

EMPLOYEE HANDBOOK



COACHELLA VALLEY PUBLIC CEMETERY DISTRICT

82925 Avenue 52  
Coachella, CA 92236

COACHELLA VALLEY PUBLIC CEMETERY DISTRICT

At Will Employment

Employment with Coachella Valley Public Cemetery District is terminable at will; that is, employment is terminable at any time for any reason with or without cause, and with or without advance notice, by either the employee or Coachella Valley Public Cemetery District.

Inherent in the at-will employment relationship is the power of the District to demote, reduce rates of pay, and/or discipline employees as well, with or without cause, and with or without advance notice.

Only the Board of Trustees of Coachella Valley Public Cemetery District, by affirmative action taken by a majority vote, has the authority to make any agreement contrary to this at will relationship.

I understand and acknowledge that my employment with Coachella Valley Public Cemetery District is at-will, and that only an affirmative vote by the Board of Trustees can change my at will employment status. I also acknowledge that I have received a copy of this Employee Handbook.

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

Signature: \_\_\_\_\_

Print: \_\_\_\_\_

*(this page to be signed and recorded in employee file)*

DEAR EMPLOYEE:

WELCOME TO COACHELLA VALLEY PUBLIC CEMETERY DISTRICT!

We at the Coachella Valley Public Cemetery District have been in the business of giving families who experienced the loss of a loved one peace of mind since 1927. The excellence of our service to those families depends upon the excellence of your performance. You are a valuable part of our team.

Coachella Valley Public Cemetery District does not enter into employment contracts with its employees. We believe that only when both parties, the District and the employee, are satisfied, should the employment relationship continue. You are free to terminate your employment with Coachella Valley Public Cemetery District at any time, with or without reason or notice, and Coachella Valley Public Cemetery District has the right to terminate your employment at any time, with or without reason or notice. Although Coachella Valley Public Cemetery District may choose to terminate employment for cause, cause is not required. This is called "at-will" employment. Only the Board of Trustees of Coachella Valley Public Cemetery District, by affirmative action, has the authority to make any agreement contrary to this at-will employment relationship.

Because the nature of our business and our relationship with other governmental agencies is constantly changing, we expressly reserve the right to change any of our policies, including those covered here, at any time. We will notify you of these changes by internal posting, or by other appropriate means. Changes will be effective on the dates determined by the District, and you may not rely on policies that have been superseded. If you are uncertain about any policy or procedure, please check with your District Manager.

This handbook replaces all earlier Coachella Valley Public Cemetery District handbooks and policies and takes precedence over all memoranda and oral descriptions of the terms and conditions of employment. To avoid confusion, please discard any old manuals and handbooks you may have.

Please carefully read and know the contents of this handbook. We thank you for being a part of the team and look forward to collectively providing excellent service to our community.

Sincerely,

Board of Trustees



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## **1. GENERAL INFORMATION**

### **1.1 PURPOSE**

The purpose of our personnel policies as set forth in this Employee Handbook is to establish and maintain uniform compliance with employment laws and provide clear and concise standards and terms of conditions of employment with Coachella Valley Public Cemetery District (the "District").

Employees are expected to observe all the rules and terms of this manual. It is the policy of the District to encourage employee participation in all matters that affect their work. Employees are also encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. However, it is the District's sole right to implement policies that it sees as appropriate.

### **1.2 APPLICATION OF PERSONNEL POLICIES**

These policies and procedures apply to all employees of the District. Each employee affected by this manual is responsible for knowledge of and compliance with all provisions contained herein. Violations of these policies and procedures will be addressed on a case-by-case basis, depending on individual circumstance, and may subject an employee to discipline up to and including termination.

### **1.3 EQUAL EMPLOYMENT OPPORTUNITY**

The District is an Equal Opportunity Employer that does not discriminate on the basis of race (including but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, religious creed (including religious dress and religious grooming practices), national origin, ancestry, citizenship status, age (40 years and older), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity and expression (including transgender identity and expression), because an individual has transitioned (to live as the gender with which they identify), is transitioning (or is perceived to be transitioning), sexual orientation, sex stereotyping, marital status, domestic partner status, military service and veteran status, physical and/or mental disability (including HIV and AIDS), legally protected medical condition or information (including genetic information,) protected medical leaves (requesting or approved), status as a victim of status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, or any other basis protected by local, state or federal laws.

In addition, the District's Equal Employment Opportunity policy prohibits disrespectful or unprofessional behavior based on any of the above characteristics, or on any other basis protected by federal, state, or local law or ordinance.

The District encourages all employees to report any discrimination or unequal treatment and does not retaliate for such reporting.

It is the responsibility of all employees to abide by and carry out the spirit and intent of Coachella Valley Public Cemetery District's equal employment commitment.

### **1.4 ENTIRE AGREEMENT**

This Employee Handbook contains the employment policies and practices of the District. in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements, or

memoranda are superseded. This handbook is also intended to be in conformity with all applicable employment and wage-related laws and should be interpreted as such. The District 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. Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures.

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.

## 1.5 POLICY CHANGES

This Employee Handbook contains information about the employment policies and practices of the District. We expect each employee to read this Handbook carefully as it is a valuable reference for understanding your job and the District. During your initial orientation, you will be given an opportunity to sit down and carefully review this Handbook. You are expected to read the Handbook carefully, and to know and understand its contents. This Employee Handbook supersedes all previously issued Employee Handbooks and inconsistent verbal or written policy statements. Except for the policy of at-will employment, which can only be changed by the Owner of the District in writing, the District reserves the right to revise, delete, and add to the provisions of this Employee Handbook. All such revisions, deletions, or additions must be in writing and must be signed by the Owner of the District. No oral statements or representations can change the provisions of this Handbook.

## 1.6 REASONABLE ACCOMMODATIONS

To carry out the District's commitment to providing equal opportunity for all applicants and employees, the District will provide reasonable accommodations, including as required under applicable laws, in accordance with this policy.

**Reasonable Accommodations Related to Disability and Religion:** The District will provide reasonable accommodations for applicants and employees with disabilities in accordance with the Americans with Disabilities Act (the "ADA") and California law, and for applicants and employees based on their sincerely held religious beliefs, practices, or observance under state and federal law. Employees seeking such accommodations should promptly notify the District's Human Resources Representative.

**Reasonable Accommodations Relating to Pregnancy:** The District will provide reasonable accommodations to employees who are affected by a pregnancy, childbirth, or related medical conditions, as medically advisable. Such accommodations may consist of:

- Modified work duties or a modified schedule to permit earlier or later hours or more frequent breaks; stools, chairs or other furniture; modified or acquired equipment or devices; reduced work hours; or other accommodations,
- Temporary transfers to a less strenuous or less hazardous position, if such transfer can be reasonably accommodated, or
- A "Pregnancy-Related Disability Leave" if the employee is disabled by pregnancy, as described in the District's leave of absence policy.

Employees seeking a pregnancy-related accommodation, including transfer under this policy, should notify the District's Human Resources Representative. This notice must be timely and be provided by

employees in advance when the need for reasonable accommodation is foreseeable; in all other circumstances, notice must be provided as soon as practicable. Failure to give advance notice when the need is foreseeable may delay the reasonable accommodation or transfer until 30 days after the date the employee provides notice (unless such delay would endanger the health of the employee, her pregnancy or her coworkers).

**Reasonable Accommodations for Victims of Domestic Violence, Stalking, or Sexual Assault:** The District will also provide reasonable accommodations for an employee who is the victim of domestic violence, stalking or sexual assault if: (i) the employee has disclosed that status to the District, and (ii) the employee requests an accommodation for the employee's safety while at work.

In such circumstances, the District will engage, in good faith, in a timely and interactive process with the employee to determine an effective reasonable accommodation. In this process, the employee may be asked to provide: (i) a written statement, signed by the employee or someone acting on the employee's behalf, certifying that the accommodation is for the purposes stated above, and (ii) a certification confirming the employee's status as a victim of domestic violence, sexual assault or stalking. Six months after the date of each previous certification, the District may request a recertification of such status. The District will maintain any such certification as confidential if it identifies the employee as a victim of domestic violence, sexual assault or stalking, disclosing such information only as required by law, or as needed to protect the employee's workplace safety, and with prior notice of such disclosure to the employee.

**Retaliation and Discrimination Prohibited:** The District prohibits discrimination, discharge, retaliation, or any other unlawful acts against an individual because such person requests or receives an accommodation under this (or another applicable) policy, or because such individual engaged in any other conduct protected by the law. Additionally, as addressed in the District's separate policy on harassment, discrimination and retaliation, the District prohibits unlawful harassment, discrimination or retaliation against any employee on the basis of an individual's disability, religion, religious creed, sex (including pregnancy, childbirth and related medical conditions), status as a victim of domestic violence, sexual assault or stalking, or any other status as protected by law.

## 1.7 LACTATION POLICY

The District provides accommodations to lactating employees who need to express breastmilk during work hours in accordance with applicable law. The District will provide a room or other location (not a bathroom) for employees to express breastmilk in private. The District will ensure that the lactation room or location will:

- Be in close proximity to the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk;
- Be clean, safe and free of hazardous materials;
- Contain a surface to place a breast pump and other personal items;
- Contain a place to sit; and
- Have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery powered breast pump.

In addition, the District will provide access to a sink with running water and a refrigerator suitable for storing milk (or other cooling device suitable for storing milk) in close proximity to an employee's workspace. In the event that more than one employee needs use of the lactation room, the District will



discuss alternative options with the employees to determine what arrangement addresses their needs, such as finding an alternative space or creating a schedule for such use.

The District shall also provide a reasonable amount of break time for an employee to express any breast milk each time that she needs to do so. The break time, if possible, should run concurrently with any break time already provided to the employee. Break time for a nonexempt employee that does not run concurrently with rest time already authorized for the employee is unpaid. However, if the employee performs any work during such break, she must accurately record all time worked and the District will compensate her for such time.

Employees who are nursing have a right to request a lactation accommodation. Such requests may be made verbally or in writing, should indicate the need for an accommodation in order to express breastmilk at work, and should be directed to the District's Human Resources Department. The District shall respond to such requests in a reasonable manner, not exceeding five business days. If the District cannot provide break time, location, or other reasonable accommodations in accordance with this policy, it will inform the requesting employee in writing. Because lactation accommodation needs may change over time, employees may request changes to existing accommodations by a written request to the District's Human Resources Department that describes the nature of the change that is requested.

The District prohibits any form of retaliation or discrimination against an employee for exercising or attempting to exercise any rights provided under the above policies. Any such conduct or violations of the above-referenced policies should be reported to the Human Resources Department. Employees also have the right to file a complaint with the California Labor Commissioner for violation of a lactation accommodation right described in the policy above.

## 2. HARASSMENT

### 2.1 UNLAWFUL HARASSMENT

The District is committed to providing a professional workplace in which individuals are treated with respect and in a manner consistent with the District's high expectations of ethical conduct. This necessarily means that the District prohibits unlawful harassment, discrimination, and retaliation in accordance with applicable laws. This includes harassment based on sex (which includes harassment based on sex, pregnancy, perceived pregnancy, childbirth, breastfeeding, and related medical conditions), as well as harassment, discrimination, and retaliation based on such factors as race (including hair texture, protective hairstyles, and other traits historically associated with race), color, religion and religious creed (including religious dress and religious grooming practices), national origin, ancestry, citizenship, age (40 years and older), mental disability and physical disability (including HIV and AIDS), legally-protected medical condition or information (including genetic information), protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), military and/or veteran status, service, or obligation, reserve status, national guard status, marital status, domestic partner status, gender, gender identity (including transgender identity), gender expression (including transgender expression), because an individual has transitioned or is (or is perceived to be) transitioning, sex stereotyping, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages or otherwise exercising rights protected under the National Labor Relations Act or California Fair Pay Act, requesting a reasonable accommodation on a protected basis such as disability or sincerely-held religious belief, practice, or observance, or any other characteristic protected by federal, state, or local laws.

The District strongly disapproves of and will not tolerate harassment, discrimination, or retaliation against applicants, employees, unpaid interns, or volunteers by managers, supervisors, co-workers or third parties with whom employees come into contact, consistent with applicable law. Similarly, the District will not tolerate harassment, discrimination, or retaliation by its employees directed toward non-employees with whom the District employees have a business, service, or professional relationship (such as independent contractors, vendors, clients, volunteers, or interns).

Harassment is generally defined as verbal, physical, or visual conduct that creates an intimidating, offensive, or hostile working environment, or that interferes with an employee's work performance, and that is based on a protected status. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

As the definition above shows, harassing conduct can take many forms and may include, but is not limited to, the following (when based upon an employee's protected status as noted above): slurs, jokes, statements, gestures, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, drawings, or cartoons, violating someone's "personal space," foul or obscene language, leering, stalking, staring, noises, unwanted or offensive letters or poems, offensive emails, texts, gifs, memes, or voicemail messages.

