificate when requested or required to do so.
- Sleeping or malingering on the job.
- Making or accepting personal telephone calls, including cell phone calls, of more than three minutes in duration during working hours, except in cases of emergency.
- Working overtime without authorization or refusing to work assigned overtime.
- Wearing disturbing, unprofessional or inappropriate styles of dress or hair while working.
- Violating any safety, health, security or MCD policy, rule, or procedure.
- Committing a fraudulent act or a breach of trust under any circumstances.
- Committing of or involvement in any act of unlawful harassment or discrimination of another individual.
- Engaging in discourteous, disrespectful, unprofessional, or abusive treatment of others in connection with the performance of work duties.
- Failing to abide by any policies set forth in this Handbook or otherwise adopted by MCD.

This statement of prohibited conduct does not alter the MCD's policy of at-will employment. Either you or MCD remain free to terminate the employment relationship at any time, with or without reason or advance notice.

## **Off-Duty Conduct**

While MCD does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with MCD's legitimate business interests. For



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this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect MCD's or their own integrity, reputation or credibility. Illegal off-duty conduct by an employee that adversely affects the MCD's legitimate business interests or the employee's ability to perform his or her job will not be tolerated.

## **Falsification of Records**

MCD strictly and expressly prohibits the falsification of employment applications, personnel records, time keeping records, member account information, injury reports, or any other reports, documents or records pertaining to MCD employment, operations or compliance with any applicable laws. Any employee found to have engaged in this form of misconduct, shall be subject to immediate termination and possible prosecution.

## **Investigations**

As conditions warrant, it may be necessary for MCD to conduct an investigation into an alleged or suspected form of misconduct by an employee or other person. In these cases, employees should understand that MCD has a legal obligation to conduct, or have conducted, such investigations to ensure that the workplace remains efficient, safe, honest, respectful, ethical, legally compliant and in other ways professional at all times. Therefore, MCD has made the reporting of any suspected inappropriate act by any person, and cooperation with any resulting investigation, both an expectation and condition of employment.

Any employee who has information concerning an act of misconduct, or believes that such an act may have occurred, is required to report all known information about the incident to their supervisor or the MCD Board Chair promptly. Under most circumstances, those affected will be informed when the matter is resolved. The exact details will be maintained confidential as a personnel matter to the extent possible. Failure to report a known or suspected violation of MCD's policies, practices, procedures, or administrative directives, or violations of any law, is considered an act of dishonesty and will be subject to disciplinary action up to and including termination.

## **Customer Relations**

Employees are expected to be polite, courteous, prompt, and attentive to every member of the public. Never regard a person's question or concern as an interruption or an annoyance. All employees must make every effort to achieve complete, accurate, and timely communications - responding promptly and courteously to all proper requests for information and to all complaints. Through your conduct, show your desire to assist the public in obtaining the help he or she needs. If you are unable to help them, find someone who can.

All correspondence and documents must be neatly prepared and error- free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, either the MCD Board Chair or and MCD Board member should be called

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immediately. Never argue with a member of the public. If a problem develops or the person remains dissatisfied, ask your supervisor, the MCD Board Chair or a MCD Board member to assist in a resolution.

## **Employer Property**

MCD reserves the right to inspect all MCD property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

MCD provides tools, supplies and facilities for the use of the employees in the performance of their work. Employees who use MCD equipment must be familiar with their proper use and care and shall operate them in accordance with instructions for use. Employees shall notify the MCD Board immediately of any needed maintenance for any MCD facility or equipment.

Employees must report all accidents and/or damage to MCD equipment to the MCD Board Chairperson immediately. Failure to properly use MCD equipment or to report accidents and/or damage may result in disciplinary action up to and including termination.

No employee shall use MCD facilities or equipment for personal use without the prior written approval of the MCD Board Chair.

MCD may periodically need to assign and/or change "passwords" and codes for equipment. MCD reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system.

Prior authorization must be obtained before any MCD property may be removed from the premises. For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent.

