

Heceta Water People's Utility District
PERSONNEL POLICIES AND PROCEDURES

From the Board of Directors:

The Personnel Policies and Procedures serve as a general framework for effective administration of HWPUD. The provisions apply to all employees. This manual is designed to inform all employees, prospective employees, Board members, and the general public of the HWPUD's working guidelines for personnel administration.

Neither this handbook nor any other organizational document confers any express or implied contractual right to remain in HWPUD's employ. Nor does it guarantee any fixed terms or conditions of your employment. Your employment is not for any specific period of time and may be terminated at will, with or without cause, and without prior notice by HWPUD or you for any reason at any time.

While these Personnel Policies and Procedures serve as a guide, they should not be construed as limiting in any way HWPUD'S employment-at-will prerogatives. No representative of HWPUD has authority to enter into any agreement contrary to the "employment-at-will" relationship. Nothing in these policies and procedures creates an express or implied contract of employment.

These policies replace and supersede all pre-existing policies, procedures, or orders relating to personnel matters of the District and its employees, unless contained in a written document approved by the Board of Directors.

The General Manager may vary or modify any District personnel policy, on a case-by-case basis, if it is found that strict application of the policy is impractical or if it would result in hardship. Exceptions granted in any instance will not be binding in the future.

Board President

Date

Heceta Water PUD
Personnel Policy and Procedures
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1. Employment, Qualifications and Separations

Employment Relationship:

You and Heceta Water People's Utility District (HWPUD) are engaged in an "at-will" employment relationship. Therefore employment at HWPUD is for no definite period of time and may, regardless of the time and manner of payment of wages and salary, be terminated at will. This means that either you or the organization may terminate the employment relationship at any time, with or without reason or advance notice.

No one in the organization has the authority to enter into any agreement contrary to this at-will relationship. HWPUD is not bound by any oral promises concerning the length or terms of your employment.

Equal Employment Opportunity:

HWPUD is an equal opportunity employer and, as such, considers individuals for employment according to their abilities and performance. Employment decisions are made without regard to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, gender identity, genetic information, or any other classification protected by law. All employment requirements mandated by local, state, and federal regulation will be observed.

Our organization recognizes same-sex domestic partners, consistent with the law. If there are any questions regarding this matter, please direct them to the General Manager.

HWPUD employs affirmative personnel measures to ensure the achievement of equal employment opportunities in all aspects of employment and the work environment. These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff and recall, termination, training, and dispute resolution.

In keeping with our philosophy and applicable laws, our advertising and recruiting materials will contain the following statement to encourage qualified applicants to apply: "Equal Opportunity Employer." Our policy as an equal opportunity employer is to employ those legally entitled to work in the United States without regard to citizenship, ethnic background, or place of national origin. However, in conformity with the relevant immigration statutes and regulation, our policy is to hire only those who are eligible to work in the United States. Verification documentation is required of all new hires.

All employees of HWPUD are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment. Management provides and supports a dispute resolution procedure for complaints alleging discrimination. Employees are expected to bring any questions, issues, or complaints to management's attention. If you believe you have been harassed (see page 11), or if you witness or suspect any violation of this policy, you should report the matter immediately to the General Manager. We will not retaliate against you for filing a complaint or cooperating in an investigation, and we will not tolerate or permit retaliation by management or co-workers.

Job Announcements:

Job announcements for HWPUD open positions will specify the position title and salary range, duties to be performed, qualification requirements and how to apply. Announcements will be posted a minimum of five (5) working days before closing and will be displayed appropriately on the HWPUD website and in one or more area publications or newspapers.

Appointments:

Appointments to open positions will be made through a competitive process based on merit and qualifications. Applications will be available in the HWPUD office. Applicants will be required to submit the application form and any supplemental materials requested by HWPUD within the time period specified in the job announcement. Applicants will be expected to meet the minimum qualifications for the position or ensure they can meet the qualifications before being appointed.

Selection:

Applicants will be selected for employment interviews on the basis of their job-related knowledge, skills, abilities, experience, education, training, and references as well as relevant performance history, job aptitude and character.

Orientation:

Newly hired employees will receive an orientation from the General Manager that will include HWPUD's organization and services, work rules, personnel policies and procedures, protocols, safety training, completion of payroll forms, and introductions to co-workers.

Introductory Period:

New employees and current or re-hired employees placed in new or different positions will work in a probationary status the first six (6) months of their employment. As part of the selection process, the introductory period provides both HWPUD and the employee an extended time for closely evaluating job performance and the work relationship. HWPUD may extend the introductory period up to an additional six (6) months if it determines more evaluation is needed. Completion of the introductory period does not alter the at-will employment relationship. Employment may be terminated at any time during the introductory period if either party determines the relationship is not satisfactory. Upon completion of the introductory period with satisfactory performance, the employee will be notified in writing of the change in their status to regular full-time or regular part-time.

Employee Status:

1. Regular Full-time Employee: An employee who works a minimum of 40 hours a week on a continuing basis and receives full benefits.
2. Regular Part-time Employee: An employee who works less than 40 hours a week, and receives no benefits.
3. Temporary Employee: An employee who works for a specified, limited time on special projects or helps with abnormal workloads or emergencies and receives no benefits.
4. Duration of Employment: HWPUD does not guarantee continuous employment for regular employees. Employment is by mutual agreement between HWPUD and the employee and either party can terminate the agreement in accordance with HWPUD procedures.
5. Anniversary Dates: The anniversary date for calculating vacation, sick leave, and probationary review is the employee's date of hire.

Employees are further classified according to federal and state wage and hour laws as exempt or non-exempt, as defined below. Management will make the appropriate designation regarding the status for each new position or when a position changes substantially. If you are uncertain as to your status, ask the General Manager.

Exempt: An employee who is exempt from the overtime pay requirements under federal and state laws. Exempt employees include managers, executives, supervisors, professional staff, outside sales representative, owners and others who are paid a salary and whose duties and responsibilities allow them to be exempt under federal and state law.

Non-exempt: An employee who is paid a base salary (typically assigned a regular work shift of not more than 40 hours per week), and whose job calls for overtime payment as appropriate under state and federal regulations.

Volunteers:

On occasion, HWPUD may enlist volunteer workers to help with specific tasks. Volunteers must pass a criminal background screening and complete a HWPUD employment application and provide three references before commencing work. Although they are not employees, volunteers must abide by all applicable rules, policies, practices, protocols, and standards of HWPUD. Other than worker's compensation, volunteers will receive only benefits that may be expressly provided for in writing or by law. The volunteer's services may be discontinued at any time and for any reason by either party.

Physical Examinations:

For all positions, an offer of employment will be contingent on passing a drug test provided at HWPUD's expense. An offer may also be contingent on additional medical certification, including a respirator physical/fit-test, to determine the applicant's ability to perform essential job functions, with or without reasonable accommodation and without posing a threat to the health and safety of self or others. If an examination is required it will be paid for by HWPUD and will be treated as a confidential medical record. The scope of the exam may include a basic physical and assessment of the applicant's physical and psychological condition to meet Commercial Driver's License (CDL) requirements. At its discretion, HWPUD may require a fitness for duty evaluation to ensure that an employee continues to be qualified for employment. The cost of the examination will be paid for by HWPUD. (See Drugs and Alcohol on page 15)

Criminal Background Check

As part of the employment process, HWPUD may obtain a criminal background check that may be relevant to the specific position applied for.

Driving Record:

Employees who may be required to drive on HWPUD business must have a valid Oregon driver's license, comply with any operator's license restrictions, and may at any time have their driving records checked by HWPUD. A job applicant's driving record will be checked prior to employment if the position requires a driver's license. As a condition of employment, employees who operate HWPUD vehicles must maintain driving records that meet the standards of HWPUD's insurer.

Employees who are required to drive on HWPUD business must notify the General Manager of any changes in their license status or driving record. Failure to report changes negatively impacts HWPUD and is a violation of policy. An employee who compiles a driving record with violations may be subject to warnings or disciplinary action that may include termination.