Sexually harassing conduct in particular may include all of these prohibited actions, as well as other unwelcome conduct, such as requests for sexual favors, conversation containing sexual comments, and other unwelcome sexual advances. For example, sexual harassment can be:

- Verbal: sexual innuendoes, sexually suggestive or degrading comments, text messages, gifs, memes, sexual jokes or slurs, graphic commentaries about a person's body, or repeated sexual advances or invitations.
- Nonverbal: displaying sexually suggestive objects, pictures, cartoons, magazines, calendars or posters, or making suggestive or insulting sounds, leering, whistling, or obscene gestures.
- Physical: offensive touching, brushing against a person's body, unwanted hugging or kissing, or impeding or blocking a person's normal movement. Sexually harassing conduct may arise if a reasonable person subjected to the conduct would find that the harassment so altered working conditions as to make it more difficult to do that person's job. Sexually harassing conduct can occur regardless of the sex, sexual orientation, or gender identity of the harasser or of the person being harassed. Sexually harassing conduct need not be motivated by sexual desire to be violative of this policy.

All employees, independent contractors, interns, and volunteers of the District must promptly report any incidents of harassment, discrimination, and retaliation so that the District can take appropriate action. It is the responsibility of all of us to contribute to a work environment that is free of unlawful bias, discrimination, harassment, and retaliation. Failure to bring forth a complaint prevents the District from having the opportunity to correct the situation.

Any incidents of discrimination, harassment, or retaliation, including work-related harassment by any District personnel or any other person, or any conduct believed to violate this policy, must be reported immediately to the District's Human Resources Department, who is responsible for investigating harassment complaints. An individual is not required to bring a complaint to the Human Resources Department if the individual is uncomfortable doing so for any reason. In that case, complaints should be reported to the General Manager.

Managers and supervisors have a special responsibility under this policy. All levels of management and all supervisors are responsible for compliance with this Policy Against Harassment, Discrimination, and Retaliation and for ensuring that everyone in their department is aware of, understands and adheres to this policy. Supervisors and managers who receive complaints or who observe or learn of discriminatory, harassing, or retaliatory conduct must immediately inform the Human Resources Department or other appropriate District official so that an investigation may be initiated.

Individuals making such complaints must report the facts as accurately and as completely as possible. Every reported complaint of harassment, discrimination, and retaliation is taken seriously by the District. Every reported complaint, including allegations of misconduct, will be investigated thoroughly and promptly by impartial and qualified personnel. Typically, the investigation will include the following steps: an interview of the employee who lodged the complaint to obtain complete details regarding the alleged harassment, discrimination, or retaliation; interviews of anyone who is alleged to have engaged in such conduct to respond to the claims; and interview of any employees who may have witnessed, or who may have knowledge of, the alleged conduct. The Human Resources Director or other District official responsible for the investigation, will notify the employee who lodged the complaint of progress during the investigation, including documentation where applicable, and timely notification of the results of the investigation. The investigation will be handled in as confidential a manner as possible consistent with a fair, timely, and thorough investigation (e.g., parties will receive appropriate due process, the District will reach reasonable conclusions based on the evidence collected, etc.). Employees (or other complainants) making complaints are expected to cooperate fully with the person or persons designated to investigate the complaint.

The District prohibits conduct severe enough to be unlawful. Yet even more, the District's workplace conduct standards also prohibit conduct and comments which are not severe enough to violate state or local or federal law—but which are still inappropriate in the workplace. For example, the District

prohibits abusive conduct in the workplace—whether or not it is based on a protected category. As a result, the District will take prompt, appropriate, and effective corrective action (e.g., remedial measures) any time it is established that discrimination, harassment, or retaliation in violation of this policy has occurred—whether or not such violation also violates the law.

Corrective action may include, for example: training, referral to counseling, or disciplinary action ranging from a verbal or written warning to termination of employment, depending on the circumstances.

The District will not tolerate retaliation against an individual for good faith reports of harassment, discrimination, or retaliation; assisting another in making a report; cooperating in an investigation; filing an administrative complaint with a government agency; or engaging in other protected activity. Such retaliation is a separate violation of the law and of District policy and is subject to disciplinary action up to employment termination. Individuals who believe they have experienced or been threatened with such retaliation, and any manager or supervisor who learns of possible retaliation, must immediately report it using the same Complaint Reporting Process above.

## 2.2 REASONABLE ACCOMODATION OF DISABILITIES/INTERACTIVE PROCESS

To comply with the laws ensuring equal employment opportunities to qualified individuals with a disability, the District will make reasonable accommodations for the known physical or mental limitations of applicants who are otherwise qualified to perform all the essential functions of their position unless undue hardship would result. Any applicant or employee who requires an accommodation to perform the essential functions of the job should contact management and request such accommodation. To determine if a reasonable accommodation is available, the District will engage the disabled employee or applicant in an interactive process.

### **3. SELECTION AND ORIENTATION**

#### **3.1 EMPLOYMENT APPLICATIONS**

Coachella Valley Public Cemetery District relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or omissions in any of this information or data may result in Coachella Valley Public Cemetery District's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment. Every employee should have a complete application in his or her personnel file.

#### **3.2 EMPLOYEE SELECTION TESTING**

The techniques used in the selection of new employees, or employees for promotion will be impartial. They will relate to the job content in a way that fairly and accurately measures the applicant's ability to perform the duties of the position under consideration. Applicants may be required to undergo testing to determine their abilities and aptitudes. Tests may include but are not limited to, performance and achievement, aptitude, personal interviews, work samples, medical or other examinations, or any combination of these or other requirements of the job.

#### **3.3 MEDICAL EXAMINATIONS**

It is the policy of Coachella Valley Public Cemetery District to employ persons who have physical health consistent with the bona fide requirements of the position to be filled, and to assure that all employees have a standard of health that will contribute to safe, healthy, and efficient performance of work. It is also Coachella Valley Public Cemetery District's policy not to discriminate against applicants because of physical or mental disabilities, or medical conditions whenever such can be reasonably accommodated.

Therefore, it is the policy of Coachella Valley Public Cemetery District to require a physical examination only if, in the sole discretion of Coachella Valley Public Cemetery District, the position calls for special physical requirements. Periodic examinations may further be required to assess continuing ability to fulfill physical requirements of his or her position, again at the sole discretion of Coachella Valley Public Cemetery District.

Job applicants who fail to appear for an arranged medical examination without good cause will be disqualified from further employment consideration.

#### **3.4 VERIFICATION OF LAWFUL WORK STATUS**

Coachella Valley Public Cemetery District is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form 1-9, and prior to commencement of employment, present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an 1-9 with Coachella Valley Public Cemetery District within the past three

years, or if their previous 1-9 is no longer retained or valid. In the case of expiration of eligibility, an employee must immediately inform their supervisor in writing.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the District Manager.

### 3.5 EMPLOYMENT OF DISTRICT EMPLOYEES OR BOARD MEMBER RELATIVES

The District does not prohibit all personal relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, certain relationships are restricted due to their creation of actual or perceived conflicts of interest, disruption in the workplace, negative or unprofessional work environment, or cause concerns regarding supervision, safety, security or morale. Further, whenever these relationships present themselves, the District reserves the right to take whatever action it deems appropriate according to the circumstances up to and including but not limited to transfer, reassignment, shift change, or termination.

Toward these ends, the following reasonable restrictions apply:

- Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal relationship.
- If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
- Employees are prohibited from participating in, contributing to or recommending employment, promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal relationship.
- Family members of the board of trustees, the General Manager and Assistant General Manager are prohibited from being employed by the District or from being a District vendor.
- Supervisors, managers, and employees assigned to train or supervise new or probationary employees are prohibited from entering into or maintaining personal relationships with any employee they are assigned to supervise and/or train until such time as the training has been successfully completed and the employee is off probation.
- The District reserves the right to take whatever action the District deems necessary (e.g. transfer, reassignment, shift change, or termination) to address the conflicting relationships restricted by this policy.

Definitions for the purpose of this policy:

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that an employee's action, inaction or decisions are or may be influenced by the employee's personal relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, promotion, advancement, or other terms and conditions of employment, by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship. It also includes personal business relationships outside of District employment.

Public official - A board trustee, supervisor, manager, or employee vested with authority by law, rule, job description, or regulation or to whom authority has been formally or informally delegated.

Relative - An employee's a spouse, domestic partner, child, sibling, parent, grandparent, grandchild, aunt, uncle, cousin, niece, or nephew. Relations may be by blood, marriage, adoption, or domestic partnership, including in-law, step-, and half-relationships.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, duties, assignments, decisions, evaluation and/or performance of a subordinate employee.

#### Employee Responsibility

Prior to entering into any personal relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninformed, next highest level of supervisor.

#### Supervisor Responsibility

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall promptly notify their Department Head and Human Resources Administrator through their chain-of-command.

#### Board Action

Any revisions to this Anti-Nepotism Policy will require a vote of four out of five members of the District's board of trustee members to take action.

### 3.6 EMPLOYMENT STATUS CATEGORIES

It is the policy of Coachella Valley Public Cemetery District to categorize employees to distinguish benefits and conditions of employment. Coachella Valley Public Cemetery District has five employment status categories which are as follows:

- Probationary Employees - Employees who are within their first ninety (90) days of employment.
- Full-time Employees: Employees holding jobs of limited duration, and whose regularly scheduled work hours are 30 or more hours per week.
- Part-time Employees: Employees whose regularly scheduled work hours are less than 30 hours per week.
- Temporary Employees: Employees holding jobs of limited or specific duration. Temporary employees may work either full or part-time work schedules.

### 3.7 PROBATIONARY PERIOD

All employees who are newly hired will be "Probationary Employees" and on probation for the first one hundred eighty (180) days of their employment. Probationary Employees may be terminated for any or no reason and are not entitled to any other procedures or protections provided to other employees herein. Prior to the completion of the 180-day probationary period, the employee shall be given a performance evaluation

by his or her supervisor which evaluates the employee's performance, ability, compatibility, attendance and any other factors deemed relevant to the decision of whether to retain or terminate the employee.

All employees who change jobs within the District, or who are promoted into a new position will be reviewed for training and performance progress after 180 days in the new position.

During this time, the supervisor and employee will have an opportunity to evaluate the employee's ability, compatibility, and interest in the job.

The reviews under this section will be informal (as compared to formal annual reviews), although the reviews will be documented in the employees personnel file and will not merit a wage increase. Remember, the at-will employment relationship is in force throughout the duration of the probationary and training period, as it is during times of employment.

### 3.8 EMPLOYEE INFORMATION

All employees must provide Coachella Valley Public Cemetery District with the following information and remain responsible for keeping the information current:

1. Home address and phone number.
2. Social Security number and W-4 withholding information.
3. IRS Form I-9, Verification of Employment Eligibility, and acceptable documents for verification, i.e. current driver's license, original Social Security card, birth certificate, military identification, etc.
4. Name, address, and phone number of person(s) to be reached in case of emergency.
5. For health insurance purposes, the employee's age, and number and age of dependents.
6. Any change in marital status when the change will affect W-4 withholding and/or insurance coverage and eligibility.

### 3.9 EMPLOYEE CONFIDENTIALITY

The Coachella Valley Public Cemetery District collects only such personal employee information as is necessary to meet all regulatory requirements and to ensure the District's benefits are made available to each employee. All employee information collected or maintained by the District is maintained on a confidential need-to-know basis. The District strictly complies with the Health Information Portability and Accountability Act of 1996 ("HIPAA") in its maintenance and use of any such personal identifying information.

However, all employees are reminded that, as public employees, certain information such as rates of pay, salary increases or adjustments, benefits provided, and so forth are public information.

### 3.10 SECURITY AND CONFIDENTIALITY

Each employee must understand it is Coachella Valley Public Cemetery District's policy to maintain strict control over entrance to the premises, access to records, computer information, and items of monetary value. It is contrary to the policy of Coachella Valley Public Cemetery District for an employee to discuss, reveal, or to refer to possession of such information, either during or after the employment



relationship, other than as necessary to accomplish the duties assigned to the employee. This includes all information about Coachella Valley Public Cemetery District's families, creditors and other employees.

No employee will reveal such information to anyone, including friends, relatives, or the subject of the information, either voluntarily or by request other than those employees specifically authorized to make such disclosures and then only as prescribed by law.

Employees who are assigned keys, given special access, or assigned job responsibilities in connection with safety, security, and confidentiality will be required to use sound judgment and discretion in carrying out their duties. Each employee will be responsible for any wrongdoing or acts of indiscretion.