Terminated employees should remove any personal items at the time they leave MCD. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

## **Housekeeping**

All employees are expected to keep not only their work areas clean and organized but also assist in maintaining an overall clean work environment. People using common areas such as lunch rooms and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly.

## **Personal Possessions**

Each employee is responsible to safeguard their own items of value including wallets, purses, etc. MCD does not reimburse employees for items lost/stolen at work.

An employee's personal property, including but not limited to packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of MCD property or violation of MCD policies.

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## **Dress Code & Other Personal Standards**

At MCD, professional image is important and is maintained, in part, by the image that employees present to members, visitors, vendors, and others in our business. No one has a second chance at a first impression. In choosing appropriate work attire, employees should consider tastefulness, public contact, the nature of the job, and working conditions.

MCD expects all employees to use good judgement and taste in matters of personal grooming, hygiene and dress. Good judgement includes consideration for both MCD and its clients. Attire should be in keeping with the dignity of a cemetery. Employees should always be neat and clean in appearance, dressed in reasonable conservative attire and conduct themselves in a business-like manner. Visible piercings must be limited to earrings. Visible tattoos that may be offensive and extreme hair styles are prohibited.

In all cases, supervisors will help employees determine what is considered appropriate attire for the particular situation. The following is offered as a general guideline:

- Work Attire: Clean pants with no rips, t-shirts without graphics that might be offensive, clean shorts, tennis shoes or work boots, or other appropriate attire for a work environment where the public would be.

## **Non-Compliance**

Employees who are inappropriately dressed may be sent home and directed to return to work in the proper attire. Non-exempt employees will not be compensated for the time away from work. Employees who violate MCD's dress code policy and/or grooming standards will be subject to corrective action, up to and including termination.

## **Use of Tools & Equipment**

When using equipment or tools in performing tasks, employees are expected to exercise care and follow all operating and maintenance instructions, safety standards, and guidelines. No employee is to attempt to repair any equipment without the express authorization of the employee's supervisor. Use equipment and tools only for the purpose for which they were designed. Do not attempt to operate any equipment or machine until properly trained on the correct use.

If any MCD equipment, machine, or tool is broken, malfunctioning, damaged, defective, or in need of repair, notify your supervisor, or a board member. Prompt reporting of damage, defects, and need for repairs could prevent deterioration of equipment and possible injury to employees or others.

The improper, careless, negligent, destructive, or unsafe use or operation of tools or equipment, including their removal from MCD premises, can result in corrective action up to and including termination.

## **Prohibited Cell Phone Use While Driving**

In the interest of the safety of our employees and other drivers and to comply with California law, if your job requires that you keep your cell phone turned on while you are driving, you

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must use a hands-free device. Unless using a hands-free device, under no circumstances should employees place phone calls while operating a motor vehicle while driving on MCD business and/or MCD time. Any citations for cell phone violations shall be the employee's responsibility.

## **Disciplinary Action**

Violation of MCD policies and rules may warrant disciplinary action. Unsatisfactory performance may subject you to discipline. The nature of the discipline imposed will depend on the seriousness of the problem and your record of prior performance, behavior problems, or safety violations. Your supervisor and the MCD Board have the right to determine what disciplinary action is appropriate based on the facts of each case. Not all available forms of discipline are appropriate to every disciplinary situation, and it is not required that the MCD treat each form of discipline as a step in a series to be followed with an employee before discharge. This system is intended to give employees advance notice, whenever possible, of problems with their conduct or performance to provide them an opportunity to correct their problems before an employee is terminated.

The MCD's established system of employee discipline includes, but is not limited to, verbal warnings, written warnings, suspensions, and termination. However, exceptions or deviations from the normal procedure may occur whenever the MCD deems that circumstances warrant. Accordingly, circumstances may sometimes warrant immediate termination. It should be remembered that the MCD's practice of employee discipline does not imply a formal "progressive" discipline is required or that employment may be terminated only for cause. The system is not formal and MCD may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, termination of employment.