Employee Contact information

The employee is responsible for keeping both their street/mailling addresses and home/cell phone number's current with the district. If any of the information should change, the employee shall update this information via email to the General Manager on or before their next regular scheduled shift.

Employee Representation:

An employee may wish to appoint an individual to conduct business with the District on their behalf. An employee must have previously notified the General Manager and have it documented in their employee file who, for what purpose and when that individual is allowed to represent the employee. Receiving of pay checks, hospitalization and single day emergency sick time notifications are eligible items. Under no circumstances will the employee-appointed individual have access to employee files or representative authority with the General Manager or the Board of Directors.

Layoffs:

Changes in HWPUD's operations or finances could necessitate employee layoffs. The General Manager will determine the specific knowledge, skills and abilities that must be retained during layoffs. Generally, layoffs will be implemented in the following order: temporary employees; probationary employees; regular part-time employees; regular full-time employees. In lieu of layoffs, HWPUD may reduce the work hours of personnel. Medical and dental insurance will be made available during layoffs or reductions in hours as required by COBRA.

Voluntary Resignations:

To voluntarily resign in good standing, an employee must notify the General Manager in writing at least ten (10) business days in advance. Failure to submit proper written notification may preclude the individual from future employment with HWPUD.

2. COMPENSATION AND PERFORMANCE REVIEWS

Compensation:

HWPUD's compensation package is designed to provide fair and competitive pay and benefits for regular full-time employees. The Board of Directors determines pay ranges and benefits by considering prevailing compensation structures and work requirements for comparable positions in public and private employment, as well as current costs of living, local economic conditions, compensation practices in the community, and HWPUD's financial condition.

Step pay levels for each position are intended to offer career growth opportunities for employees through periodic merit increases and cost of living adjustments (COLA). HWPUD provides group medical, dental, vision and life insurance for eligible employees effective the first day of the month following their first full calendar month of work. Regular full-time employees are also eligible to participate in the District's retirement plan.

For extra coverage (medical, vision and dental) of the employee's spouse, family or children, the District pays 50% of the difference of the Employee plan and the extended coverage. Information regarding specific benefits is available from the General Manager.

Performance Reviews:

Employees will receive a performance review at the end of their probationary period and, based on the General Manager's determination of satisfactory performance, may receive a one-step increase.

Employees will receive a performance review annually, and with continued satisfactory performance, may receive increases targeted to reflect professional development and productivity as determined by the General Manager.

The General Manager shall conduct annual performance reviews in October for all staff. If there is a significant change in an employee's job performance, the General Manager may conduct a special review at any time. Completed performance review forms will be signed by both the employee and the General Manager and placed in the employee's personnel file. The individual will be provided a copy to review. If the employee refuses to sign, the Administrative Assistant will sign only to the fact that the employee received a performance review.

3. WORK SCHEDULES AND TIMEKEEPING PRACTICES

Workweek and Work Hours:

The employee is expected to be at their assigned work area and prepared for work at the start time of their shift. The normal workweek consists of forty (40) hours within seven (7) consecutive days starting Saturday. However, this is not a guarantee of a specific number of hours of available work. Employees are expected to accomplish tasks in a timely fashion within the normal workweek. The General Manager will set hours of employment.

Overtime:

Employees who are not exempt from the Fair Labor Standards Act and state law will be paid for all hours (pre-approved by the General Manager) worked in excess of forty (40) hours during a workweek at the rate of one and one-half (1.5) times their regular rate of pay.

Compensatory Time:

There is no compensatory time.

On-call/After Hours:

All staff will be required to serve as the on-call employee for after hours and weekend duty coverage as scheduled by the General Manager. On-call duty requires the employee to be free of all mind-altering substances and to be able to arrive at the plant, dressed appropriately and prepared for work within 30 minutes of receiving the call. The designated on-call employee will be paid for one (1) hour at his/her regular rate for each ten (10) hours on call, except when responding to an after-hours call. If the employee misses a call out, he or she must make immediate contact with the DRC for instruction. If employee does not respond to the DRC they shall not receive on-call pay for the block of time they were scheduled on-call. Consistent missed calls will be treated as a performance issue subject to disciplinary action that may include termination.

At the General Manager’s discretion, the on-call employee may be allowed the use of a HWPUD vehicle for his/her transportation needs associated with providing coverage. Use of the vehicle will be for HWPUD business only. Personal use of the vehicle will not be allowed.

Payday:

Employees will be paid once a month and will receive their paycheck by the 4th day of the following month.

Payroll Deductions:

The following deductions are required from every paycheck by federal and state law:

- Federal Withholding Tax
- State Withholding Tax
- Social Security Tax (FICA)
- State Accident Insurance – Employee Surcharge
- Court ordered child support payments or garnishments
- Retirement

Employees may submit a written request to the General Manager to have the following deductions and others taken from their paychecks:

- Credit Union participation
- United Way Contributions
- Insurance Contribution

Meal Periods:

Consistent with operating requirements and BOLI law, employees working six (6) hours or more shall have an uncompromised off-duty meal period of 30 minutes completed between the fourth and sixth hours of work. In the event of system failure, meal periods will be delayed until public safety is restored.

Length of work period	Number of rest breaks required	Number of meal periods required
2 hrs or less	0	0
2 hrs 1 min - 5 hrs 59 min	1	0
6 hrs	1	1
6 hrs 1 min - 10 hrs	2	1
10 hrs 1 min - 13 hrs 59 min	3	1
14 hrs	3	2
14 hrs 1 min - 18 hrs	4	2
18 hrs 1 min - 21 hrs 59 min	5	2
22 hrs	5	3
22 hrs 1 min - 24 hrs	6	3

Rest Periods:

Employees shall take a paid 15-minute rest period, at the mid-points of their shift in accordance with the schedule on page 7. This rest period will not exceed 15 minutes and shall not interfere with or be detrimental to public safety. Rest periods will be taken at the District office unless otherwise preapproved by the General Manager. In the event of system failure, rest periods will be delayed until public safety is restored.

Time Records:

Employees are expected to complete accurate time sheets every day, reporting the time they work on HWPUD business. Time is recorded in 15 minute blocks, or quarter hour of work. If an employee works the majority of this 15 minute block they will record it as .25 on their time card. The General Manager, or designee, is responsible for verifying the accuracy of employee time sheets. Once signed by the General Manager or designee, the time sheet becomes a permanent record that may only be corrected or revised by the General Manager with the employee's written consent. Time sheets are a legal document; falsifying information on a time sheet is subject to disciplinary action that may include termination.

Final Pay:

If an employee quits with less than 48 hours' notice, excluding weekends and holidays, the paycheck is due within five days, excluding weekends and holidays, or on the next regular payday, whichever comes first. ORS 652.140(2).

If an employee quits with notice of at least 48 hours, the final check is due on the final day worked, unless the last day falls on a weekend or holiday. In that case, the check is due on the next business day. ORS 652.140(2) & (3).

If an employee is discharged, the final paycheck is due not later than the end of the next business day. ORS 652.140(1).

When an employer and employee mutually agree to terminate the relationship, the check is due by the end of the following business day, as in the case of discharge. ORS 652.140(1).

4. EMPLOYEE TIME OFF

Vacation Time:

HWPUD provides paid vacation time for regular, full-time employees to be used at the employee's discretion and as pre-approved by the General Manager. Vacation time begins to accrue and is usable after the first full month of employment and is based on years of service as on the following schedule:

<u>Years of Completed Continuous Service</u>	<u>Annual Vacation Accrued per month</u>
0 through 2 years	6.673 hours (80 hours/yr)
2 years and one day through 5 years	8.000 hours (96 hours/yr)
6 years and one day through 10 years	10.000 hours (120 hours/yr)
11 years and one day through 15 years	13.329 hours (160 hours/yr)
16 years and one day and over	15.000 hours (180 hours/yr)

Annual vacations will be pre-approved in writing by the General Manager or designee on a first-to-apply basis.