All computers, desks, drawers, and work areas are the property of Coachella Valley Public Cemetery District and may be reviewed or inspected by management at any time.

#### **4. OPEN DOOR POLICY**

Coachella Valley Public Cemetery District wants to hear from employees who have suggestions or problems they want to discuss. Employees will not in any way prejudice their position by discussing with their supervisor or other management employee anything relative to their employment or work relations with employees at any level.

If any employee feels that he/she cannot discuss an issue directly with his/her supervisor, the District Manager, or other management personnel, he/she may request a private conference with the Chairperson, or in the case of the Chairperson, with any other Trustee, without disclosing the subject matter of the requested conference to the supervisor.

District Key Contacts:

##### **Board of Trustees**

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##### **District Management**

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##### **Human Resource Representatives**

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Mathew McCue (Contract Support)

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Matthew.McCue@CVPCD.org

## **5. WORKING SCHEDULES**

### **5.1 GENERAL HOURS OF WORK**

The standard work week for full-time employees is 40 hours. Hours may vary for part-time and temporary employees, who will not be guaranteed any minimum number of hours per week.

Shifts (days and hours of work weeks) will be determined by the District's General Manager while making sure that all schedules meet legal requirements and maintain the best service. Management reserves the right to change shifts of any and all employees at any time based on the needs of the District. Employees will be given as much advance notice as possible.

Supervisory personnel may also require an employee to work an unscheduled day in place of a scheduled day within the same work week. The unscheduled day worked will be treated as a modified work schedule and will not be subject to overtime compensation.

Supervisors will arrange for break and lunch periods. Breaks are 15-minute rest periods, which are to be taken on the premises at the approximate mid-point of every four hours worked. Rest periods are paid as if the employee had worked. Lunch periods are unpaid and will be either 30 minutes or one hour, depending upon the employee's schedule, and are to begin no later than five hours past the start of an employee's shift. The only exception is for employees who are not scheduled to work over six hours in a day, and only in this instance may an employee choose to waive his/her lunch period.

With prior approval, supervisors may grant employees the opportunity to work flexible work schedules, as long as such a schedule does not diminish service to clients or create an overtime liability that would not have otherwise occurred.

### **5.2 CALLBACK AND EMERGENCY WORK HOURS**

As operational needs of Coachella Valley Public Cemetery District dictate, it may become necessary for employees to be available for work beyond their daily or weekly work schedules, or to return to work after leaving Coachella Valley Public Cemetery District premises. An extension of the workday will be treated as overtime for non-exempt employees.

If an employee is required to return to work or is called in at a time not scheduled, the employee will be paid a minimum of two hours.

### **5.3 OVERTIME**

The California Industrial Welfare Commission Wage Orders ("Orders") and the Fair Labor Standards Act require overtime pay for all employees who do not meet the specifications for exemption under the Fair Labor Standards Act.

All overtime must be authorized and approved in advance in writing by the employee's supervisor.

Hours worked means time actually spent on the job, exclusive of the unpaid meal period. It does not include hours away from work due to vacation, sickness or holiday, even where these days are compensated. Unpaid sick leave, personal leave or any other time away from work is not considered hours worked. Paid time such as holidays, personal days, vacation, sick leave or any other paid time does not count towards "hours worked" for the purpose of overtime calculation.

Occasionally, it may be necessary to work additional hours in order to meet District needs. In such cases, employees will be given as much notice as possible, but will be required to make themselves available for overtime work.

Non-exempt employees will receive overtime pay as follows:

One and one half times the employee's regular rate of pay for:

- All hours worked beyond 40 straight time hours in a "work week." A "work week" is defined as Monday through the following Sunday.

There are exceptions to these requirements for make-up time and for occasions where an employer approves an employee's request for substitution of workdays.

#### 5.4 ATTENDANCE

Consistent attendance and punctuality are considered essential to Coachella Valley Public Cemetery District's business operations, and therefore a part of each employee's performance standards. Frequent absence, tardiness or irregular attendance lowers overall productivity and continuity of work and often creates a burden on other employees.

Employees are required to report to their work location at their scheduled start time and work until the end of their work period, while observing proper break and lunch period schedules. Being tardy is to arrive at your work location at any time after your appointed time. If you are to begin work at 8:00 a.m., then 8:01 a.m. is tardy. 15 minute breaks are to be no longer or shorter than 15 minutes. This same approach applies to lunch breaks as well.

Tardiness, unexcused or excessive absence, or failure to report as required may result in disciplinary action up to and/or including termination. In the event an employee cannot report to work as scheduled, he/she must personally notify the General Manager or Administration office at least one-half hour prior to the scheduled start time of their shift.

In all cases of an employee's absence or tardiness, the employee shall provide supervisory personnel with a reason for the absence, and if applicable, the probable duration of the absence. If the duration of the absence is unknown, the absent employee will be required to call supervisory personnel daily to report the status of the absence. Failure to give notice when absent, unless impossible, is considered "absent without leave" and may result in disciplinary action up to and/or including termination. Absence without leave of three (3) consecutive days, shall be considered job abandonment and the employee shall be deemed to have resigned his or her employment.

1. Absenteeism will be considered excessive when it reaches six (6) full occurrences, or four (4) full occurrences and four (4) partial occurrences during any 12-month period. An occurrence means one episode for a particular illness regardless of the number of days related to that particular illness. A tardy exceeding 60 minutes or more will be considered a full occurrence for absence. Disabilities and serious illnesses will be taken under consideration. Doctor and dentist appointments will be evaluated independently. Absences that are pre-planned, and approved by your supervisor, do not constitute an "occurrence."

2. Tardiness will be considered excessive when it reaches eight (8) occurrences (60 minutes or less) in any 12-month period, or equivalent for shorter service employees. A tardy must be noted on the employee's timesheet by indicating the actual time the employee started work. Please note in the comment section of your timesheet that you were late. Pay will be docked in 15-minute increments for time not

made up. A tardy may be made up in the same day in which it occurs in order to avoid wage loss, conditions permitting, but only with supervisory approval. Skipping breaks or lunch periods may not make up the tardy time. California law requires that employees take their breaks and lunch periods as scheduled.

3. The employee's supervisor reserves the right to require the employee submit a doctor's verification of any illness. Any absence due to illness which is immediately before or after a District holiday or paid vacation must be supported by a doctor's certificate verifying the illness.

4. Any absence for any reason other than illness must be scheduled and approved in advance by the employee's supervisor.

5. This policy does not create any right to any number of occurrences, and the at-will nature of the employment relationship is not affected by this policy.

The goal is that each employee feels the freedom to be a responsible individual to care for themselves and their families in a way that would not be to the disadvantage of the District.

## 5.5 TIME KEEPING

Nonexempt employees must record their actual time worked for payroll and benefit purposes. Nonexempt employees must record the time work begins and ends, as well as the beginning and ending time of each meal period. Nonexempt employees must also record departure from work for any non-work-related reason.

Altering, falsifying, and tampering time records, or recording time on another employee's time record is prohibited and subject to disciplinary action, up to and including termination of employment. Exempt employees may also be required to record their time worked and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business. It is your responsibility to review and sign your time record to certify the accuracy of all time recorded. Any errors in your timecard must be reported immediately in writing to your manager, who will attempt to correct legitimate errors.

## 5.6 REPORTING TO WORK

The District expects you to report to work on a reliable and punctual basis. Absenteeism, early departures from work, and late arrivals burden your fellow employees and the District. If you cannot avoid being late to work or are unable to work as scheduled, you must call your manager as soon as possible.

Every time you are absent or late, or leave early, you must provide your manager with an honest reason or explanation. You must also inform your manager of the expected duration of any absence. The District will comply with applicable laws relating to time off from work, including paid sick leave, but it is your responsibility to provide sufficient information to enable the District to make a determination. You must notify your manager of any change in your status as soon as possible.

Individuals with disabilities may be granted reasonable accommodation in complying with these policies if undue hardship does not result to the District's operations. However, regular attendance and promptness are considered part of each Employee's essential job functions.

## **6. COMPENSATION AND PAYROLL PRACTICES**

### **6.1 COMPENSATION**

It is Coachella Valley Public Cemetery District's policy to provide salary and other compensatory incentives to its employees in a competitive manner in order to attract and retain the most capable, reliable, and committed employees. To accomplish this, the District has established the following provisions and standards for employee compensation. The types of compensation provided in this manual will be regarded as full payment for employee service rendered to the District, and no employee may accept any other compensation for service performed without approval.

### **6.2 WAGE ADMINISTRATION**

All new employees will be advised at the time of hire as to their starting rate of pay and their exempt or nonexempt classification for the purpose of compensation and overtime eligibility.

Wages are based on an employee's performance, the position requirements, and the financial condition of Coachella Valley Public Cemetery District.

1. Each employee's wages will be reviewed annually. If an employee is promoted, their performance will be reviewed within 90 days. Such reviews do not mean that a wage adjustment will result.
2. Employees are required to keep an accurate daily record of time worked, vacation leave, sick leave, etc. Supervisors will review and verify timesheets at the end of each pay period. A complete record of each employee's time worked will be maintained by the District.
3. Pay periods monthly. Employees are paid prior to the first day of the following month, except if regular paydays occur on a weekend or holiday, employees will be paid on the last regular workday preceding the weekend or holiday.
4. Mandatory deductions, such as state and Federal income tax, will be made automatically and in accordance with applicable legal requirements. However, it will be the sole responsibility of the employee to provide accurate information within legal limits for these deductions. Forms for modification of this information are available from the District Office.

### **6.3 DEMOTIONS**

The salary of any regular employee who is demoted to a position with a lower pay range, for any reason, may have their salary reduced at the sole discretion of the District.

### **6.4 WAGE ATTACHMENTS AND GARNISHMENTS**

By law, Coachella Valley Public Cemetery District is required to honor legal attachments and garnishments of employees' wages or salaries. Whenever an employee's wages or salary is attached, the District is required to withhold the specified amount to satisfy the terms of the attachment. Written notification of attachment or garnishment received by Coachella Valley Public Cemetery District will be given to each affected employee.

## **7. EMPLOYEE PERFORMANCE EVALUATIONS**

Performance evaluations will be conducted at the following intervals: New employees and employees receiving promotions or job transfers after 90 days in the new position and then annually thereafter. Performance evaluations may be initiated by the employee's supervisor at any time in addition to the guidelines above. Employees in all positions shall be evaluated. The method will be a formal, written review, with the exception of the 90-day review, which will be an informal written review.

Performance evaluations shall be conducted using a form provided by the District for this purpose.

Performance evaluations shall include, at a minimum, a discussion of the performance evaluation held privately between the employee and his or her supervisor. In cases where the employee's supervisor is not completely familiar with the employee's job for any reason, a supervisor familiar with his/her work will be consulted.

The objectives of the evaluation are to:

1. Review the employee's performance over the review period, discussing both areas of excellence as well as those needing improvement.
2. Set job performance standards and review the progress on standards set during the prior performance review.
3. Maintain and improve job satisfaction by letting employees know that their supervisor is interested in their personal development.
4. Serve as a systematic guide for supervisors in planning further training and development.
5. Assist in planning personnel reassignment and placements which maximize the employee's capabilities.
6. Summarize performance and interactions since the prior review.
7. Assist in determining and recording special talents, skills and capabilities that might otherwise not be recognized.
8. Provide an opportunity for employees to discuss job concerns and interests with supervision.
9. Set short and long-term goals.
10. Discuss performance areas that require improvement, and what sort or level of improvement is expected.

To the extent an employee's position description no longer accurately reflects that actual duties and responsibilities of the position, use the opportunity of the performance evaluation to update the job description, if necessary.

## **8. BENEFITS**

Coachella Valley Public Cemetery District strives to provide the best, most equitable and cost-effective benefits for its employees. Employees should likewise recognize that the total cost of the benefits in this section supplement each employee's pay and should be viewed as additional compensation. Policies and procedures that govern Coachella Valley Public Cemetery District's benefit program apply to all full-time and part-time employees, whether exempt or nonexempt, unless otherwise stated in a particular benefit plan.

Coachella Valley Public Cemetery District reserves the right to modify any discretionary benefits described herein when it is determined in the District's best interest to do so.

### **8.1 MANDATED BENEFITS**

(The information below is provided only as a general guideline about these mandated benefits. The Coachella Valley Public Cemetery District is not responsible for administration of these programs, nor the benefits the employee receives under these programs. These programs are governed by Federal or state law and are subject to change without notice.)