The MCD's policy of progressive discipline in no way limits or alters the at-will employment relationship.

## **At-Will Employees**

At-will employees may be terminated without cause and without notice. All employees are considered at-will employees.

## **Initiation of Disciplinary Action**

Disciplinary action may be initiated by the MCD Board's own initiative or upon written recommendation of the employee's supervisor.

## **Nature of Disciplinary Action**

Disciplinary action may consist of an oral reprimand, a written reprimand, suspension without pay, demotion, and/or reduction in pay. The MCD Board may impose any level of discipline they deems appropriate and need not follow a course of progressive discipline.

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## **Grounds for Disciplinary Action**

Examples of reasons for the MCD Board to impose discipline include, but are not limited to, any of the following:

- False statement of fact or actual or attempted deception, fraud, or misconduct in or with an application, interview, or examination.
- Violation of any policy of the MCD.
- Unauthorized absence.
- Conviction of a felony or other criminal act, which is of a nature to adversely affect the employee's ability to perform the duties and responsibilities of his employment.
- Disorderly conduct.
- An inability to perform the essential functions of the employee's job (with reasonable accommodations).
- Any act of fraud, dishonesty, misappropriation, embezzlement or similar conduct involving MCD.
- Substandard performance or inefficiency.
- Insubordination.
- Violation of the alcohol and drug use policy.
- Neglect of duty.
- Damage to, waste of, or unauthorized use of MCD's supplies, equipment or premises.
- Failure to follow safety instructions or directions.
- Unauthorized employee use of MCD equipment for personal use.
- Discourteous or unprofessional treatment of others.
- Engaging in prohibited conduct, as set forth in the Ethics Policy.

## **Effect of Suspension of Benefits**

When an employee is suspended without pay for ten (10) or fewer working days, employee and employer contributions to benefits will be continued. However, suspended employees will not earn vacation or sick or be paid for holidays during the suspension period.

No benefits will be paid by MCD for suspension over ten (10) working days. An employee may continue appropriate benefits by making the necessary payments.

## **Effect of Termination**

Upon the effective date of termination, MCD shall cease to pay for any benefits for the employee.

## **Grievance**

### **Purpose of Grievance Procedure**

**The grievance procedure is available for all employees and is intended for use solely to address disputes about the application or interpretation of the policies in this Employee Handbook and does not apply to disciplinary actions or performance evaluations.**

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The grievance procedures set forth below are designed to resolve grievances informally at the lowest possible level and to provide an orderly procedure for the prompt review and resolution of grievances. As used in this procedure the term “immediate supervisor” means the individual who assigns, reviews and directs the work of an employee(s) and the term “party” means a unit employee, MCD, or its authorized representative.

## **Time Limits**

Each party involved in a grievance shall act quickly so that the grievance may be solved promptly. Every effort shall be made to complete the action within the time limits contained within these grievance procedures, but with the written consent of the parties involved, the time limits of any step may be extended.

If MCD fails to meet any time limit, the grievance is deemed to be denied at that level on the date the response was due, and the employee must proceed to the next level of the grievance procedure.

If an employee fails to meet any time limit, the grievance is deemed to be withdrawn.

## **Presentation of Grievance**

An employee may present a grievance while on duty, provided such use of on-duty time is kept to a reasonable minimum.

### ***First Step of Grievance Procedure (Informal Discussions-Grievance)***

A grievance initially shall be personally discussed between the employee and his or her immediate supervisor. The employee shall initiate the informal grievance process within five (5) calendar days after the event or circumstance that gave rise to the grievance. The employee shall have a decision or response from the immediate supervisor within five (5) calendar days following the discussion.

### ***Second Step of Grievance Procedure (Formal Grievance)***

If an informal grievance is not resolved to the satisfaction of the grievant, then a formal grievance shall be initiated in writing. A formal grievance shall be initiated no later than seven (7) calendar days after the event or circumstance giving rise to the grievance; or, within five (5) calendar days of the decision rendered in the informal grievance procedure, whichever is later.