Accrual:

In order to minimize the economic hardship that may result from large amounts of vacation time being cashed in, and the challenge of scheduling multiple long vacations, vacation time may accumulate from year to year with a maximum accrual of 240 hours. Vacation time that is unscheduled and is over the maximum accrual of 240 hours will be lost.

Holidays:

Regular full-time employees will receive pay for their scheduled shift of work for each of the following holidays:

New Year's Day	Presidents' Day
Memorial Day	Fourth of July
Labor Day	Veteran's Day
Thanksgiving Day	Day after Thanksgiving
Christmas Eve Day	Christmas Day

Holidays that fall on Sunday will be observed the following Monday. Holidays that fall on Saturday will be observed on the preceding Friday. If the holiday falls on the employee's regularly scheduled day off, the employee will have an alternate scheduled holiday. The employee will observe the holiday on the closest working day of the same work week. Employees who are on paid leave will be paid for the holiday. Employees who are on unpaid leave will not be paid for the holiday.

Sick Leave:**Notification of Inability to Work:**

Employees are expected to be able to attend work reliably, predictably and regularly. Employees who are unable to report to work due to personal or dependent illness or injury must contact the General Manager or the District office staff on or before the scheduled starting time. If an employee becomes sick during the day, the General Manager or the District office staff must be notified before the employee leaves work. Employees must make contact for each day he or she is to miss work unless otherwise previously discussed. An employee is responsible for fulfilling their work schedule. If an employee has not shown up for work, or called to explain the absence by noon of that day, HWPUD will assume that the employee has resigned/quit. Extenuating circumstances will be considered.

When sick leave is taken to care for a dependent, the District expects that other care arrangements will be made as soon as possible.

Injury at Work:

In the event that an employee is injured while on the job, do the following:

- Notify the General Manager as soon as possible
- Seek appropriate level of medical attention
- Fill out paperwork for an incident report

Accrual:

In order to minimize the economic hardships that may result from an unexpected short-term personal or dependent illness or injury, the District provides regular full-time employees with eight (8) hours of accumulated sick leave per month. Unused sick leave benefits accumulate from year to year with a maximum accrual of 480 hours. Unused sick leave has no monetary value.

Return-to-Work Policy:

The following procedures must be followed by employees who wish to return to work following an on-the-job injury which has resulted in the employee's being off work:

- All requests to return to work must be made in writing, dated, and signed by employee.
- All requests to return to work must be accompanied by a dated, written release signed by the employee's attending physician. This release must clearly specify whether the employee is released for his/her job or is restricted in any way.
- Requests to return to work will be hand delivered to the General Manager personally. Requests will be deemed made the date on which the written request is given to the General Manager. All requests will be date stamped upon receipt.

Employee Leave:

State and federal laws governing employee leave does not apply to employers with fewer than 25 employees; therefore, HWPUD does not generally provide unpaid employee leave as defined in the Oregon Family Leave Act (OFLA). However, at the discretion of the General Manager, a leave may be allowed under some circumstances. Factors that will be considered in granting employee leave will include the individual's length of service, overall performance level, the impact of the absence on the workflow, reason for the request and the consistency and fairness of granting the leave. Employees may request an unpaid personal leave of absence of up to sixty (60) days. HWPUD will not pay group health insurance premiums and vacation/sick leave will not accrue for an employee during this leave of absence. Insurance premiums must be paid in advance by the employee for the period of the leave.

Bereavement:

Employees will be given three days of paid leave for bereavement in the event of a death in the employee's immediate family. An obituary may be required. In the event of more than one death in the family, the days will be taken consecutively.

Immediate family is considered an individual with any of the following relationships to the employee:

1. Spouse, and parents thereof;
2. Sons and daughters, and spouses thereof;
3. Parents, and spouses thereof;
4. Brothers and sisters, and spouses thereof;
5. Grandparents and grandchildren, and spouses thereof;
6. Domestic partner, and parents thereof, including domestic partners of any individual in #2 through #5 of this definition; and
7. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Jury Duty:

Time off will be granted employees for jury duty. The General Manager must be notified that the employee has been summoned so that workloads can be reassigned. Employees are expected to report to work during days, or portions of days, they are not serving on a jury. Employees will receive their regular pay for time spent on jury duty but must reimburse HWPUD any amounts of jury pay they receive, less mileage payments from the court for the use of a personal vehicle.

Uniformed Services Leave and Reemployment:

Employees serving under the Universal Military Training and Service Act, or similar acts, will be entitled to all benefits provided by existing state and federal laws.

Leave to Donate Bone Marrow

Employees working 20 or more hours per week are eligible for this leave. An employee may use up to 40 hours of already accrued paid leave. In extenuating circumstances, approval to take more time off (paid or unpaid) may be granted by the General Manager. Employee, you must notify the General Manager as soon as is practicable after you become aware that you will be donating bone marrow. You are expected to provide a copy of the doctor's verification for bone marrow donation. If there is a medical determination that you do not qualify as a bone marrow donor, the paid leave of absence used before that determination was made will not be affected. Benefits are not affected by this leave. This is an Oregon leave law for organizations with one or more employees.

5. EMPLOYEE SAFETY AND CONDUCT

HWPUD will comply with all state and Federal regulations regarding violence and harassment in the workplace. HWPUD recognizes that employees and the public have the right to enjoy a violence-free work environment. No form of violence will be tolerated in the workplace including verbal or physical abuse, intimidation, or harassment. Employees are expected to report any incident of such behavior to the General Manager. Those who engage in these behaviors will be subject to disciplinary action that may include termination.

Discrimination and Harassment: (See also Addendum on pages 25-27)

The purpose of this section is to clearly establish Heceta Water People's Utility District's (HWPUD) commitment to provide a work environment free from harassment, to define discriminatory harassment and to set forth the procedure for investigating and resolving internal complaints of harassment. HWPUD will comply with all federal and state laws dealing with discrimination and harassment in the workplace.

Harassment of an applicant, contractor, vendor, customer, board member, supervisor, manager, or employee by a supervisor, management employee or co-worker on the basis of race, religion, color, sex, age, national origin, physical or mental disability, marital or familial status, political affiliation, sexual orientation, veteran status, or membership in any other group protected by law is explicitly in violation of State and/or Federal law and will not be tolerated by HWPUD. It is critical that all employees treat all other employees with dignity and respect. This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation and training. Employees, supervisors or management employees found to be participating in any form of job-based harassment or retaliating against any other employee shall be subject to disciplinary action up to and including termination from employment. Harassment is regarded as a serious violation of personnel policies and will not be tolerated.

Verbal Harassment – epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments on the basis of race, religion, color, sex, age, national origin, physical or mental disability, marital or familial status, political affiliation, sexual orientation, veteran status, or membership in any other group protected by law, whether made in general, directed to an individual or to a group of people regardless of whether the behavior was intended to harass. This includes but is not limited to inappropriate sexually-oriented comments on appearance, including dress or physical features, sexual rumors, and race oriented stories.

Physical Harassment – Assault, impeding or blocking movements, leering, or the physical interference with normal work, privacy or movement when directed at an individual on the basis of race, religion, color, sex, age, national origin, physical or mental disability, marital or familial status, political affiliation, sexual orientation, veteran status, or membership in any other group protected by law. This includes pinching, patting, grabbing, inappropriate behavior in or near HWPUD facilities or facilities where HWPUD events are being conducted, or making explicit or implied threats or promises in return for submission to physical acts.

Visual Forms of Harassment – Derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings, or pictures on the basis of race, religion, color, sex, age, national origin, physical or mental disability, marital or familial status, political affiliation, sexual orientation, veteran status, or membership in any other group protected by law. This applies to either posted material or material maintained in or on HWPUD's equipment or personal property in the workplace.

Sexual Harassment – Any act which is sexual in nature and is made explicitly or implicitly a term or condition of employment, is used as the basis of an employment decision, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Conduct such as sexual or sexist language, jokes, or innuendoes; nude, profane, or obscene cartoons, drawings, or photographs; whistling; staring; and inappropriate touching are not tolerated at HWPUD. Cell phone use, including text messages and other similar electronic communication, can be included in harassing behavior. No one shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Sexual harassment in the workplace, with/by managers/supervisors, non-managerial employees, or outside individuals (vendors, customers, etc.) is prohibited.