#### **1. Social Security**

Employees and Coachella Valley Public Cemetery District are required to contribute toward Federal Social Security benefits from the first day of employment. The amount deducted from employee wages is considered a Social Security tax, used together with Coachella Valley Public Cemetery District's contribution, to fund benefits. Both the employees and Coachella Valley Public Cemetery District's contribution rates are established by law and represent a percentage of earnings. The employee's portion is deducted automatically from their pay.

Social Security partially provides four basic benefits; retirement and disability income, retirement healthcare, and death benefits. Eligibility and entitlement vary depending on individual circumstances. Booklets explaining the details are available at the local Social Security office.

#### **2. Workers' Compensation:**

Coachella Valley Public Cemetery District pays the entire amount of the workers' compensation insurance premium that provides benefits to employees who experience injury or illness in connection with employment at Coachella Valley Public Cemetery District. Eligibility automatically begins on the first day of employment.

Benefits and entitlement to those benefits are governed by state law. Benefits available to employees injured on the job consist of the following; replacement income for temporary, permanent partial, or permanent total disability; and medical expenses including doctor visits, treatment, surgery, drugs, and hospitalization. Compensation entitlement begins on the first full day of hospitalization, or after the third day of absence due to the injury if an employee is not hospitalized. Please be aware that worker's compensation benefits and entitlement are subject to change without notice.

The timeliness of payments to injured employees is dependent on Coachella Valley Public Cemetery District's ability to expedite injury reports through their insurance claims representative. When an employee is injured, the employee and supervisor must complete an injury report form at the earliest possible time and submit it to the District Manager. Further details regarding available workers' compensation leave are provided in the Leaves of Absence section below.



### 3. Unemployment Insurance:

Employees may be eligible for unemployment benefits upon termination of service with Coachella Valley Public Cemetery District, depending on state law and circumstances connected with termination. After leaving Coachella Valley Public Cemetery District employment, the terminating employee can file an unemployment claim with the California Economic Development Department. Upon termination, Coachella Valley Public Cemetery District will provide a booklet which explains their rights, benefits, and eligibility process.

### 4. Pregnancy Disability Leave (If More than 5 Employees)

a) Eligibility and Terms of Leave: Female employees are entitled under the California Pregnancy Disability Act to a leave of absence due to disability during the time that they are actually disabled on the account of pregnancy, childbirth, or related medical conditions, up to a maximum period of 88, eight (8) hour days, or 704 hours, or for such other period as may be required by the Americans with Disabilities Act. The period of disability will begin when an individual doctor indicates his patient should cease coming to work due to the nearness of the delivery date. For purposes of this leave, employees are "disabled by pregnancy" if they are unable because of pregnancy to work at all or are unable to perform these functions without undue risk to the employee, successful completion of the employee's pregnancy, or to other persons. Employees may take this leave, as needed, for all disabilities related to pregnancy.

Should complications arise prior to the requested disability leave and an employee is unable to continue working without risk to herself or the baby, the 88-day pregnancy leave will begin on the date the attending physician indicates the employee should not return to work.

Leave may be taken intermittently or on a reduced work schedule when medically advisable, as determined by the health care provider of the employee. If an employee needs intermittent leave or leave on a reduced schedule, Coachella Valley Public Cemetery District may require the employee to transfer, during the period of the intermittent or reduced schedule leave, to an available alternative position for which the employee is qualified which better accommodates the employee's recurring periods of leave. The alternative position shall have equivalent pay and benefits, and the employee shall be placed in the same or equivalent job upon return from leave., except as provided below. The alternative position does not need to have equivalent duties. Transfer to an alternative position may include altering an existing job to accommodate better the employee's need for intermittent leave or a reduced work schedule.

b) Applying for Leave: Employees should give at least 30 days advance notice of their need for a pregnancy-related leave of absence if their need for the leave is foreseeable, and the expected date on which the leave will begin. Employees should submit a request for a leave of absence and must present written certification from their health care provider stating the anticipated delivery date and the estimated duration of the leave, including any period of time before and after delivery that the employee is expected to be disabled, assuming a normal delivery.

Any request for a leave of absence after disability has ended will be treated as a request for personal leave which will run consecutively with pregnancy disability leave.

c) Return to Work: Before returning to work, employees must present a written release from their healthcare provider certifying that they are able to perform safely all of the essential functions of the position, or can do so with reasonable accommodation.

Coachella Valley Public Cemetery District will reinstate each employee to the position held before leave began, unless one of the following conditions exist:

- Employee's job has ceased to exist for legitimate business reasons.

- Employee's job could not be kept open or filled by a temporary employee without substantially undermining Coachella Valley Public Cemetery District's ability to operate safely and efficiently.
- Employee has directly or indirectly indicated her intention not to return.
- Employee is no longer able to perform the essential functions of the job with or without reasonable accommodation.
- Employee is no longer qualified for the job.

If Coachella Valley Public Cemetery District cannot reinstate the employee back to her job, Coachella Valley Public Cemetery District will offer the employee a comparable position provided that:

- A comparable position exists and is available; and
- filling the available position would not substantially undermine Coachella Valley Public Cemetery District's ability to operate safely and efficiently.

d) Integration With Other Benefits: Coachella Valley Public Cemetery District does not pay employees during the period of leave for pregnancy, childbirth, or related medical conditions under this policy. However, employees may elect to use accrued vacation and/or accrued sick leave benefits during the leave. When employees become disabled, they should apply for State disability insurance. The State disability benefits will be integrated so the employee does not receive more than 100 percent of their regular pay.

Coachella Valley Public Cemetery District will maintain the group health benefits of employees during the first four (4) months of any leave taken for disability due to pregnancy, childbirth, or related medical conditions on the same terms and conditions had leave not been taken.

Employees will not accrue vacation or sick leave, nor will employees be paid for holidays during any period of unpaid leave.

## 5. Stat Disability Insurance and Parental Bonding Leave

NOTE: State Disability Insurance, which is funded by employee deductions, is optional for employees of California public agencies, including the Coachella Valley Public Cemetery District. Therefore, payment for any benefits associated with the State Disability Insurance program is contingent upon the employee's participation in the program. Please see the District Manager/or additional details.

In the event of an injury or illness that is not work related, employees may be eligible for income replacement benefits through the California State Disability Insurance ("SDI"). Employees make small contributions through payroll deductions for this benefit, which is administered by the State of California. For purposes of the employee's employment with the District, Disability Leave is considered unpaid leave.

California has recently added a new program that provides time off for parents of newborns or adopted children to bond with the new additions to their families. For purposes of the employee's employment with the District, "Bonding Leave" is unpaid leave. However, all employees make contributions to this State program via payroll deductions, and new parents taking advantage of this "bonding benefit" receive limited payments from the State of California.

a) Eligibility for Leave. Both the State Disability Insurance and the Parental Bonding Leave are administered by the State of California, not Coachella Valley Public Cemetery District. Therefore, application for such leave payments should be made to the employee's local Employment Development

Department (EDD) office. However, all employees taking State Disability Leave and Parental Bonding Leave are requested to give the District at least 30 days' notice of their intent to take such leave, to the extent their illness or injury permits them to do so.

b) Return to Work: Before returning to work, employees must present a written release from their healthcare provider certifying that they are able to perform safely all the essential functions of the position or can do so with reasonable accommodation.

Coachella Valley Public Cemetery District will reinstate each employee to the position held before leave began, unless one of the following conditions exist:

- Employee's job has ceased to exist for legitimate business reasons.
- Employee's job could not be kept open or filled by a temporary employee without substantially undermining Coachella Valley Public Cemetery District's ability to operate safely and efficiently.
- Employee has directly or indirectly indicated her intention not to return.
- Employee is no longer able to perform the essential functions of the job with or without reasonable accommodation.
- Employee is no longer qualified for the job.

If Coachella Valley Public Cemetery District cannot reinstate the employee back to his or her job, Coachella Valley Public Cemetery District will offer the employee a comparable position provided that:

- A comparable position exists and is available; and
- filling the available position would not substantially undenied Coachella Valley Public Cemetery District's ability to operate safely and efficiently.

c) Integration With Other Benefits: Coachella Valley Public Cemetery District does not pay employees during the period of leave for pregnancy, childbirth, or related medical conditions under this policy. However, employees may elect to use accrued vacation and/or accrued sick leave benefits during the leave. When employees become disabled, they should apply for State disability insurance. The State disability benefits will be integrated so the employee does not receive more than 100 percent of their regular pay.

## 8.2 DISCRETIONARY BENEFITS

NOTE: This is a general outline of benefits provided. For more specific information, please refer to the summary plan descriptions, which may be obtained from the District Manager. These benefits apply only to eligible employees, as the plan defines the term.

All insurance benefits will be made available to regular full-time employees only. Part-time and/or temporary employees are not eligible for coverage. Benefits will become effective on the first day of the month following 90 days of continuous employment. A portion of the cost of employee, and if elected dependents of the employee, insurance coverage is paid by Coachella Valley Public Cemetery District. If an employee elect's coverage that exceeds the District contribution, the employee, through payroll deduction, will pay the difference in premium.

Dependents who are not enrolled when initially eligible, or when the employee was enrolled, may ONLY be enrolled during Coachella Valley Public Cemetery District's annual group enrollment period, unless

dependents become eligible through a legally qualifying event (consult insurance policies for qualifying events), in which case dependents must be added within 30 days of the qualifying event.

#### 1. Medical, Dental, Life, and Other Insurance:

Coachella Valley Public Cemetery District provides comprehensive group insurance plan(s) to qualifying employees. We strongly recommend that members obtain and carefully read the Summary Plan Descriptions for details.

#### 2. Retirement Plan

The Coachella Valley Public Cemetery District provides a retirement plan through CalPERS if an employee meets eligibility requirements. Please refer to the Summary Plan Description for further details.

### 8.3 BENEFITS CONTINUATION (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health and dental insurance coverage under Coachella Valley Public Cemetery District's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee, a reduction in an employee's hours, leave of absence, an employee's divorce or legal separation, or a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Coachella Valley Public Cemetery District's rates plus an administrative fee of two percent. Coachella Valley Public Cemetery District provides each eligible employee with a written notice describing their rights granted under COBRA when the employee becomes eligible for coverage under Coachella Valley Public Cemetery District's health insurance plan. The notice contains important information about the employee's rights and obligations.

Again, employees are encouraged to obtain information about COBRA benefits from the insurer from which you obtain insurance coverage through. You may also contact the District's Human Resource Representative for additional information.

### 8.4 ATTENDANCE AT SEMINARS, OUTSIDE MEETINGS AND TRAVEL

Coachella Valley Public Cemetery District recognizes that its employees are an important resource. Therefore, employees are encouraged to seek training and education to increase job competence and to prepare for possible future advancement.

A written record of all formal job-related training and education is maintained for each employee, whether the training is initiated by Coachella Valley Public Cemetery District or the employee. Each employee is requested to inform their supervisor of outside activities which are undertaken to improve their competence. Memberships in professional associations related to the Coachella Valley Public Cemetery District industry are also encouraged.

It may periodically be necessary or desirable for an employee to participate in activities outside the normal work location, and it is the policy of Coachella Valley Public Cemetery District to reimburse all reasonable expenses. Employees attending these events must have prior approval. All travel arrangements must also be approved. Receipts for expenses incurred must be submitted immediately after the event to the accounting department for reimbursement. If cash advances are necessary, prior approval must be obtained.

If any reimbursement is due to Coachella Valley Public Cemetery District because the amount of the cash advance or per diem exceeds actual expenses, the employee is to reimburse Coachella Valley Public Cemetery District the difference immediately upon return from the event. Reimbursement is available for the following:

1. Personal vehicle travel expenses to and from the event. However, travel expenses are not reimbursable if the distance does not exceed the normal distance an employee travels to and from work. Travel expenses are calculated from the employee's assigned work location.
2. Parking fees and bridge tolls.
3. Reasonable meal expenses.
4. Lodging.
5. Airline tickets or other transportation fares. Taxi/bus fares.

It is the employee's responsibility to clarify any questions regarding reimbursement of expenses prior to incurring the expense.

## 8.5 PAID AND UNPAID LEAVES OF ABSENCE

### 1. Holidays

The following holidays are observed by Coachella Valley Public Cemetery District, and all employees will be given the day off with pay. The number of paid hours will be based on the number of daily hours each employee is normally scheduled to work. If a holiday falls on a Saturday, the day off given will be the Friday before, if it falls on a Sunday the day off given will be the Monday after the holiday.

New Years Day

Martin Luther King, Jr. Day

Abraham Lincoln's Birthday

George Washington's Birthday

Memorial Day

Independence Day

Labor Day

Columbus Day

Veterans Day

Thanksgiving Day

Day After Thanksgiving

Christmas Day

New Year's Eve

## 2. Vacation

Vacation is designed to provide employees with reasonable periods of rest and relaxation. Scheduling of paid vacation time off is based on the needs of the District before anything else. Every attempt will be made to grant the employee's first choice. However, to maintain normal operating efficiency, it may be necessary to approve vacation schedules based on District needs.