The formal grievance shall be filed with the MCD Board Chair or his designated representative. If the grievance is against the MCD Board Chair, any member of the Board of Directors shall be notified and the investigation, if required, will be by the MCD Board members with the Board Chair recused from the investigation.

If the employee is to be represented by anyone other than himself or herself, the employee shall file written notice designating the representative along with the formal grievance. The MCD Board has the absolute discretion to render a decision on the formal grievance with or without an interview. During the interview process (if applicable) as conducted by the MCD

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Board, the employee may bring in a witness of his or her choice who would be able to respond to the circumstances leading to the grievance.

Within ten (10) calendar days after receipt of grievance or the interview with the grievant, the MCD Board Chair shall issue a written decision concerning the formal grievance.

## **Health and Safety**

### **Drug & Alcohol Abuse**

MCD is concerned about the use of alcohol, illegal drugs (including marijuana), or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to MCD. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of others and exposes MCD to the risks of property loss or damage, or injury to other persons.

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

Employees should be aware that the legalization of marijuana in California does not impact the scope of this policy. Marijuana remains an illegal drug under federal law. For that reason, usage and possession of marijuana remains a violation of policy and will be enforced to the fullest extent possible.

No employee may use, possess, manufacture, dispense, distribute or sell any alcohol while on the MCD's property, while on duty or while operating a vehicle that is owned or leased by the MCD. Employees may not be under the influence of alcohol while performing the MCD's business.

The following rules and standards of conduct apply to all employees either on MCD property or during the workday (including meals and rest periods). Behavior that violates MCD policy includes:

- Possession or use of an illegal or controlled substance or being under the influence of an illegal or controlled substance while on the job.
- Driving a vehicle while under the influence of alcohol on MCD business.
- Distribution, sale, or purchase of an illegal or controlled substance while on the job.

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

In order to enforce this policy, MCD reserves the right to conduct searches of MCD property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

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

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Any employee who is using prescription 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, must notify a supervisor of such use immediately before starting or resuming work. The employee is not required to disclose the medical condition requiring the use of the drugs.

MCD will encourage and reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave prior to having been found in violation of MCD policy. MCD is 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 MCD obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect MCD's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

## **Smoking**

Research has repeatedly demonstrated the health hazards of the use of tobacco products, including smoking and the breathing of second-hand smoke. Therefore, in the best interest of the health and safety of employees and the general public and to eliminate the risk of accidental fire, eliminate the health risks associated from smokeless tobacco, and eliminate environmental impact of cigarette litters, the use of tobacco products shall be banned completely within MCD buildings and facilities or in confined spaces.

Tobacco products include the personal use of any lighted or unlighted cigarette (clove, bidis, kreteks), e-cigarettes, cigars, cigarillos, pipes, hookah products, and any other smoking product. Additionally, all spit or spitless tobaccos, dissolvable tobacco, dip, chew, snuff or snus, in any form is also considered a tobacco product for the purpose of this policy. Use does not preclude simple possession of unlit tobacco products.

Those who smoke are requested to do so off the property of the MCD during regularly scheduled rest and meal periods. Extra care should be taken when working around combustible materials.

The success of this policy depends on the thoughtfulness, consideration and cooperation of smokers and non-smokers. All individuals on MCD premises share in the responsibility of adhering to this policy. Likewise, all MCD employees are responsible for advising members of the public or other visitors who are observed smoking tobacco products on MCD property of the MCD's policy on the matter. These individuals shall be asked by staff to refrain from smoking, and if the person fails to comply, the requesting staff member should then inform a member of the MCD Board.



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## **Safety and Illness**

All employees are responsible for their own safety and are expected to report any dangerous or unsafe conditions in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses immediately to your supervisor.

Necessary safety equipment will be purchased by MCD and used by all employees who require such equipment on the job. It is the employee's responsibility to utilize, protect and safeguard such equipment from damage. An employee who continually loses or damages equipment will be subject to disciplinary action, up to and including termination.