HWPUD has a responsibility to maintain a workplace free of any form of harassment. All employees have the right to work in a setting free from harassment and retaliation for reporting harassment.

An employee who feels they have been subjected to harassment or is aware of harassment of another employee has a responsibility to report this to the General Manager. Follow the COMPLAINT PROCESS below.

COMPLAINT PROCESS

If any person feels they are the victim of any form of harassment, they should inform the person(s) participating in this behavior that he/she finds it offensive. This one-on-one confrontation has been demonstrated to be an effective way to end harassing behaviors. If the inappropriate behaviors do not stop, the offended employee can initiate the complaint process as described below. Because confrontation is difficult for some people and because of the complex nature of harassment, employees are not required to confront an offending party prior to initiating this complaint procedure.

Filing a Preliminary Complaint – Any applicant, contractor, vendor, customer, board member, supervisor, manager, or employee who alleges to be a victim of discriminatory workplace harassment should contact the General Manager or designee, either verbally or in writing, within thirty (30) calendar days of the alleged incident.

Review of Preliminary Complaint – Upon notification of a harassment complaint, the General Manager or designee shall conduct an initial investigation to make a preliminary determination as to whether there is merit to the complaint. If no merit is found, the General Manager or designee may still meet with the parties involved to attempt to conciliate the complaint or conflict between the parties.

Formal Complaint – If after an initial investigation is conducted, there is no resolution and/or no conciliation of the preliminary complaint, a formal written complaint can be filed by the complainant. The General Manager or designee will issue a Discriminatory Workplace Harassment form to the complainant. This form shall be completed, signed and returned to the General Manager within five (5) days after issuance. Upon receipt of the formal written complaint, the General Manager or designee will contact the alleged harasser(s) who will be informed of the basis of the complaint, will be given a copy of the complainant's form, and will be provided an opportunity to respond. The response shall be in writing, addressed to the General Manager and received by the General Manager, within ten (10) days after being notified of the complaint. Concurrently, a formal investigation of the complaint may be commenced.

Review of Response and Findings – Upon receipt of the response, the General Manager may further investigate the formal complaint. Such investigation may include interviews with the complainant, the accused harasser(s) and any other persons determined by the General Manager to possibly have relevant knowledge concerning the complaint. This may include other victims of similar conduct.

If the allegation of harassment involves the General Manager, a written report will be forwarded to the Board president who will delegate the matter to legal counsel. HWPUD will treat all employees and job applicants on the basis of merit, qualifications, and competence. This policy will be applied equally and without regard to gender, race, color, religion, national origin, ancestry, age, marital status, political affiliation, veteran status, or any physical handicap/disability that can be reasonably accommodated. The General Manager will be the coordinator for the implementation of this policy.

HWPUD will not tolerate harassment in the workplace. When the General Manager is informed of allegations of harassment, he/she will make a written record of the allegations and forward it to the Board President. Written and verbal reports of harassment will be investigated promptly at the direction of the General Manager or the Board President, as appropriate.

The results of the investigation and the determination as to whether harassment occurred shall be final and binding and will be reported to appropriate persons including the complainant and the alleged harasser(s) within twenty (20) calendar days from the receipt of the response.

Disciplinary action - If harassment is determined to have occurred, the General Manager shall take prompt and effective remedial action against the harasser(s). The action will be commensurate with the severity of the offense, up to and including termination from employment. If discipline is imposed, the nature and extent of the discipline will not be divulged to the complainant.

Retaliation - Retaliation in any manner against a person for filing a harassment charge or initiating a harassment complaint, testifying in an investigation, providing information or assisting in an investigation, is expressly prohibited and subject to disciplinary action up to and including termination. The General Manager will take reasonable steps to protect the victim and other potential victims from further harassment, and to protect the victim from any retaliation as a result of communicating the complaint.

Confidentiality - Confidentiality will be maintained to the fullest extent possible in accordance with applicable Federal, State and local law.

False complaints - Any complaint made by an employee of HWPUD regarding job-based harassment which is conclusively proven to be false, shall result in discipline of the complainant up to and including termination. This section is not intended to discourage employees from making complaints regarding job-based harassment. However, false complaints adversely impact the workplace and the career of the accused, even when disproved, and will not be tolerated.

Workplace Bullying:

Our focus is to be on customer service, productivity, and the ability for each employee to flourish here. This makes it essential that our employees treat each other and those with whom they come into contact, with courtesy, respect, and professionalism. Further, we require that employees work cooperatively and constructively in resolving issues or problems on the job to foster satisfactory working relationships. In that light, bullying or similar disruptive behavior does nothing positive to enhance our work conditions and will not be permitted here. While harassment due to a person's protected class is prohibited, so too is harassment due to personality clashes or issues.

HWPUD defines bullying as "repeated or one-time inappropriate behavior, either direct or indirect, whether verbal, non-verbal, or physical, conducted by one or more persons against another or others, at the place of work and/or in the course of employment."

Bullying may be intentional or unintentional. Where an allegation of bullying is made, the intention of the alleged bully will be considered. However, as in sexual harassment, the effect of the behavior upon the impacted individual is given primary weight. The purpose of this policy is to communicate to all employees, including supervisors, managers, and executives that HWPUD will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be subject to corrective action, up to and including termination.

When determining whether or bullying has occurred, HWPUD will consider the following examples; however, this is not considered a comprehensive list. Any actions that create the same or similar result will also be considered. Verbal bullying can include slandering, ridiculing or maligning a person; persistent name calling that is hurtful, insulting or humiliating; using a person as a butt of jokes; or abusive and offensive remarks. Physical bullying can include the obvious such as pushing or shoving or threat of physical assault, as well as damage to a person's work area, personal possessions, or property. Other examples of emotional bullying include threatening gestures or glances, which can convey the same message, and excluding someone socially at work.

Additional examples may also include:

- Making comments on Facebook, texting, misuse of other forms of social media
- Public humiliation of any form
- Constant criticism on matters unrelated or minimally related to the person's job performance or description
- Spreading rumors and gossip regarding individuals
- Interfering with the ability of someone to do their job duties or consistently assigning menial tasks not central to the job
- Taking credit for another person's ideas

Any HWPUD employee who feels he or she has experienced bullying or intimidating behavior should immediately report that behavior according to the reporting process outlined in our anti-harassment procedure (see page 12). All reports will be investigated and addressed. The making of false or malicious complaints of bullying or harassment will be regarded as a serious offense, which may also lead to further corrective action up to and including termination.

Workplace Violence:

HWPUD recognizes the importance of a safe workplace for employees. A work environment that is safe and comfortable enhances employee satisfaction with work, as well as employee productivity. To foster a safe workplace, HWPUD specifically prohibits any employee from bringing any kind of weapon, knife (other than a folding pocket-knife) or firearm on premises. If you have a question whether something may be considered a

weapon in violation of this policy, you must ask your supervisor prior to bringing the item onto our premises. Our premises include areas such as personal vehicles parked in our designated parking area.

Situations may occur, despite our best efforts to prevent them, which present a risk of harm to employees and others. All employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with HWPUD or that threaten the safety, security, or financial interests of the District. Employees should make such reports directly to the General Manager.

All information related to the reports, including the name of the reporting employees, will be kept as confidential as possible under the circumstances. We will generally notify the reporting employee of action taken in response to the report. Out of business necessity, HWPUD may conduct an investigation of a current employee when the employee's behavior raises concerns about work performance, reliability, honesty, or potential threat to the safety of co-workers or others. An employee investigation may include investigation of criminal records and a search of the District's property such as desks, work areas, lockers, file cabinets, voice mail systems, and computer systems.

If an employee is found to have violated any part of this policy, corrective action up to and including termination may occur.