An employee's length of employment and number of hours actually worked provides the basis on which vacation is earned. Full-time employees earn vacation from their first day of employment. Vacation hours are accrued based on total hours the employee is entitled to be paid, including work time and authorized paid time off, such as holidays, personal leave days, vacation and sick leave.

Each full-time employee is eligible to accrue vacation. (Part-time, temporary and probationary employees will not accrue or be eligible for paid vacation.) Vacation accrual is based on the length of the employee's service:

Full Months of District Service	Days Accrued Per Year	Hours Accrued Per Month
3-23	5	3.33
24-35	10	6.67
36 - 119	15	10.00
120-above	20	13.33

Employees are encouraged to use available paid vacation for rest, relaxation, and personal pursuits. No employee will be permitted to accrue more than 640 hours of vacation. Once an employee has accrued 640 hours, the employee will stop accruing vacation time until he or she has reduced the unused vacation balance below the 640-hour level.

Once employees enter employment at Coachella Valley Public Cemetery District they begin to earn paid vacation time according to the schedule above. However, no vacation time can be used until the employee's probationary period is completed. After that time, employees can request use of earned vacation time including that accrued during the waiting period.

To utilize earned vacation, employees should request advance approval from their direct supervisor. Requests will be reviewed based on business needs and staffing requirements. The employees of Coachella Valley Public Cemetery District can be denied a vacation request because the needs of the District to conduct business and provide services are a priority.

Holidays falling within the employee's authorized vacation/leave period shall not be charged as vacation time. At no time may an employee take leave in excess of their accumulated balance.

Upon termination of employment, employees will be paid for unused vacation that has been earned through the last day of work.

## 3. Sick Leave

It is Coachella Valley Public Cemetery District's intention to provide a method of furthering the health and general welfare of its employees, while establishing standards to ensure maximum and reasonable job attendance. Therefore, sick leave should not be viewed as a right to be used at an employee's discretion, or as a permissive level of absence. It is a privilege of paid time away from work when such absence is necessary.

Earned: Sick leave will be earned by all regular full-time and part-time employees, beginning on the first calendar day of the pay period following the employee's first day of work, unless the employee's first day of work was the first day of a pay period, in which case employee shall start earning sick leave that day.

Sick Leave will be earned at the rate of one (1) hour for each forty (40) hours worked.

Sick leave will not accrue during any absence from work for any reason other than paid vacation or holidays. Sick leave is not accrued when an employee is absent on sick leave for periods of three (3) days or more.

a) Maximum: No employee shall be permitted to accrue sick leave in excess of 200 hours. Upon reaching an accrual of 200 hours, the employee shall not accrue any further sick leave until the balance has been reduced through the legitimate use of accrued sick leave.

b) Use: Sick leave is authorized when an employee is unable to work due to a disabling injury, illness, or contagious condition, or to attend to critical illness/injury of the employee's child, parent, spouse or domestic partner.

Any period of sick leave of more than three (3) consecutive days must be supported by a certificate from a physician.

Sick leave approval will be based on accrued balances prior to the current pay period for absences during the current pay period. Sick leave may not be used in advance of being earned.

c) Holidays occurring during sick leave: Paid holidays will not reduce sick leave balances. However, any sick leave taken in conjunction with any paid holiday must be supported by a certificate from a physician.

Similarly, any request for sick leave in conjunction with paid vacation must be supported by a certificate from a physician.

d) Reporting Sick Leave: Call 760-398-3221 and/or your Supervisor directly on their District issued cell phone if you need to use a sick day. Every sick leave day must be reported. Please leave a message if there is no answer,

e) Compensation: Compensation paid to the employee during the period of sick leave will be at the regular rate of pay.

f) Termination: Sick leave accrued but not used will NOT be paid upon termination of employment

#### 4. California Family Rights Act

The California Family Rights Act (CFRA) authorizes eligible employees to take up a total of 12 weeks of paid or unpaid job-protected leave during a 12-month period. While on leave, employees keep the same employer-paid health benefits they had while working. Eligible employees can take the leave for one or more of the following reasons:

- The birth of a child (including the child of a domestic partner) or adoption or foster care placement of a child.
- To care for an immediate family member (spouse, domestic partner, child of any age, parent, sibling, grandparent or grandchild) with a serious health condition.
- When the employee is unable to work because of a serious health condition (excluding pregnancy)

- A qualifying military emergency related to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child (of any age), or parent in the United States Armed Forces, as specified in Section 3302.2 of the Unemployment Insurance Code.

Employees must notify the District as soon as they are aware of the need for such leave. For foreseeable leave, the employee must provide 30 calendar days' advance notice. For events not foreseeable 30 days in advance, the employee must give notice as soon as is practicable, and generally must comply with the District's normal call-in or notice procedures. All requests for CFRA Leave should include enough information to make the District aware that the employee needs qualifying leave, and the anticipated timing and duration of the leave, if known. If an employee fails to provide the requisite 30-day advance notice for foreseeable events without a reasonable excuse for the delay, the District reserves the right to delay the start of the leave until at least 30 days after the date on which the employee does provide such notice. Once aware the employee needs leave, the District will inform the employee as to whether the employee is eligible under CFRA for such leave. The District may request documentation evidencing the need for such leave as permitted by law.

Eligible employees who take CFRA Leave should note that they are guaranteed employment in the same or a comparable position upon termination of such leave, subject to any exceptions provided by law.

If the District employs both parents who are entitled to CFRA Leave, both employees are entitled to 12 weeks of leave each.

The District will not discriminate against an employee for exercising CFRA rights or giving information or testimony as to the employee's or another person's CFRA Leave; nor will the District interfere with or limit the exercise or attempted exercise of such rights.

## 5. Bereavement Leave

In the event of a death in the immediate family, an employee may be granted a paid leave of absence not to exceed three (3) days. This is in addition to regular sick leave and vacation time. Certification may be required by District Management. For purposes of this policy an employee's immediate family is defined to include spouse, parents, children, brother, sister, grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law, domestic partner, or any other person who is a legal dependent of the employee.

## 6. Jury Pay

An employee summoned for jury duty will immediately notify the Human Resources Department. The District will provide employees time off to serve, as required by law, on a jury or grand jury if the employee provides reasonable advance notice. The District will also provide employees with time off to appear in court or other judicial proceedings as a witness to comply with a valid subpoena or other court order.

While serving on a jury, he/she will be given a paid leave of absence for a maximum of up to five days. Said paid leave of absence is conditional upon the employee returning to work upon dismissal each day to complete his/her remaining normal workday. It is also conditional upon the employee's conveyance to the District of any compensation received as a juror, not including any travel allowance received.

## 7. Time Off to Vote



The District encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to reach a polling place during their non-working hours, the District will grant up to two hours of paid time off to vote.

Employees must request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule. Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.

## 8. Military Leaves

The District will grant employees a military leave of absence to the extent required by applicable law.

## 9. Military Spouse Leave

Qualified California employees will be given up to 10 days leave during that time in which the employee's spouse or domestic partner is on leave from deployment in a combat zone with the active duty or reserve military or national guard during a period of military conflict. Employees may use accrued vacation time to cover this absence. If the employee has no accrued vacation, the employee must request time off without pay.

Qualifying employees are employees who work an average of 20 hours per week and have a spouse or domestic partner who is serving as (1) a member of the U.S. Armed Forces and who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States or (2) a member of the Armed Forces Reserve Components or the National Guard and has been deployed during a period of military conflict.

Qualifying employees who wish to request this leave must provide the District with a written request for such leave within two business days of receiving official notice that the military spouse or domestic partner will be on leave from deployment. The employee must also provide written documentation to the District certifying that the military member will be on military leave from deployment.

## 10. Leave Related to Domestic Violence, Sexual Assault or Stalking

The District will provide time off to an employee who has been the victim of domestic violence, sexual assault or stalking to seek any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child. This includes time off for court proceedings, services from a domestic violence shelter, program or rape crisis center, counseling, medical attention, and participation in safety planning programs. The District requires reasonable advance notice of the leave when feasible. If time off is taken due to an emergency, the employee must, within 15 days of the absence, provide the District with certification of the need for the leave such as a police report, court order, documentation from a healthcare provider, victims advocate, or counselor.

Employees eligible for paid sick leave benefits under California law may take any such available paid time off, consistent with such law, for the purposes set forth in this policy. For more information, please see the Sick Leave policy. In the event paid sick leave benefits are not available, employees taking leave under this policy may elect to apply accrued and unused vacation to such time.

The District prohibits discrimination, discharge, or retaliation against an employee for taking time off or requesting an accommodation under this policy, or based on the employee's status as a victim of domestic violence, sexual assault, and/or stalking.

#### 11. Crime Victims' Leave

The District will provide time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. The District requires that where feasible, in advance of taking leave, the employee provide it with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the District with a copy of the notice within a reasonable time.

No employee who is absent from work pursuant to this provision will be discharged or otherwise discriminated against in compensation or other terms, conditions or privileges of employment, because of such absence. Such leave is unpaid. Employees taking leave under this policy may elect to apply vacation time to such leave.

#### 12. Leave for Organ and Bone Marrow Donation

The District will grant an employee the following leaves of absence:

- Bone Marrow Donation: A paid leave of absence of up to five business days in any one-year period for the purpose of donating the employee's bone marrow to another person.

- Organ Donation:

- o A paid leave of absence of up to 30 business days in any one-year period for the purpose of the employee donating the employee's organ to another person.

- o An additional unpaid leave of absence, not exceeding 30 business days in a one-year period, for the purpose of the employee donating the employee's organ to another person.

For leaves of absence under this policy that are paid, if an employee has earned and unused sick or vacation time available, the employee is required to first use up to five days of such paid sick or vacation time for a bone marrow donation and up to two weeks of sick or vacation time for organ donation.

In order to receive a leave of absence pursuant to this policy, the employee must provide written verification to the District's Human Resources Department that the employee is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

Any leave taken for the donation of an organ or bone marrow will not constitute a break in service for purposes of the employee's right to salary adjustments, sick leave, vacation, annual leave, or seniority. During any leave taken under this policy, the District will maintain and pay for coverage under any group health plan, for the full duration of this leave.

Leave provided under this policy may be taken in one or more periods. Leave taken under this policy will not run concurrently with any leave taken pursuant to the federal Family and Medical Leave Act or the California Family Rights Act.

Upon expiration of a leave of absence authorized by this policy, the District will restore the employee to the position held by the employee when the leave began or to a position with equivalent seniority status,

employee benefits, pay, and other terms and conditions of employment. The District may decline to restore an employee because of reasons unrelated to the employee's exercise of rights under this policy.

## 8.6 LEAVE TIME CASH OUT POLICY

### 1. Vacation Advance Election to Cash Out

In December of each year, an employee may annually make an irrevocable election to cash out a maximum of forty (40) hours of vacation that will be accrued in the following calendar year provided that the following conditions are satisfied:

- a) The employee's vacation hours remaining after the cash-out is executed will not equal less than forty (40) hours; and
- b) The employee shall have been a full-time employee of the District for no less than 12 consecutive months.

The election shall be made on the form provided by the District for this purpose. The hours selected for cash-out will be paid in the first non-payroll week of January of the following year. Any unused balance will be carried over to the next calendar year subject to the maximum accrual of 640 hours.

### 2. Unforeseeable Emergency Vacation Cash-Out Policy

Coachella Valley Public Cemetery District ("District") recognizes that on occasion employees encounter unforeseeable emergencies that result in financial hardship. In an effort to ease the financial hardship caused by such unforeseeable emergencies, the District has adopted the Coachella Valley Public Cemetery District Unforeseeable Emergency Vacation Cash-Out Policy. This Policy is separate from the District's other policies and programs, including the District's Vacation Advance Election to Cash Out Policy.