In compliance with Proposition 65, MCD will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

## **Inclement Weather / Natural Disasters**

In the event of severe weather or a natural disaster that prevents employees from safely traveling to and from work, the following leave policies will apply:

- Inclement weather: Conditions that excuse absence from work may include snow, road closure, announced avalanche danger, whiteout, or heavy rain. If weather conditions prevent you from safely traveling to work, you must notify your supervisor by phone, if telephone service is functional, or by any other available means. Employees are not paid when weather conditions prevent them from reaching the worksite or from working. Employee may choose to utilize any accrued sick leave or vacation leave.
- Natural disasters: In the event of a natural disaster, such as earthquake, fire, or explosion, the cemetery will be closed if the building is damaged or highways leading to the office are damaged.

## **Workers' Compensation**

All employees are covered for Workers' Compensation, effective the first day of employment. Workers' Compensation provides employees and/or their beneficiaries with certain benefits in the event of a work-related illness, injury, or accidental death. MCD pays the full cost of this coverage, whether through a self-insurance mechanism or an insurance product. If an employee sustains a work-related illness or injury, they must report the illness or injury to MCD's Claims/Loss Prevention Manager and the employee's supervisor the day the injury or illness occurs or not later than 24 hours after the occurrence. Failure to do so could result in a delay of benefits.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to Company Nurse before seeking medical treatment unless the injury is of an emergency nature. Company Nurse can be reached at 877 518-6711 and they are open 24/7.
- Report the injury to the MCD Board.

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- Seek medical treatment and follow-up care if required.
- Complete a written Employee's Claim for Workers Compensation Benefits (DWC Form 1) and return it to your supervisor and
- Provide the MCD with ongoing certification from your health care provider regarding the need for continued workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

All payments for lost wages or salary due to a legitimate work-related illness or injury, medical treatment, and any other benefits will be made by the workers' compensation claims administrator or insurance carrier as required by law. Workers' Compensation benefit payments may be coordinated with any accrued sick leave or vacation leave as part of a medical or disability leave of absence. For more information about Workers' Compensation benefits, please contact MCD's Board.

MCD provides medical treatment for work-related injuries and illnesses through pre-determined clinics that provide medical care to injured employees. These clinics are selected due to their experience in treating work-related injuries.

Employees who are injured in a work-related accident will be referred to the designated clinic unless MCD has received a written notice that the employee wishes to be treated by his/her own health care provider. This notification must have been submitted to the employee's supervisor prior to any injury.

## **Workers' Compensation Fraud**

Employees and former employees may be encouraged by outside persons, including attorneys or other professionals, to file fraudulent Workers' Compensation claims. California law makes it a crime to knowingly file a false or fraudulent claim for Workers' Compensation benefits, or to knowingly submit false or fraudulent information in connection with any Workers' Compensation claim. Violation of this law is punishable by imprisonment of up to five years, a fine of up to \$150,000, or both. Filing a false or fraudulent Workers' Compensation claim is also a violation of MCD policy, and will result in corrective action, up to and including termination. MCD's policy is to investigate all questionable Workers' Compensation claims and to refer them to the Bureau of Fraudulent Claims.

## **Recreational Activities & Programs**

MCD or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

## **Security/Workplace Violence**

MCD has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to the MCD Board Chairperson. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation

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that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities.

MCD is committed to providing its employees a safe work environment. MCD will not tolerate any violent or threatening behavior by or toward its employees. This policy prohibits actual or threatened violence against any person on MCD-premises, at any MCD-sponsored event, and/or while engaging in any MCD-related activity. Safety and security in the workplace is every employee's responsibility. MCD relies upon all employees' compliance with this policy to achieve our goal of providing a violence-free workplace. Some examples of conduct that violates this policy include:

- Threats of any kind
- Physically aggressive or violent behavior
- Intimidating or harassing behavior
- Sabotage or destruction of any MCD-property or property of any employee

Additionally, MCD strictly prohibits the possession of any weapon, firearm, or other dangerous objects or material of any kind on MCD-premises or at any MCD-related event.