Workplace Rules:

HWPUD believe policies and procedures are essential for the orderly operation our business and for the protection and fair treatment of all employees. As a result, we have clearly identified performance expectations so that everyone conducts themselves in accordance with our workplace standards. Courtesy and common sense should always prevail. The following work rules are not all-inclusive, but serve as guidelines to demonstrate work behaviors considered important to HWPUD.

- You are expected to be at work on time, stay until your shift ends, and to do the work assigned or requested of you. If you are unable to be at work on time, you are expected to contact your immediate supervisor promptly.
- You are expected to regard your workplace with respect and attention. HWPUD records, equipment, and property are to be treated carefully and appropriately. You are responsible for those items in your custody and will be held accountable for their maintenance, appropriate use, and/or accuracy.
- You are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by HWPUD or outside regulatory bodies.
- You are expected to conduct yourself in a professional manner, exhibiting a high regard for our customers, vendors, business associates, and co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, etc.) will be condoned. This also applies to alcohol consumption when representing HWPUD in a business or social capacity.
- You are expected to maintain the confidentiality of organization information or customer information in your possession (i.e., personnel information, trade secrets, etc.).
- You are expected to wear clothing that is neat in appearance and consistent with a professional atmosphere, keeping in mind the impression made on customers, visitors, and other employees and the need to promote organization and employee safety. HWPUD currently provides T-shirts, hats, sweatshirts and raingear. For regular full time employees, HWPUD may reimburse for purchases of work boots and long denim work pants, when an HWPUD Expense Account form accompanied by receipts is submitted. Good individual judgment is the best guideline, but management retains the right to decide what dress is appropriate.
- HWPUD is responsible for assuring the health and safety of all employees. In keeping with this objective, HWPUD does not permit employees to bring their pets to work. Animals may pose a threat of infection and may cause allergic reactions in other employees. Some employees may feel threatened or be distracted by the presence of animals. In addition, HWPUD wishes to prevent pets from fouling the office space or damaging company property.

This information regarding performance expectations may help in providing guidance for employee actions. You are urged to use reasonable judgment and to seek advice in doubtful or unclear situations. If all employees do their best to meet both the spirit and intent of these guidelines, employee disciplinary issues should be minimal. It is our policy to resolve conduct and performance problems in

the most informal and positive manner possible. However, conduct outside the above guidelines will result in corrective action, up to and including termination.

We also believe that all of our employees should be heard in matters involving discipline; therefore, we have adopted a formal Dispute Resolution Procedure, which can be found on page 23 of this Handbook.

Ethics:

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, customer or any individual or organization doing or seeking business with HWPUD. This means you may not maintain an outside business or financial interest or engage in any outside business or financial activity that conflicts with the interest of HWPUD or interferes with your ability to fully perform job responsibilities. For example, if job responsibilities include purchasing, or being in a position to influence purchasing, the individual responsible must have no proprietary or financial interest in any business that furnishes products, materials, or services to the organization or in any related transaction. Nor may he/she benefit directly or indirectly from a third party who furnishes products, materials, or services to HWPUD.

Political Activities:

Employees are not restricted from political activities conducted outside of their regular work hours, and may hold public offices that pose no conflict of interest. However, employees may not use their authority or position with HWPUD to promote a political party or to support a candidate for public office. Oregon law forbids employees from using work time to solicit money, influence, or service in support of a political cause or candidate for public office.

Outside Employment:

Employees who choose to hold jobs outside of their HWPUD employment must provide advanced written notification to the General Manager. However, employees will not be allowed to hold outside jobs that conflict with or detract from their work performance. The General Manager reserves the right to determine whether an employee's outside employment conflicts with or detracts from their work performance and will ask the employee to make a choice between the conflicting employment and employment with HWPUD.

Drugs and Alcohol:

The objective of this section is to provide a workplace and environment that are free from the effects of substance abuse. Furthermore, HWPUD believes that we have a responsibility to our employees, to those who use or come into contact with our products and services, and to the general public to ensure safe operating and working conditions. To satisfy our alcohol-free and drug-free workplace objective and meet these responsibilities, we must establish a work environment where employees are free from the effects of drugs, alcohol, or other impairing substances. Employees are required to immediately report to the General Manager any activity that may fall under these parameters. Accordingly, we have adopted this drug and alcohol policy.

The following definitions apply:

Reasonable basis is defined as specific describable observations concerning such circumstances as the work performance, appearance (including, for example, noticeable odor of an alcoholic beverage), behavior, or speech of the employee, or as being involved in an accident on organization premises that results in physical injury or property damage.

Presence of is defined as any detectable level of alcohol or drugs in an employee's blood or urine, or any noticeable or perceptible impairment of the employee's mental or physical faculties due to illegal or controlled substances.

Controlled Substances are defined as all forms of narcotics, depressants, stimulants, hallucinogens, and cannabis whose sale, purchase, transfer, use, or possession is prohibited or restricted by law.

Over-the-counter drugs are defined as those that are generally available without a prescription from a medical doctor.

Prescription drugs are defined as those drugs that are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.

The following conditions and activities are expressly prohibited on our premises or property or during work time or while representing the District in any work-related fashion and will lead to corrective action, up to and including termination:

- Manufacturing, selling, attempting to sell, using, distributing or possessing alcohol or other controlled or illegal substances that impair job performance or pose a hazard when use or possession occurs (except strictly in accordance with medical authorization);
- Reporting for or being at work with the presence of alcohol, illegal drugs, or controlled substances in your system.

If your doctor prescribes over-the-counter or pharmaceutical drugs, you are responsible for ensuring that your ability to work safely will not be affected by taking the medication. If you are in doubt, please discuss this with the General Manager before beginning work. Any medical issues discussed will be kept confidential.

If you have a problem with drugs and/or alcohol and wish to undertake rehabilitation, you may be granted an unpaid leave of absence for this purpose, as long as your work performance warrants and there have been no violations of this policy. It is your responsibility to seek help before the problem adversely affects your work performance or results in a violation of this policy. If you need assistance in seeking this help, you may talk to the General Manager. No one will be discriminated against for undertaking rehabilitation.

You may be required to sign and live up to the terms of a performance agreement in order to demonstrate your commitment to rehabilitation and staying alcohol-free and/or drug-free. This course of action is likely if you come forward on your own and ask for help in overcoming your problem. If you are caught selling, distributing, using, or having the presence of drugs or alcohol in your system while at work, we may terminate your employment without offering you the opportunity to participate in a treatment program.

For purposes of this policy, having any detectable level of an illegal or controlled drug in one's system while covered by this policy will be considered to be a violation. When HWPUD has a reasonable basis to believe that an employee is in violation of this policy, the employee will be required to submit to testing to determine presence of, use of, or involvement with alcohol or drugs. HWPUD reserve the right to determine whether reasonable basis exists.

Any employee who is found to be in violation of this policy and who refuses to submit to testing, or refuses to cooperate, or attempts to subvert the testing process will be subject to corrective action, up to and including termination. HWPUD also reserves the right to involve law enforcement officials for any conduct that we believe might be in violation of state or federal law.

If you voluntarily request assistance in dealing with a personal drug and/or alcohol problem, you may do so through the General Manager or through your health insurance coverage. The request for assistance will not jeopardize your employment as long as this assistance is sought before work performance has deteriorated or disciplinary actions have begun.

If you are involved in a job-related accident resulting in any property damage or physical injury requiring off-site medical attention, you will be required to submit to testing to determine the presence of any involvement with alcohol or drugs. HWPUD may waive the requirement if it is determined that the accident could not have been caused by alcohol or drug use.

You will be subject to testing upon your return to work from a leave of absence of any kind that has lasted long than 45 days.

You may be required to submit to testing on a random or unannounced basis to determine the presence of, use of, or involvement with drugs or alcohol. This may include testing by random selection, testing of an entire department or work unit, or testing of specific identified categories of employees as a group.