#### Process and Requirements

- a) Eligibility for Request. An Employee, who has received two (2) or more emergency vacation cash outs under this Policy in the immediately preceding consecutive twelve (12) month period is ineligible for additional emergency vacation cash-outs. All other Employees may submit a request and seek approval for an emergency vacation cash out, in accordance with all other provisions of this Policy.
- b) Submission of Request. If an Employee experiences an event which he or she believes is an Unforeseeable Emergency, he or she may request a cash-out of his or her vacation time which has been accrued as of the date the request is submitted. All requests must be submitted on the District's Emergency Vacation Cash-Out Policy Request Form ("Form"). Copies of the Form are available, upon request. Any supporting documentation (e.g., bills, receipts, financial documents, etc.) that the Employee would like the District to consider must also be submitted with the Form.
- c) Approval of Request. The Employee's Supervisor and the District's General Manager (or his or her designee) shall review each Form and supporting documentation. Based on all of the facts and circumstances, the Employee's Supervisor and the District's General Manager (or his or her designee) shall determine whether or not an Unforeseeable Emergency exists within ten (10) business days from the date each Form is submitted. The Employee's Supervisor and the District's General Manager (or his or her designee's) decision shall be final and shall be reported to the District's Board of Trustees.

d) Limitation. The amount of vacation time that can be cashed-out, under this Policy, is limited to the amount the District's General Manager determines, in his or her sole discretion, is necessary to resolve the Unforeseeable Emergency, but in no event shall exceed seventy five percent (75%) of the Employee's available vacation hours nor cause the remaining balance of the Employee's vacation hours to drop below eighty (80) hours.

#### Definitions for the Purpose of this Policy

The following words and phrases shall have the following meanings, unless a different meaning is clearly required by the context:

Code. "Code" means the Internal Revenue Code of 1986, as amended, and Regulations issued thereunder.

Employee. "Employee" means any individual employed by the District who earns and accrues vacation time.

Dependent. "Dependent" means an Employee's dependent as defined by Code Section 152, without regard to Code Section 152(b)(1), (b)(2), or (d)(1)(B).

Spouse. "Spouse" means the person to whom the Employee is legally married. The term "Spouse" does not include an individual legally separated from an employee under a decree of legal separation.

Unforeseeable Emergency. "Unforeseeable Emergency" shall mean a financial emergency caused by an extraordinary and unforeseeable event beyond the Employee's control that will result in a severe financial hardship if a cash payment is not made, as determined in accordance with Code Section 409A(a)(2)(B)(ii) and the underlying Treasury Regulations. The following are examples of situations that may constitute an Unforeseeable Emergency:

- An Employee's, Spouse's, or Dependent's medical expenses resulting from an illness or accident.
- An Employee's, Spouse's, or Dependent's funeral expenses.
- The need to rebuild an Employee's home following damage not otherwise covered by insurance.
- Imminent foreclosure or eviction from the Employee's primary residence.

## **9. PERFORMANCE STANDARDS, DUTIES AND RESPONSIBILITIES**

### **9.1 AT-WILL EMPLOYMENT**

Employment at Coachella Valley Public Cemetery District is terminable AT-WILL, that is, terminable at any time for any reason, with or without cause, and with or without advance notice. Each employee has the right to terminate employment at any time for any reason, or for no reason, and likewise, management reserves the right to terminate employment at any time, for any reason or no reason. However, for scheduling purposes, Coachella Valley Public Cemetery District requests that employees choosing to leave employment give as much advance notice as possible. If an employee resigns voluntarily, they are requested, if possible, to give a minimum of two weeks advance notice.

This at-will employment relationship also gives the District the right to reassign the employee to another position, to change the employee's position, including reduction to a lower position, to adjust pay upward or downward, with or without notice.

Only the Board of Trustees of Coachella Valley Public Cemetery District, by affirmative action, has the authority to make any agreement contrary to this at-will employment relationship.

### **9.2 GENERAL RULES OF EMPLOYEE CONDUCT**

Rules for employee conduct are necessary for the benefit and protection of the rights and safety of all employees and District residents and visitors. Each employee is required to fully cooperate in observing these rules, and any breach of the rules will be dealt with through the disciplinary process. It is important that each employee become completely familiar with the District's rules. Violation of any District policy may result in discipline and/or discharge.

To be fair and consistent to all employees, Coachella Valley Public Cemetery District's discipline process consists of progressive steps which include an informal discussion of the issue(s) at hand, a written reminder, a decision-making leave, and then, if necessary, termination of employment.

However, the District reserves the right to depart from this process at any time deemed it necessary and in the best interests of the District in its sole discretion. Under management discretion, other actions may occur such as demotion of the position or pay grade. Depending on the severity of an offense, termination may occur immediately. Examples would include but are not limited to insubordination, theft, violence, etc.

The following rules are established for the benefit of employees and clients alike and must be followed by District employees. The following list is a representative example and does not constitute all rules that may be required of District employees. Breach of these rules or any other rules required by the District, may result in disciplinary action or dismissal.

#### **1. Attendance – Employees:**

- a) are required to report to work promptly on time each day the employee is scheduled to work;
- b) are permitted to use sick leave only as specified in the Benefits section;
- c) may not have excessive absenteeism regardless of reason, and
- d) may not be absent without leave, have unauthorized late arrivals to work, leave early from work, or have repeated late returns from lunches and breaks.

2. Behavior - Employees are encouraged not to:

- a) willfully, or negligently, violate Coachella Valley Public Cemetery District's personnel policies and procedures, operating rules, or related directives;
- b) neglect to carry out a supervisor's directive, except where the employee's safety may be jeopardized, or the request is immoral or illegal;
- c) engage in any activity which creates a conflict of interest or the appearance of a conflict or impropriety;
- d) knowingly falsify work-related records or reports;
- e) be discourteous to any person(s) you come in contact within the performance of your duties, including co-workers;
- f) violate or neglect safety rules;
- g) remove, misappropriate, misuse or abuse Coachella Valley Public Cemetery District's property;
- h) discriminate against, harass or treat any person with disrespect.

3. Performance - Disciplinary action may occur if an employee:

- a) has been documented for substandard performance, or is inefficient, incompetent, negligent in the performance of duties, fails to perform assigned tasks or training, or fails to discharge duties in a reasonable manner;
- b) refuses or is unable to improve job performance in accordance with written or verbal directions;
- c) refuses to accept assignments from an authorized supervisor;
- d) is intoxicated or incapacitated on duty due to drug or alcohol use;
- e) is driving under the influence of alcohol or with drugs in his/her system while on District business, or has a suspended driver's license where job duties require driving;
- f) uses a cell phone while driving any vehicle or operating any equipment;
- g) is negligent or improperly uses Coachella Valley Public Cemetery District property, equipment, or funds, including check kiting or any fraud; or
- h) releases or gives access to confidential information without prior authorization.

4. Employees:

- a) are required to become completely familiar with and to observe the guidelines in the Employee Handbook;
- b) are required to cooperate with each other in the performance of their duties;
- c) who threaten or make intimidating or harassing remarks to fellow employees will not be tolerated, and all incidents should be brought to the attention of a supervisor;

- d) are to work at the highest level of productivity and not delay or hinder other employees in the performance of their duties;
- e) are encouraged to make suggestions regarding improvement of work;
- f) must give a quick and friendly response to requests, during the normal course of duties, and refer any unusual requests that seem inappropriate or beyond the normal scope of their job to a supervisor;
- g) may be required to attend various meetings and training sessions;
- h) may not derive any personal profit or advantage from transactions in which the District is involved because of their position as a Coachella Valley Public Cemetery District employee;
- i) are not allowed to conduct personal affairs on District time without a supervisor's permission. Coachella Valley Public Cemetery District is to be reimbursed for any personal toll calls, even if permission is granted to make the call;
- j) may not receive personal mail or personal, non-emergency telephone calls, at Coachella Valley Public Cemetery District;
- k) are responsible for maintaining neat and businesslike work areas, meeting areas, and keeping the common areas clean;
- l) may not smoke in the building, or discard their cigarette residue in any Coachella Valley Public Cemetery District area;
- m) may not use obscene or abusive language in conjunction with their duties, and must refrain from malicious gossip; incidents should be reported to a supervisor;
- n) may not fight, gamble, participate in inordinate horseplay, or other anti-social behavior at work;
- o) may not use, sell or be under the influence of alcohol while on Coachella Valley Public Cemetery District premises, or while conducting business on Coachella Valley Public Cemetery District's behalf, and may not have drugs in their possession or control, or any measurable amount in their body, while on District business;
- p) may not possess weapons of any kind on any Coachella Valley Public Cemetery District property or facility;
- q) may not use or take District property without permission for equipment or supplies for personal use;
- r) conceal errors or alter District records.

## 5. Tools & Equipment

No employee is permitted to have or use his or her personal vehicle, tools or equipment at work or in performance of his or her duties, without the prior written approval of the District's Board of Trustees. In granting such approval, the District may set such requirements for the use of any personal vehicle, tools or equipment as the District, in its sole discretion, shall deem necessary and appropriate.

## 9.3 COMMUNICATION

## 1. Voice Mail, E-mail, Electronic and Computer Files, and Usage

The Coachella Valley Public Cemetery District maintains voice mail, electronic mail, and text messaging systems to assist in conducting business within the District.

- District computers, telephones, and other electronic devices and the data stored on them are to remain at all times on District property.
- All messages created, sent, or received over the Internet, the intranet, or the District's voice mail, e-mail, or other systems is property of the Coachella Valley Public Cemetery District and should be considered non-private communications, even if the information itself is confidential with respect to third parties outside the District.
- Employees have no right to privacy as to any information or file transmitted or stored through the District's systems.
- Although the voice mail, e-mail, and other systems may be accessed by passwords, that does not mean that the messages are confidential.
- Emails, documents, text messages may also be considered public records.
- Employees must assume that someone other than the intended recipient may read any and all messages.
- The District reserves the right to retrieve and read any message or file.
- Employees should be aware that even when a message is erased or a visit to a website is closed, it is still possible to recreate the message or locate the website, and messages may be retrieved from third-party service providers.
- As such, Internet, e-mail, and other electronic messages are considered public communications.
- All communications, including text and images, may be disclosed by the District to law enforcement or other third parties without prior consent of the sender or receiver.
- Messages should be limited to the conduct of District business.
- Voice mail, e-mail, and text messages should not be used for conducting personal business.
- Messages must not contain anything that may be reasonably considered offensive or disruptive to anyone. Offensive content includes, but is not limited to:
  - sexual or racial comments, jokes, or images; gender-specific comments; or
  - any comment that would offend someone on the basis of his/her/their age, gender, sexual orientation, religion, national origin, disability, or any other classification protected by federal, state, or local law.
  - Any use of voice mail, e-mail, or text messages to harass or discriminate is unlawful and strictly prohibited.

Violators will be subject to discipline, up to and including termination.

- Unauthorized review, duplication, dissemination, removal, damage, or alteration of files, passwords, computer systems or programs, voice mail messages, e-mail messages, text messages, or other District property, or improper use of information obtained by unauthorized means, may be grounds for disciplinary action, up to and including termination.



- In addition, portable media devices, including but not limited to cell phones, smartphones, MP3 players, iPod® devices, and flash drives, must be used in strict compliance with this policy and all other District policies.

- Such devices may not be used for unauthorized download or storage of District data, software, or other information.

Upon termination of the employment relationship, the departing employee's authorized access to District networks, intranets, Internet- and web-based systems, servers, phone systems, and third- party network accounts, such as text or other data, is fully and permanently revoked. Any post- termination access achieved by the employee, whether by deceptive means or because of a delay in deactivating account access or passwords, shall be considered unauthorized trespass, and any information or files downloaded shall be considered theft of District property.

Finally, due to the prevalence of child pornography and other unlawful obscene material on the Internet, employees who use District computers or devices to view or download explicit pornographic materials of any kind will be subject to immediate termination from employment, without the possibility of rehire.

## 2. News Media Contacts

Employees may be approached for interviews or comments by the news media. Only the General Manager or Board Chair, or designates of the Board Chair, may comment to news reporters on District policy or events relevant to the District.

## 3. Software Usage Policy

Employees are prohibited from installing any unauthorized software on District -owned equipment. This policy covers all desktop and laptop computers owned or operated by the District and covers operating systems, third-party software, freeware and shareware applications, and utilities.

You may not install unlicensed software on any device owned by the District.

Due to network security concerns, the following software will not be allowed on any computer unless specifically approved by management:

- Instant messenger programs or social networking utilities
- Stock tickers and streaming radio or television
- Distributed file sharing utilities (such as torrent programs)
- Network sniffing or protocol analysis programs
- Password "cracking/decryption" tools

This list does not contain all of the possible software applications that cannot be installed on District equipment. If you are uncertain about whether a program is permitted, you must contact the General Manager or your supervisor before installation. You must also immediately notify the General Manager or your supervisor of any software programs you find installed on your computer that you know or believe should not be there. Any employee found to have installed prohibited programs or unlicensed software in violation of this policy may be subject to disciplinary action.

#### 4. Use of Personal Phone and Electronic Devices

The Coachella Valley Public Cemetery District recognizes that occasional use of the employee's own computers (including handheld devices) and electronic communications may occur during working. The District allows such occasional personal use as long as the use does not interfere with the employee's work performance, take away from work time or violate any District policy. All other District policies, including the District's zero tolerance policy for discrimination, harassment or retaliation in the workplace apply. The Coachella Valley Public Cemetery District reserves the right to adjust this policy on a case-by-case basis as it deems appropriate.