Any conduct violating this policy, including any threats of or actual violence, both direct and indirect, must 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. All suspicious individuals or activities must be reported as soon as possible to a supervisor. Anyone receiving a report of a violation of this policy must report the matter immediately to the MCD Board Chairperson.

Employees should notify their supervisor of any restraining order in effect or of any potentially violent non-work situation that could result in workplace violence.

MCD will promptly and thoroughly investigate any report of actual or potential workplace violence. The identity of the individual making a report will be protected as much as is practical; however, MCD may need to disclose information in order to protect the safety of others. MCD will not tolerate retaliation against any employee who reports workplace violence.

MCD will take appropriate corrective action when it determines a violation of this policy has occurred. This may include imposing discipline, up to and including termination, upon any employee who violates this policy, including its reporting requirements.

## Addendum # 1

ADDENDUM # 1 TO THE  
MURPHYS CEMETERY DISTRICT EMPLOYEES HANDBOOK  
APPROVED ON JUNE 9, 2019

**As per CA IWC Wage Order, Section 5B: If an employee is required to report for work a second time on any one workday and is furnished less than two (2) hours of work on the second reporting, said employee shall be paid for two (2) hours at the employee's regular rate of pay, which shall not be less than the minimum wage.**

MCD employment practices follow all legal requirements.

To clarify this legal requirement to MCD employees, the following motion was made and approved at the Regular Board meeting of the Murphys Cemetery District held on June 19, 2019 and will be included as an Addendum in the MCD Employee Handbook:

*Trustee Kristi Darby moved that any MCD employee called back after hours on any work day will be paid for a minimum of 2 hours at regular pay, no matter how short the time they work. If they are called to work on a paid holiday they will be paid one and a half times their regular hourly pay and will be paid that rate for a minimum of 2 hours.*  
*Trustee Patti Cripe seconded the motion and it passed 5/0.*

## **Confirmation of Receipt**

### **Confirmation of Receipt Acknowledgement Form**

I hereby acknowledge that I have received a copy of the MCD EMPLOYEE HANDBOOK dated June 9, 2019. I understand that I am to promptly read and familiarize myself with its contents, then sign, date and return this page to my supervisor within one (1) week of receipt. I understand that if I have any questions about the Handbook or its contents, I am to discuss them with my supervisor or the MCD Board Chair. I acknowledge that I am expected to adhere to MCD's policies documented in this Handbook.

I recognize that this Handbook supersedes and replaces any previous handbooks, and to the extent that provisions of this Handbook conflict with previously issued policies or practices, whether or not such policies and practices were contained in an employee handbook, this Handbook shall prevail. I agree that changes in the policies set out in the Handbook are not valid unless made and approved, in writing, by the MCD Board. I understand that, except for employment at-will status, any and all policies or practices can be changed at any time by the MCD. Murphys Cemetery District reserves the right to change my hours, wages, and working conditions at any time.

Finally, I agree that my employment with MCD is at-will, as set forth in this Handbook, and that this agreement on at-will employment status is the sole and entire agreement between me and MCD regarding the term of my employment and the termination thereof; and, I further agree that this agreement on at-will employment status cannot be changed in any way

## Murphys Cemetery District Employee Handbook

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whatsoever, except in a writing which has been approved by the MCD Board and signed by the MCD Board Chair

I understand and agree that nothing in the employee handbook creates or is intended to create a promise or representation of continued employment at Murphys Cemetery District. I acknowledge that all decisions by the Murphys Cemetery District as to interpretation or application of these policies shall be binding upon me. Murphys Cemetery District applies all its policies in accordance with appropriate state and federal laws.

Robert Yeadon

\_\_\_\_\_  
Employee's Name (print)

\_\_\_\_\_  
Employee Signature

Date: \_\_\_\_\_