Smoking in the Workplace:

HWPUD is a non-smoking facility. This includes the use of electronic cigarettes and vaping devices. Smoking is allowed in a specified area that is out of sight of customers and is prohibited everywhere else throughout HWPUD facilities including buildings, outside areas where fire or safety hazards exist, and all District vehicles. Smoking is limited to one area. Please do not smoke or use any vaping devices, including electronic cigarettes, within 10 feet of any entrance, exit, or air intake device. If any employee has a concern about the area designated, they should speak with the General Manager.

6. CONFIDENTIALITY

Organization and Customers:

At HWPUD, employees have access to highly confidential and proprietary information, including information about our business plans and customers. Our customers trust us with confidential information. Disclosing this information without authorization would have a materially adverse impact on our integrity and in our relationships with our customers. Employees must not disclose any information pertaining to HWPUD or its customers without prior explicit approval of the General Manager who must sign a form stating such.

No organization records or information, including, without limitation, documents, files, records, computer files, and similar materials may be removed from our premises without permission from HWPUD except in the ordinary course of performing duties on behalf of HWPUD. Additionally, the contents of organization records or information otherwise obtained in regard to business may not be disclosed to anyone except where required for a business purpose. This prohibition also applies to items posted in a blog or website.

Employee Records:

HWPUD's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of the information. Additionally, the organization will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the organization includes employee names, addresses, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefits plan enrollment information, which may include dependent personal information, and school/college or certification credentials. This will also include information of those who have left HWPUD for up to six years following termination of employment based on record retention laws. All pre-employment inquiry information and reference checking records conducted on employees' and former employees' files are maintained in locked, separate areas and are not used by HWPUD in the course of business operations.

Personal employee information will be considered confidential and, as such, will be shared only as required and with those who have a need for access to such information. All hard copy records will be maintained in locked, secure areas with access limited to those who have a need for such access. Personal employee information used in business system applications will be protected under company proprietary electronic transmissions. Participants in HWPUD's benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

Organization-assigned information, which may include organizational charts, department titles and staff charts, job titles, department budgets, company coding and recording systems, telephone directories, e-mail lists, and company facility or location information and addresses, is considered by the company to be proprietary company information to be used for internal purposes only. The company retains the right to communicate and distribute such company information as it feels necessary to conduct business operations.

If an employee becomes aware of a breach in maintaining the confidentiality of his or her personal information, the employee should report the incident to the General Manager. The General Manager

has the responsibility to investigate the incident and take corrective action. Please understand that the reasonableness of actions taken in these circumstances will be taken into consideration. Examples of the release of personal employee information that will not be considered a breach include the following:

- Release of partial employee birthdates, i.e., day and month, is not considered confidential and will be shared with co-workers who elect to recognize employees on such dates.
- Personal telephone numbers or e-mail address may be distributed to supervisors/managers in order to facilitate company work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes, and for timekeeping purposes will be shared with supervisors/managers.
- Employee's date of hire will be distributed to appropriate supervisors/managers periodically.
- Employee and dependent information may be distributed in accordance with open enrollment processes for periodic benefit plan changes or benefits statement updates.

Should a security breach occur, you will be notified in writing as soon as possible.

7. VEHICLE USE

The purpose of this section is to set forth guidelines under which HWPUD vehicles will be authorized for District personnel, the guidelines under which District vehicles may be used and guidelines for reimbursement or compensation for employee use of personal vehicles.

Employees seeking clarification of or exemption from the provisions of this policy should contact the General Manager who may authorize exceptions to the policy under mitigating circumstances.

District Vehicles:

It is the policy of the District that certain positions require employee access to District vehicles, either during the work shift or on a 24-hour on-call/emergency basis.

Vehicle Use Requirements:

The use of a District vehicle must be related to a particular job responsibility. Where the use of the vehicle is for an activity not directly related to a particular job responsibility, deviations from normal use must be pre-approved by the General Manager.

Expense Reimbursement – Personal Vehicles:

It is the policy of the District to reimburse employees for expenses which they incur as a result of personal vehicular use on behalf of the District. Expense reimbursement for use of personal vehicles requires advanced approval by General Manager. When an employee is authorized to use a personal vehicle for work-related travel, he or she will be reimbursed at the current mileage rate established by the Internal Revenue Service.

In addition to the mileage rate, the District will reimburse employees authorized to travel outside of the District, driving personal or District vehicles, for tolls and reasonable parking expenses, when receipts are provided. The District retains the right to require employees to purchase Oregon's minimum liability insurance on their personal vehicle used for District business in accordance with ORS 806.010, Oregon's mandatory insurance law.

General Rules Governing District Vehicle Use:

District vehicles may only be used for legitimate District business. District vehicles will not be used to transport any individual who is not directly or indirectly related to District business. Passengers shall be limited to District employees, volunteers, and individuals who are directly associated with District work activity. Family members shall not be transported in District vehicles.

Vehicles should contain only those items for which the vehicle is designed. The District shall not be liable for the loss or damage of any personal property transported in the vehicle. Employees assigned to operate District vehicles are responsible for the operation, care, and condition of such vehicle and are also expected to keep District vehicles clean.

Employees who drive District vehicles or operate District equipment are considered "safety sensitive" employees. Safety sensitive is defined as those who "discharge duties fraught with risk of injury to others that even a momentary lapse of attention can have disastrous consequences." Employees may not operate District vehicles under the influence of alcohol, cannabis, illegal drugs, or prescription drugs or medications which may interfere with effective and safe operation. Employees who operate District vehicles must have a valid Oregon driver's license and may be required to provide proof of a valid license once every six (6) months.

Employees driving District vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws. Employees who incur fines in District vehicles will be personally responsible for payment of such fines.

Employees, who are issued citations for any offense while operating a District vehicle, must notify the General Manager immediately, when practicable, but in no case later than 24 hours. Failure to provide such notice will be grounds for disciplinary action.

An employee who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of their license, or for any other reasons that an employee's license may be revoked, whether in his or her personal vehicle or in a District vehicle, must notify the General Manager immediately, when practicable, but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of District vehicle privileges and/or further disciplinary action.

Reporting and Investigating Accidents:

When any District vehicle is involved in an accident resulting in property damage or injury to any person, the following procedures shall be observed:

Employee shall immediately report the accident to the General Manager and remain at the scene until a police report is made in the case of a fatality, injury, extensive damage, or damage that renders a vehicle inoperative. Do not remove any vehicle until authorized by the General Manager unless non-removal creates an undue hazard.

In cases where the vehicle(s) suffer only minor damage, other people should not be delayed any longer than is necessary to exchange the required information. All vehicles should carry a list of the necessary information to give to the other driver and the information the employee would need to collect from them. The employee should also promptly complete the accident report upon returning to the District office.

In the event that an employee's personal vehicle is damaged during an approved, work-related trip and the damage is not due to the negligence of that individual, the District shall reimburse the employee up to a maximum of \$250 or the amount of the deductible (comprehensive or collision), whichever is less, per occurrence. A receipt verifying payment of a deductible or payment for repairs is required. Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of District vehicle privileges, suspension, and/or termination from District service.

8. COMMUNICATION DEVICES/INTERNET USE

HWPUD provides a variety of communications equipment, electronic devices and systems for employees to use in performing their jobs and conducting business. Computers, software, email, landlines and cell phones, voicemail, and Internet access are considered standard equipment in the workplace and available to all employees. It is intended that all HWPUD-provided devices and systems be used for business purposes only; occasional personal use is permissible in unavoidable or emergency circumstances.

Today's availability and easy access to personal communications devices and the Internet make it practical to permit employees to use personal communication devices for non-business use during breaks or lunch. However, their use should be kept to an absolute minimum and never interfere with work assignments; receiving personal incoming calls or messages is discouraged except in emergencies.

Employees who are provided vehicles, cell phones and electronic devices to perform their jobs are required to comply with Oregon laws that prohibit the use of hand-held communication devices while operating a vehicle. This includes placing or receiving phone calls, text messaging, sending and receiving e-mails, checking phone messages, or any other activity using a hand-held communication device.