Employees who are off work for vacation, sick days or on other leave are expected not to work for the District at any time during their leave of absence. Any business calls receive by the employee during non-work time should refer the caller to another District representative.

#### 5. Photos, Video, and Intellectual Property

All work produced by employees within the scope of their job description and utilizing paid District time is the sole possession of the Coachella Valley Public Cemetery District. This is including but not limited to photography, video, work related ideas, descriptive names and logos, and other intellectual property associated with the District. In all cases of work made for hire on behalf of the District, the District is the author for purposes of title, unless the parties have expressly agreed otherwise in writing.

#### 6. Return of District Property

Before or concurrent with a departing employee's final day of work, the employee will return to his or her supervisor, or to the General Manager, all District property, including but not limited to keys and other District equipment in the employee's possession. Any District property not returned may be considered stolen, and appropriate action may be taken.

### 9.4 SOCIAL MEDIA

Intracompany media: The Coachella Valley Public Cemetery District may maintain a Facebook page or other "social media" sites to facilitate community communications. The District's social media are the property of the District and can be seen by the general public. These social media assets are part of the District's image, and the District's business conduct and computer use policies should be followed for all social media communications.

Select District employees are permitted to use the District's social media in connection with their employment and to devote a small portion of their workday posting relevant business information. Anonymous postings are not allowed, and efforts will be made to track all anonymous comments to the author.

Authorized (by General Manager) employees may post project or work-related information, notices of District events, accolades for employees who do especially good work, and discussions of District objectives, goals, and achievements. Such postings will require approval of the General Manager prior to posting live.

The District's equal employment, antiharassment, and antibullying policies apply to all social media communication with equal force as in other forms of verbal or written communications. Posting of discriminatory, harassing, or retaliatory comments will not be tolerated under any circumstances and may

result in immediate termination of employment. District social media platforms are not the place to discuss non-work-related matters, or gossip.

Any employee who violates this social media use policy will be subject to appropriate discipline, up to and including termination.

External media: The District understands that employees may use external (personal) social media, including personal Twitter feeds, blogs, and social networking websites, on their own time. While the District respects its employees' right to engage in these activities, employees are nonetheless expected to conduct themselves professionally in all public communications.

To ensure District employees understand the District's expectations regarding external social media use, the following conduct guidelines have been developed and adopted. Employees are expected to follow these guidelines using their very best personal and professional judgment.

- Employees should understand that violating these guidelines may result in discipline, up to and including termination.
- You should demonstrate respect for the dignity of the District, its management, its customers, its vendors, and its employees. A social media site is a public place, and you should avoid inappropriate comments.
- You are personally responsible for the content you publish on blogs, wikis, or any other forms of user-generated media. Be mindful that what you publish will be public for a long time—protect your privacy, and do not say anything online that you're not willing to be fully accountable for. Understand that you will be held accountable for any publicly viewable statements you make.
- You must identify yourself—name and, when relevant, role at District—when you discuss Coachella Valley Public Cemetery District related matters. Write in the first person. You must make it clear that you are speaking for yourself and not on behalf of the District.
- If you publish content to any website outside of the District's that is related to your work for the District or on subjects associated with the District, use a disclaimer such as this: "The postings on this site are my own and do not necessarily represent the Coachella Valley Public Cemetery District's positions, strategies, or opinions."
- Always respect copyright, fair use, and financial disclosure laws.
- Never publish or disclose the District's or another's confidential or other proprietary information. Examples of confidential and proprietary information include: trade secrets, confidential customer information, and marketing plans. Never publish or report on conversations that are meant to be private or internal to the District.
- Never cite or reference customers, partners, suppliers, or other District business associates without their express written approval. When you do make a reference, link back to the source where possible.
- Always respect your audience. Do not use ethnic slurs, personal insults, or obscenity, and do not engage in any conduct that would not be acceptable in the District's workplace. You should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory, such as politics and religion.
- Be aware of your association with the District in online social networks. Ensure your profile and related content are consistent with how you wish to present yourself to colleagues and members of the community.

- Be the first to correct your own mistakes, do not pick fights, and do not alter previous posts without indicating that you have done so.
- These rules are not intended to prohibit, restrict, or interfere with employees' rights under the National Labor Relations Act, including, but not limited to, discussing working conditions, terms of employment, and wages.

## 9.5 SMOKING

Smoking is permitted only in outside specifically designated areas.

## 9.6 OFF-DUTY CONDUCT AND EMPLOYMENT

Generally, Coachella Valley Public Cemetery District regards the off-duty activities of employees to be their own personal matters. However, certain types of off-duty activities may be of concern. The following off-duty guidelines have been established:

1. Employees may engage in off-duty employment provided that:
  - a) the employment does not create a conflict of interest with their Coachella Valley Public Cemetery District employment;
  - b) the employment does not conflict with the employee's work schedules, duties or responsibilities;
  - c) the employment does not create a detrimental effect on the employee's work performance with Coachella Valley Public Cemetery District;
  - d) the employment does not involve conducting business during the employee's hours of work with Coachella Valley Public Cemetery District.
2. Employees wishing to engage in off-duty employment should submit a written request to the District Manager explaining the pertinent details. If approved by the Manager, a copy of the request and approval will be placed in the employee's personnel file. Any changes in the off-duty employment should also be submitted to the District.
3. If any employee is injured or becomes ill in connection with their off-duty employment they will not be entitled to:
  - a) Workers' compensation benefits provided by Coachella Valley Public Cemetery District;
  - b) Normal contribution by Coachella Valley Public Cemetery District toward healthcare benefit premiums during the period of absence resulting from the injury during the off-duty employment.

## 9.7 VEHICLE USE POLICY

The use of take-home vehicles is an essential component of the district's scope of work, which ensures resources are available in the event of an emergency or critical incident. To facilitate faster response to

legitimate department needs, employees may be allowed to take department vehicles home. These vehicles provide the means to responsibly respond directly to an off-hour's incident.

#### a) Policy

It is the policy of the Coachella Valley Public Cemetery District to authorize vehicles for employees under certain specific conditions where an assignment requires emergency off-hours response outside of normal business operating hours.

The assignment of a take-home vehicle is at the sole discretion of the Board of Trustees and is subject to change without notice. Take-home vehicles may only be supplied to employees who have a need for immediate response and who live within a 30-mile radius from any part of the Coachella Valley Public Cemetery District measured on a straight line from the distance of the employee's residence.

#### b) Procedure

Employees authorized to use take-home vehicles must adhere to the following guidelines.

- Commute between their residence and workplace.
- Conduct legitimate department related business that occurs outside normal work hours, including, but not limited to, attendance at special meetings and district procurement efforts.
- On-call employees should make every effort to be available as needed, including setting district issued phones for audio alert and supplying additional contact information as needed, such as a home phone number.
- Employees are prohibited from driving district vehicles any time their driving ability may be impaired by prescription or non-prescription drugs or alcoholic beverages.
- District employees shall not relinquish control of, nor allow any person to operate department vehicles if that person is not an employee of the District, except in the case of an emergency where the employee becomes unable to drive him/herself.
- District employees should not use department vehicles for personal errands or business, except for minor deviations from official business for personal reasons and within the District's boundaries.
- Willful misuse or negligence while operating a district vehicle is subject to disciplinary action which may include reprimands, suspension or removal from employment.
- All damage to the vehicle must be reported to the district immediately. Wherever possible, a police report of official record of incident should accompany all reports.

#### c) Purpose and Scope

All district owned vehicles are subject to noticed inspection and/or search at any time by a member of management. No employee assigned to operate such a vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

#### d) Vehicle Security

Take-home vehicles shall be subject to the following criteria:

- Off-street parking shall be available at the employee's residence.
- Vehicles shall be locked when not occupied or attended.

#### e) Accessories or Modifications

No modifications, additions or deletions of any equipment or accessories shall be made to department vehicles without the written permission of the General manager.

f) Toll Road Usage

Employees using department vehicles on toll roads shall be responsible for paying all incurred toll road charges. Some exceptions may apply for out-of-town travel where alternative routes would add significant loss of time or additional miles to the route traveled. These instances should be documented and submitted to the General Manager for reimbursement approval, requested reimbursement may not exceed \$50.00 in any single case.

## **10.0 EMPLOYMENT RELATIONS AND PERSONNEL ISSUES**

### **10.1 PERSONNEL FILES**

Employees may inspect records in their personnel file that they have a lawful right to see, and to take notes on any material contained therein. If you wish to inspect your file, please make an appointment with the District or Office Manager. If you wish copies made of any document, a reasonable fee will be charged.

Materials maintained in an employee's personnel file will not be disclosed to anyone outside the District, except upon prior written authorization from the employee, in compliance with a lawfully served subpoena, or other authority upon prior approval of the District.

If an employee feels information in his/her personnel file is incorrect or additions need to be made (i.e. promotion or transfer information), he/she may meet with his/her supervisor to rectify the situation. In the event the employee is dissatisfied with the District's action, he or she may place a written rebuttal or explanation in his or her personnel file.

### **10.2 LAYOFFS**

It is the District's hope that a reduction in workforce never becomes necessary. However, if it is determined that it is warranted because of lack of work, retrenchment, reorganization, or other considerations, the following procedures will apply. Before resorting to an involuntary lay-off, the District may respond in several ways, including reduction of employees' hours or days of work.

If a voluntary approach is not sufficient to meet the District's needs, the District may implement an involuntary reduction in personnel. Employees will be selected for layoff carefully so as to be fair and consistent. All personnel policies, including the District's policy against discrimination will be followed. Employees will generally be laid off in the following order, taking into consideration employees' performance on the job, attendance, and any other factors deemed important by the District:

1. Temporary and on-call employees;
2. employees in training;
3. part-time employees; and
4. full-time employees.

District employees selected for layoff will be given a layoff notice and a minimum of 14 calendar days before the effective date of the layoff. In addition, COBRA benefits will be available for those benefited employees who wish to continue their medical and/or dental benefits.

### **10.3 TERMINATION**

All employment with the Coachella Valley Public Cemetery District is "at will" employment under the laws of California. Accordingly, either the District or the employee may terminate the employment relationship at any time, without or without notice, and for any reason or no reason. Employment may not, of course, be terminated for any reason that is contrary to law.

A termination form is provided for employees to indicate the reason for resignation and to express an opinion of their job, work conditions and supervision.

Employees will be asked to return all Coachella Valley Public Cemetery District property, such as handbooks, keys, security devices, identification badges, etc.

Every effort will be made to conduct an exit interview with the departing employee. The goal of the exit interview is to cover valuable information for the departing employee, i.e. COBRA, 401 k options, conversion and continuation of insurance coverage, etc., as well as to obtain information from the departing employee that may give Coachella Valley Public Cemetery District valuable insight in retaining other employees over time. Information discussed in an exit interview is extremely confidential and will not be discussed with anyone other than management staff for the purpose of continuous improvement.

#### 10.4 GRIEVANCES

Management is aware that in any business organization, work oriented dissatisfaction may arise because an employee may not know, or understand certain policies or decisions, or feels unfairly treated.

Whenever a work-related problem arises, an earnest effort will be made to resolve it. Management is interested in the solution of any job-related problem employees may have. Employees who seek resolution of employment situations by using these procedures are assured that they will not be subject to discrimination or retaliation or be penalized in any way.

Our problem-solving procedure provides employees with the opportunity to have a review of any controversy, dispute or misunderstanding arising out of the course of their employment. Please follow the steps outlined below:

**STEP ONE:** Any employee may submit a problem in writing to the District Manager, within three (3) working days after the problem becomes known to the employee. The Manager will attempt to resolve the employee's problem at this initial meeting. If unable to reach a mutually agreed upon settlement, the Manager will investigate the situation further. Within three (3) working days, the Manager will meet with the employee to give his/her final answer in writing. If the employee is still not satisfied, then the employee may request a step two meeting.

**STEP TWO:** If the employee is not satisfied with the results of step one, he/she may submit the problem to the Chairperson of the Board of Trustees in writing, within three (3) working days after receiving the step one response. The Chairperson will schedule a meeting with the employee and the supervisor as soon as practicable. The employee and/or the District may designate witnesses to appear at the meeting and the District will authorize their attendance. The Chairperson will attempt to resolve the problem at the meeting. If he/she is unable to do so, he/she will provide the employee with a written resolution within three (3) working days.