Communications and Software Policy:

The use and monitoring of HWPUD's electronic communication/information systems, including computers, electronic mail ("E-mail"), Internet access, voice-mail, facsimiles and copy machines follows as thus:

- All electronic equipment and all communications and stored information transmitted, received, or contained in the District's electronic communication/information systems are the property of the District and, as such, are to be used solely for job-related purposes. The use of the District's electronic communication/information for non-job-related purposes is strictly prohibited, and employees should not have any expectation of privacy when using these systems or any related equipment. The District specifically reserves the right to access, review, monitor and disclose all matters received, disseminated or stored on its systems (including deleted material) at any time and for any reason, and may do so with or without notice.
- Employees who use these systems for any non-job related purposes do so at their own risk. The District may decide reasonable use in its sole discretion. Employees are strictly prohibited from using any of the District's electronic communication systems to send messages which may be interpreted as harassing, discriminatory, obscene, derogatory or defamatory. The District's anti-harassment policy fully applies to employees in their use of the District's electronic communication systems.
- Only authorized users may access the Internet on District-owned systems and equipment. The District's name should not be used in external communication forums such as chat rooms without prior written authorization from a supervisor. Employees should not mail, upload, or broadcast any sort of information for personal gain, including but not limited to chain letters, solicitation of and response to employment opportunities, sale of products, and/or searches of non-business related sites or any obscene or offensive material.
- To prevent computer viruses from being transmitted through the District's internet system, there will be no unauthorized downloading of software. Employees also should not upload or download information, data, or software which is copyrighted by a third-party.
- All passwords and codes are the property of the District and do not guarantee any privacy to the employee. Password protection does not prevent access by the District. Employees shall not use a code, access a file, or retrieve any stored communications, other than where authorized, unless there has been prior clearance by an authorized supervisor. Information in District computers and equipment that is confidential and/or proprietary information cannot be shared with individuals outside of the District without prior clearance from an authorized supervisor.
- The use of encryption devices or software that has not been authorized by the District is prohibited.
- Any employee terminating employment with the District is prohibited from taking (in any form) or copying any computer discs, hard copies, or other information stored on the District's electronic equipment.
- To ensure that the use of the District's electronic communication systems is consistent with the District's legitimate business interests, and to assure compliance with the District's policy, the District specifically reserves the right to access, review, monitor and disclose all components of these systems (including deleted material) at any time and will do so with and without notice.
- Employees who violate this policy are subject to disciplinary action, up to and including termination of employment. Action or inaction by the District in response to prior violation(s) of this policy does not constitute a waiver of the District's right to take appropriate action for any subsequent violation. All violations of this policy should be reported to the General Manager.

Electronic Mail System:

You are reminded to be courteous to other users of the e-mail system and always conduct yourself in a professional manner. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. You should write e-mail communications with no less care,

judgment, and responsibility than you would use for letters or internal memoranda written on organization letterhead. You should know that even when a message is erased through e-mail, it is still possible to retrieve and read that message. Even though HWPUD reserves the right to retrieve and read any e-mail messages, those messages are to be treated as confidential by other employees and accessed only by the intended recipient. We expect employees to respect others' privacy, and not retrieve or read electronic messages unintended for them unless authorized to do so. The use of passwords for security does not guarantee confidentiality. All passwords to company systems must be disclosed to HWPUD.

Social Media and Networking:

Social networking websites and online communities, such as Twitter, LinkedIn, Facebook, and Flickr are growing in usage and can be accessed by individuals not only from computer systems, but also from Smart Phones. It is not the intent of this policy to unduly limit individuals' access to these potential sources of personal information and communication tools. It is the intent, however, of this policy to provide guidelines and point out expectations and liabilities inherent in such use. Posting work related items to social media is considered a public announcement which requires the General Manager's prior written approval. Employees need to abide by all applicable laws (including copyright) and ethical considerations

Cell Phone:

The purpose of this section is to establish guidelines for the distribution and use of cellular telephones by HWPUD. This Policy will ensure appropriate personnel have the necessary equipment to perform their job functions (safety sensitive positions) while minimizing the cost to the District. The District recognizes that the proper use of technological advances will provide the District with improved levels of communications, promoting operational efficiency, improved customer service, and emergency response.

Use and Procedures:

The District will ensure that contracts are in place allowing for cost-effective purchases of cellular phones and service plans. The cellular phones are to be used for official District business only.

Whenever the General Manager determines that an employee's assignment is such that regular use or access to a cellular phone is appropriate, a cellular phone may be assigned to that individual employee after approval by the General Manager.

If the phone is damaged, lost, or fails to work properly, the employee will notify the General Manager immediately. The District will then arrange for repair or replacement of the phone as appropriate. In case of theft, the employee will notify the General Manager immediately to allow for the issuance of a stop service order to the cellular vendor. Each employee who is issued a phone is responsible for the maintenance, care, and security of the equipment.

Although District cellular phones are provided for official District business only, it is recognized that the occasional need to send or receive personal calls may occur. It is the responsibility of the General Manager to review monthly bills to identify personal calls. If deemed necessary, the employee should also maintain a record of all personal calls received. For the purpose of this policy, all calls that are not for the explicit purpose of conducting District business are discouraged. Any abuse of cell phone privileges is subject to discipline, up to and including termination.

9. EMPLOYEE TRAVEL AUTHORIZATION AND REIMBURSEMENT

PURPOSE:

Employee requests to attend business meetings, conferences and classes must be approved by the General Manager. Registration, travel, and related expenses must be approved by the General Manager in advance and in accordance with the budget. An advance may be authorized for approved expenses. The employee is required to provide verification of attendance at the training. Typical examples of verification include certification, sign in sheet, or written confirmation from the instructor.

Guidelines for Reimbursement:

Transportation: Cost for transportation and business related telephone calls while traveling will be paid by HWPUD. If using a personal vehicle, the employee will be reimbursed at the current IRS rate for mileage required for the trip. Receipts are required for parking and related expenses.

Lodging and Meals: Employees who are traveling to attend classes, workshops, or other District business will have access to a company credit card. Upon return to the office, they will need to turn in receipts for meals and lodging that the credit card was used for. Those expenses will be limited to the State's current schedule of per diem expenses based on CONUS rates established by GSA.

Telephone: Costs for telephone calls are reimbursable if they are directly related to business and supported by receipts. Costs for personal calls that are charged as a HWPUD expense must be reimbursed.

Registration and Tuition Fees: Business meeting or conference registration fees and class tuition fees are reimbursable expenses. Receipts or registration copies are required.

Accompaniment: Travel costs for family members or others who accompany the employee are not reimbursable.

Alcoholic Beverages: Expenses for alcoholic beverages while on Business travel are not reimbursable.

Tips: Expenses for tips while on business travel are not reimbursable.

10. Whistleblower Protection

Purpose:

To provide procedures should a HWPUD employee become aware of improper government action in accordance with Oregon Revised Statute 659A.200 to 659A.224.

HWPUD encourages any employee with knowledge of or concern of an illegal, dishonest or fraudulent District activity to report it to the General Manager or designee. The employee may also provide the information to another state or federal regulatory agency, a law enforcement agency or an attorney licensed to practice law in Oregon if a confidential communication is made in connection with the alleged violation. Attorneys employed by HWPUD may report violations of law to the Attorney General, subject to rules of professional conduct. All such issues will be investigated in a timely manner to determine fault and institute any appropriate corrective measures. Examples of illegal or dishonest activities are violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting. For any employee wishing more information, further details can be obtained from the General Manager.

The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to corrective action up to warnings or disciplinary action that may include termination.

Whistleblower protections are provided to maintain confidentiality and to prevent retaliation. While identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused

individuals their due course, the privacy of the individual making the report will be protected as much as possible. HWPUD will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the General Manager or designee immediately. The right of a whistle blower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. Any and all incidents of illegal and dishonest activities will be promptly submitted to the General Manager or designee who is responsible for investigating and coordinating corrective action by the person with knowledge of such incidents. This is legally effective on January 1, 2017.