## **11. EMPLOYEE SAFETY**

### 11.1 SAFETY

Coachella Valley Public Cemetery District is committed to providing a safe and healthful work environment for its employees. Employees will be held responsible at all times to observe and practice the highest possible standards of health and safety in carrying out assigned duties, while on Coachella Valley Public Cemetery District's premises and while representing Coachella Valley Public Cemetery District.

If an employee is injured in connection with employment, regardless of severity of the injury, the employee must immediately notify his or her supervisor, and must not leave the workplace without first notifying someone in the District Office. The supervisor/manager will ensure that appropriate attention is given, and all necessary reports are completed. If the injury or illness is work related, the employee must submit a report within 24 hours. Should an injury prevent an employee from returning to work for more than two days, personnel will notify the employee of their available benefits.

If a visitor or employee is injured or becomes ill, the nearest supervisor or manager should be immediately notified of the incident. Employees should take care to observe any details which may have contributed to the accident, as well as being helpful and polite. In all cases, employees should act promptly and in the best interests of the injured person, including immediately calling emergency services if necessary.

After the ill or injured employee or visitor has been taken care of, the employee must immediately notify the District Office.

First aid kits are located in each office, and all employees are responsible for knowing where they are located and how to use them in case of emergency.

### 11.2 WORKPLACE VIOLENCE PREVENTION POLICY

Coachella Valley Public Cemetery District is committed to preventing workplace violence, and to maintaining a safe work environment. Given the increasing violence in society in general, the District has adopted the following guidelines to deal with intimidation, harassment or any other threats of violence that may occur during business hours or on District premises.

- a) Employees should treat other employees, including supervisors and temporary employees, with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or any other conduct that may be dangerous to others.
- b) Employees must not engage in any conduct that threatens, intimidates, or coerces another employee, a customer or any member of the public at any time. This prohibition includes all acts of harassment, including harassment that is based on an individual's race (including but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, religious creed (including religious dress and religious grooming practices), national origin, ancestry, citizenship status, age (40 years and older), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity and expression (including transgender identity and expression), because an individual has transitioned (to live as the gender with which they identify), is transitioning (or is perceived to be transitioning), sexual orientation, sex stereotyping, marital status, domestic partner status, military service and veteran

status, physical and/or mental disability (including HIV and AIDS), legally protected medical condition or information (including genetic information,) protected medical leaves (requesting or approved), status as a victim of status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, or any other basis protected by local, state or federal laws.

- c) All employees are prohibited from bringing firearms, weapons or other dangerous or hazardous devices or substances onto the District's premises without proper authorization.
- d) Employees should report all threats of violence, both direct and indirect, as soon as possible to their supervisor. This directive includes threats by employees, as well as threats made by members of the public. In making this report, employees should be as specific and as detailed as possible.
- e) Employees should report all suspicious individuals or activities to a supervisor as soon as possible. Employees should take care not to place themselves in peril.
- f) The District will promptly and thoroughly investigate all reports of threats of violence and of suspicious individuals or activities. The District will protect, as much is practicable, the identity of the employee making the report. In order to maintain workplace safety and the integrity of its investigation, the District may suspend employees, either with or without pay, pending investigation.
- g) If the District's investigation determines that an employee is responsible for threats of violence or other conduct that is in violation of these guidelines, the District will take prompt disciplinary action against the individual involved. This disciplinary action may include immediate termination.

The District encourages employees to bring their disputes or differences with other employees to the attention of their supervisor before the situation escalates into potential violence. The District is eager to assist in the resolution of employee disputes and will not discipline any employee for raising any concern in good faith.

### 11.3 CELLULAR PHONE SAFETY POLICY

Employees should NEVER use a hand-held cellular telephone for either voice or text communications while operating a vehicle. Note that California law defines operating a vehicle to include sitting behind the wheel of a vehicle which has its engine running.

No employee shall use a cell phone while operating any lawn care or other equipment under any circumstances. Proper cellular phone use is one part of safe driving.

### 11.4 VIDEO SURVEILLANCE POLICY

The District may, but is not required to, operate a video surveillance system to enhance security in certain areas throughout District property. Cameras may be placed in strategic locations throughout the District to detect and deter crime, to help safeguard against potential threats to District premises and property, and to assist District officials in providing services to the community.

The video surveillance system will not be used to invade the privacy of individuals or to look into areas where a reasonable expectation of privacy exists such as restrooms, changing areas, and locker rooms. All

reasonable efforts will be taken to protect these rights. The video surveillance system shall not be used to harass, intimidate, or discriminate against any individual or group.

Video recordings and images obtained through the video surveillance systems shall not be accessed, used, or disclosed except as outlined in this policy or as otherwise approved by the Board of Trustees ("Board").

Notice of the District's video surveillance system shall be included in each contract, memorandum of understanding, or any other agreement under which persons may be captured on the District's video surveillance system.

The video surveillance system should only monitor areas and activities where no reasonable expectation of privacy exists. The General Manager or the authorized designee shall approve all proposed locations for the use of video surveillance system and should consult with and be guided by General Counsel as necessary in making such determinations. The Board shall be briefed and consulted prior to the procurement and installation of any video surveillance equipment. Final approval shall be obtained by the Board prior to the procurement and installation of such video surveillance equipment.

Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, shall be evaluated when determining placement. The cameras shall only record video images and shall not record sound.

The video surveillance system may be used for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of complaints or criminal activity.
- (c) To respond to critical incidents.
- (d) To assist in identifying, apprehending, and prosecuting offenders.
- (e) To monitor pedestrian and vehicle traffic activity.
- (f) To conduct administrative reviews and investigations.

Video surveillance cameras may be placed throughout District property, including, but not limited to, exterior and interior portions of buildings such as office buildings, the chapel, and shop area.

#### Camera Markings

Areas monitored by the video surveillance system may have signs to inform the public and District employees that the area is under video surveillance. If used, signs should be placed appropriately and without obstruction to ensure visibility.

#### Storage and Retention of Media

Routine recordings actually taken from the video surveillance system should be retained for at least one (1) year. Such video recordings may be destroyed after one year with approval of the Board and written consent from General Counsel in compliance with Government Code section 53160. Recordings of routine video monitoring may be destroyed after 90 days, if another record, such as written minutes of the event that is recorded in the video recording, is kept

This section does not require that the District actually record any video, or require the District to maintain its video surveillance system. This section is intended only to clarify the retention schedule for recordings of routine video monitoring in accordance with law.

Video images are considered electronically stored information ("ESI"). Upon receipt of notice of an incident, accident, or threatened lawsuit in which video surveillance recordings may be needed, or upon a letter instructing the District not to destroy video data (also called a "Litigation Hold Letter") the District will stop the automatic deletion of video surveillance footage if necessary and retain the relevant video data until the litigation has concluded or advised by the District's General Counsel.

#### Release of Recordings

Video images or recordings taken by the video surveillance system are generally to be considered public records, and therefore are subject to production via a Public Records Act request. Any release of video or images should be handled by the PRA coordinators in accordance with the District's policy on responding to Public Records Act requests, and in the absence of a policy, in accordance with the Public Records Act itself. In cases where minor children or victims of domestic abuse or sexual assault are present in the requested video recordings, General Counsel should be consulted before making a final determination as to applying redaction or blurring techniques. General Counsel shall be consulted, and the Board notified, prior to the release of recordings or images. If the PRA requires release of a recording or image before the Board can be notified, then the Board shall be notified as soon as practicable.

#### Personnel Authorized to Access Video Surveillance System

Authorized users of the video surveillance system shall be approved and appointed by the General Manager or other administrator who shall be the individual who will have control and oversight of the video surveillance system designated by the Board. No other employee or person may access the surveillance system except to view any live feed on the surveillance system monitor. Except as required by the Public Records Act, members of the public may not have access to the video surveillance system and are not permitted to observe any monitors unless the monitors are placed in an area open to public access. The foregoing notwithstanding, members of the Board shall be authorized users of the video surveillance system without further approval.

## **12. DRUGS AND ALCOHOL POLICY**

Coachella Valley Public Cemetery District maintains a drug-free workplace in accordance with the provisions of the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990.

Coachella Valley Public Cemetery District has always maintained a strong commitment to provide a safe, efficient, and productive work environment. Coachella Valley Public Cemetery District also desires to promote efficiency in the workplace and to provide the highest quality services. In keeping with this commitment, Coachella Valley Public Cemetery District has a strict policy regarding the inappropriate use and possession of drugs and alcohol. This policy recognizes that employee involvement with alcohol or drugs can be extremely disruptive and harmful to the workplace. It can adversely affect the quality of work and the performance of employees, pose serious safety and health risks to the user and others, and have a negative impact on work efficiency and productivity. Accordingly, Coachella Valley Public Cemetery District requires all employees to report for work fit to perform their jobs. All employees must adhere to the rules stated in this policy. Employee possession of alcohol is prohibited on Coachella Valley Public Cemetery District premises, except authorized events.

No employee may use, possess, manufacture, dispense, distribute or sell any illegal drug while on Coachella Valley Public Cemetery District's property, while on duty, or while operating a vehicle that is owned or leased by Coachella Valley Public Cemetery District. In addition, no employee may report for work, or remain on duty or on-call status, while under the influence of, or impaired by any drug or alcohol. For purposes of this policy, a drug will be considered an "illegal drug" if its use is prohibited or restricted by law, and an employee improperly uses or possesses the drug, regardless of whether such conduct constitutes an illegal act or whether the employee is criminally prosecuted and/or convicted for such conduct. The legal use of controlled substances, such as prescription drugs prescribed by a licensed physician or over-the-counter medication, is not prohibited by this policy, unless the use of such prescription medication poses a safety or health risk to the user or others or has a negative impact on work efficiency and productivity, as determined in the sole discretion of the District. Due to the nature of the District's business and the hazards of cemetery work, no employee may possess, use or be under the influence of marijuana while at work or on the premises of the Coachella Valley Public Cemetery District, even if such employee has a prescription for such use.

**Drug Testing:** Coachella Valley Public Cemetery District reserves the right to ask any employee to undergo a drug test at any time, with or without notice, including as a condition of employment. Coachella Valley Public need have no reason or basis for requesting such tests. Such tests will be administered by a person qualified and licensed to administer such tests, and the results will be processed by a laboratory certified to process such tests. Tests may include breath testing, blood testing, hair testing, or any other non-invasive testing deemed necessary by Coachella Valley Public Cemetery District and the person administering the test. An employee who refuses to submit to any drug test reasonably requested by Coachella Valley Public Cemetery District is subject to discipline, up to and including immediate termination of employment.

**Discipline:** Employees must abide by this policy as a condition of employment. Violation of this policy can result in disciplinary action, up to and including termination, even for a first offense. Coachella Valley Public Cemetery District also reserves the right to discipline or terminate employees convicted of an offense which involves the use, possession, manufacturing, dispensing or distribution of illegal drugs or alcohol. Assistance for drug abuse and rehabilitation is available through normal medical providers and covered to some extent by insurance. For assistance, employees are encouraged to contact their physicians directly.

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

Employee Name: \_\_\_\_\_

I acknowledge that I have received a copy of the Employee Handbook, issued by the Coachella Valley Public Cemetery District (the "District") on \_\_\_\_\_, 2021. I have promptly read its contents. I agree to observe and abide by the conditions of employment, policies, and rules contained in this Handbook. I understand that this Handbook refers to current benefit plans maintained by the District and that I must refer to the actual plan documents and summary plan descriptions as these documents are controlling.

*I understand and agree that my relationship with the District is "at-will," which means that my employment is for no definite period and may be terminated by me or by the District at any time and for any reason with or without cause or advance notice. I understand that the District retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the District.*

I understand and agree that nothing in the Handbook creates or is intended to create a promise or representation of continued employment and that employment at the District is employment "at-will"; employment may be terminated at the will of either the District or myself with or without cause. I understand and agree that the terms of my at-will employment may not be modified or superseded except by a written agreement signed by me and the General Manager of the District, that no other employee or representative of the District has the authority to enter into any such agreement, and that any agreement to employ me for any specified period of time or that is otherwise inconsistent with the terms of this Acknowledgment will be unenforceable unless in writing and signed by me and the General Manager of the District.

I also acknowledge receipt of the District's anti-harassment and discrimination policy set forth in this Handbook, and I certify that I have read it, understand it, and agree to comply with its terms and conditions.

My signature below certifies that I understand that the foregoing agreement on "at-will" status is the sole and entire agreement between the District and me concerning my employment and the circumstances under which my employment may be terminated. I also understand that if I violate the rules, policies, and procedures set forth herein that I may be subject to discipline, up to and including termination of my employment. This Handbook supersedes all prior agreements, understandings, and representations concerning my employment. I understand that if I have questions regarding the Handbook that I can discuss with my management team or Human Resources department.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

*(this page to be signed and recorded in employee file)*