11. EMPLOYEE PERFORMANCE PROBLEMS AND DISCIPLINE

Corrective Action:

HWPUD's high performance expectations reflect our belief that everyone benefits when we work together and conduct ourselves in a manner that reflects the best interests of both the District and its employees. It is the philosophy of HWPUD to correct performance deficiencies and address violations of policies and work rules in order to correct situations and avoid repetition.

You will be informed if corrective action is necessary as soon as possible after any performance problem has been identified. The General Manager (or appointee) will discuss the situation with you, explaining the policy and the necessity of corrective action to avoid other disciplinary actions.

Although one or more corrective action measures may be taken in connection with a particular performance problem, no formal order will be followed. Corrective action may include any of a variety of actions depending on the circumstances and severity of the particular situation.

Corrective actions may be taken at the discretion of management and include **any** of the following:

- Verbal counseling with you, which will be confirmed in writing by the General Manager (or appointee) for your personnel file.
- Written warning, which will be placed in your personnel file.
- Suspension, which will be confirmed in writing for your personnel file. Suspension is normally used to remove an employee from the premises during an investigation or as a disciplinary action. A suspension may be paid or unpaid. If you are suspended, it will be documented in your personnel file.
- Termination, which will be documented in your personnel file.

The corrective action process will not always commence with verbal counseling or include every step. The above options are not to be seen as a process in which one step always follows another. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or a subsequent offense. Consideration will be given to the seriousness of the offense, your intent and motivation to change the performance, and the circumstances in which the offense took place.

12. EDUCATION AND TRAINING

Purpose:

HWPUD will provide periodic in-service training that is necessary and beneficial to employee job performance and service delivery. Employees are also encouraged to continue their own education and training to enhance job performance and to advance their careers with HWPUD.

Procedure:

Employees may be reimbursed for costs of college-level, technical or other academic course work, seminars, and conferences relevant to their current jobs or future roles with the HWPUD. Employee requests must be submitted in writing to the General Manager with a recommendation for approval prior to enrollment or participation. The General Manager's decision to allow or not allow enrollment or participation is final. Reimbursement for college-level course work will be made only if the employee receives a passing grade.

13. PERSONNEL RECORDS

Record Keeping:

A personnel record will be maintained for each employee by the General Manager. The record will include the employee's original employment application and support documentation, payroll documents, performance reviews and actions, certifications and commendations, and other information relevant to job qualifications and performance. Employees are responsible for updating the General Manager on changes in name, address, marital status, dependents and contact information. The General Manager will control access to the records and will retain all records six years after separation.

A copy of the personnel records of the General Manager will be maintained at the HWPUD's attorney's office.

Documents containing employee medical information are not part of the personnel record and will be maintained by the General Manager in a separate confidential file.

Employee Performance Information:

No documents containing negative or derogatory information about the employee will be filed without first providing the employee an opportunity to review the information and noting the date and time of the opportunity that was provided to the employee to review the document. Employees may request the General Manager to include in their file any information deemed relevant to their job qualifications or performance and may review the documents in their file, excluding confidential reports from previous employers. Employees may add to their file written protests or comments they have about any of the materials on record.

Release of Information:

This section applies to current employees and previous employees through six years after employment with HWPUD was terminated.

Personnel records are exempt from disclosure under the provisions of ORS 192.502(2) if such disclosure would constitute an unreasonable invasion of privacy. Records of discipline may be exempt from public disclosure. No information in the employee's file will be released until the employee is notified and has a reasonable opportunity to comment on the request. In all cases, HWPUD's legal counsel will determine whether particular records of an employee are subject to public disclosure.

An employee's address, telephone number, or other personal contact information will not be released under any circumstances without the employee's prior approval. An employee's employment dates and job title may be released verbally but the release of confidential information such as employment verification or salary must be requested in writing with the employee's signed authorization to release specific information. Requests for work references from current or former employees must be in writing and signed by the employee, authorizing release of information.

The Oregon Legislature passed Senate Bill 479 in September 2019, requiring the establishment or adoption of a written policy, with very specific policy provisions, to prevent workplace harassment, discrimination and retaliation. This policy goes into effect January 1, 2020. This policy does not replace like policies in HWPUD Personnel Policies and Procedures, only enhances them.

PREVENTION OF WORKPLACE DISCRIMINATION, HARASSMENT, AND RETALIATION

Heceta Water People's Utility District (HWPUD) is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassments. Therefore, HWPUD expects that all relationships among persons will be respectful and professional, free of bias, prejudice and harassment in the workplace, at work related events, or any activity coordinated by or through the organization. This policy applies to all employees, elected officials, volunteers, interns and any other person we interact with in the course of accomplishing the work of the organization.

HWPUD has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. HWPUD will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of these policies will be investigated and resolved appropriately.

Discrimination, harassment and retaliation are not acceptable.

Any employee who has questions or concerns about these policies should talk with the primary contact, the General Manager. As an alternative you may contact the Administrative Assistant.

EQUAL EMPLOYMENT OPPORTUNITY

It is our policy to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law.

RETALIATION

We encourage reporting of all perceived incidents of discrimination or harassment. It is the policy of HWPUD to promptly and thoroughly investigate such reports. We prohibit retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

SEXUAL HARASSMENT

Sexual harassment constitutes discrimination and is illegal under federal and state laws. For the purposes of this policy, "sexual harassment" is defined as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle

behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Oregon Law provides further protection from sexual assault defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

HARASSMENT

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonable interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes labels, insults or negative stereotyping; threatening, intimidating or hostile acts; demeaning jokes; and written or graphic material that belittles or shows hostility or dislike toward and individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

HWPUD encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with the General Manager or the Administrative Assistant. See the complaint procedure described below.

In addition, we encourage individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and to request that it stop. Often this action alone will resolve the problem. We recognize, however, that an individual may prefer to pursue the matter through complaint procedures.

Following receipt of a complaint or concern, management will follow-up every three months for one year to ensure no further concerns or retaliation are experienced. Employees should not wait for the management follow-up to share related experiences. If an employee would like the follow-up to discontinue the follow-up process a request must be submitted in writing to the General Manager.

INTERNAL COMPLAINT PROCEDURE

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with the General Manager. If you are unable to reach the primary contact, please reach out to the Administrative Assistant. We encourage employees to document the event(s), associated date(s), and potential witnesses.

HWPUD encourages the prompt reporting of complaints or concerns so that quick and helpful action can be taken before relationships become irreparably broken. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. However, complaints and concerns may be brought forward within four years of the alleged violation. We encourage employees to document the events, associated dates, and potential witnesses.

Any reported allegations of harassment, discrimination or retaliation will be investigated quickly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the event(s) or may have other relevant knowledge.

HWPUD will maintain confidentiality throughout the investigatory process to the extent possible with acceptable investigation and appropriate corrective action.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, refer all to counseling or corrective action such as a warning, reprimand, withholding of a promotion or pay increase, temporary suspension without pay, or termination as HWPUD believes appropriate under the circumstances.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

EXTERNAL COMPLAINT PROCEDURES

We encourage employees to bring their concerns and complaints to the organization, and understand that this may not be the choice of the employee. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address:
https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx
- Civil or Criminal Action. In these circumstances, a Notice of Claim must be provided to us in accordance with ORS 30.275

EMPLOYMENT AGREEMENTS

No employee will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault as a condition of employment, continued employment, promotion, compensation or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided seven (7) days to change their mind.

ADDITIONAL EMPLOYEE SUPPORT SERVICES

Employees may choose to use other support services throughout and following instances related to concerns and complaints. HWPUD provides the following for additional assistance:

- Beery, Elsner & Hammond
1750 SW Harbor Way Suite 380
Portland, OR 97201-5106
503-226-7191
- Employee Assistance Program
24/7
888-293-1833

Heceta Water People's Utility District

I have received a copy of the Personnel Policies and Procedures manual during my New Employee Orientation. I have had time to read it and ask questions about it. I understand that this document defines working guidelines for personnel administration.

Employee's Signature

Date

General Manager's Signature

Date