

Heceta Water People's Utility District Personnel Policy and Procedures

From the Board of Directors:

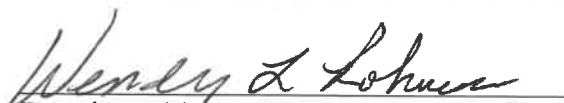
The Personnel Policies and Procedures serve as a general framework for effective administration of Heceta Water People's Utility District (HWPUD). The provisions apply to all employees. This manual is designed to inform all employees, prospective employees, Board members, and the general public of the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

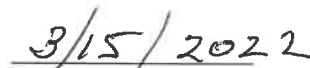
Neither this handbook nor any other organizational document confers any express or implied contractual right to remain in HWPUD's employ. Nor does it guarantee any fixed terms or conditions of your employment. Your employment is not for any specific period of time and may be terminated at will, with 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 People’s Utility District 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.

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) business 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 shall 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 shall be notified in writing of the change in their status to regular full-time or regular part-time.

Employee Status:

- **Introductory Employee:** An employee in probationary status
- **Regular Full-time Employee:** An employee who works a minimum of 40 hours a week on a continuing basis and receives full benefits.
- **Regular Part-time Employee:** An employee who works less than 40 hours a week, and receives no benefits.
- **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.
- **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.
- **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, and 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.

Driving Record:

All employees shall 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 shall be checked prior to employment. As a condition of employment, employees must maintain driving records that meet the standards of HWPUD's insurer.

Employees 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 shall be subject to warnings or disciplinary action that may include termination.

Employee Contact information

The employee is responsible for keeping both their street/ mailing 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. If an employee leaves a shift without prior approval; or with or without any communication; or has not shown up for work or called to explain the absence by mid-point of the assigned shift; HWPUD will accept this as the employee voluntarily resigning from position. Failure to submit proper written notification shall 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 (1) business 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.

At any time during their employment, in the event performance deficiencies are identified, employees could be placed on a performance improvement plan. If satisfactory improvement is not made on the plan, employees could be subject to termination.

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. Employees who work unauthorized overtime without approval may be subject to discipline up to and including termination.

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 from the influence of drugs or alcohol 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, they 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 fourth (4) business 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, non-exempt 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. See Meals/Rest Periods Schedule below.

Rest Periods:

Employees shall take a paid, uninterrupted 15-minute rest period, at the mid-points of every segment of four hours or two hours and on minute through four hours, in accordance with BOLI as outlined in the below Meals/Rest Periods Schedule. 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.

Meal/Rest Periods Schedule*:

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

*Meals and breaks table from BOLI

Expression of Breast Milk:

HWPUD provides employees (exempt and non-exempt) who are breastfeeding a child aged eighteen (18) months or younger with reasonable rest breaks as needed to express breast milk in accordance with applicable law. Generally, employees who need to express breast milk are expected to do so during their regularly scheduled meal and rest breaks. However, if it is not feasible to utilize your regularly scheduled meal and rest breaks, additional time (unpaid for non-exempt employees) may be available. HWPUD also provides employees with a private location (other than a bathroom) to express milk. If you need breastfeeding breaks or locations, please contact the General Manager.

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 (5) business 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:

Years of Continuous Service	Annual Vacation Accrued per month
0 through 1 year	6.673 hours (80 hrs/yr)
2 years and one day through 5 years	8.000 hours (96 hrs/yr)
6 years and one day through 10 years	10.000 hours (120 hrs/yr)
11 years and one day through 15 years	13.329 hours (160 hrs/yr)
16 years and one day and over	15.000 hours (180 hrs/yr)

Annual vacations will be pre-approved by the General Manager or designee on a first-to-apply basis. Sick leave shall not substitute for vacation time. If an employee does not have enough paid time off accrued to cover the approved leave, the approved leave will automatically be canceled.

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
Juneteenth	Independence Day	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 mid-point of the assigned shift, 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. Once sick leave is exhausted, vacation time shall substitute for sick leave. If an employee does not have enough paid time off accrued to cover the approved leave, the approved leave will automatically be canceled.

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 Report of Job Injury or Illness

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:

HWPUD provides its staff with paid vacation and sick leave to be taken at the employee's discretion with General Manager approval. It is the Employees responsibility to maintain enough sick and vacation balances to fit his or her personal time off needs. Vacation time off shall be canceled if the employee does not have adequate time accrued at the start of the vacation.

Unpaid Leave:

HWPUD does not generally provide unpaid employee leave as defined in the Oregon Family Leave Act (OFLA) except as required by law. If all sick leave and vacation time is exhausted, an employee may request an unpaid personal leave of absence. Approval of unpaid personal leave is at the discretion of the General Manager. 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 approximately sixty (60) calendar days in a rolling 12-month period. If an employee's unpaid time off is greater than 8 hours in a work week than HWPUD will not pay group health insurance premiums and vacation/sick leave will not accrue for that work week period and HWPUD will not match employee retirement contributions for the entire calendar month the unpaid time off occurs. Insurance premiums must be paid in advance by the employee for the period of the leave.

Bereavement:

Employees may take up to three (3) business 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:

- Spouse, and parents thereof;
- Sons and daughters, and spouses thereof;
- Parents, and spouses thereof;
- Brothers and sisters, and spouses thereof;
- Grandparents and grandchildren, and spouses thereof;
- Domestic partner, and parents thereof, including domestic partners of any individual listed in second through five of this definition; and
- 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.

Domestic Violence Leave and Accommodation Policy

If you are the victim of domestic violence, sexual assault, harassment, or stalking, or are the parent of a minor child or dependent who is the victim of domestic violence, harassment (as defined by applicable law), sexual assault or stalking, you are eligible for reasonable unpaid leaves of absence for the following purposes:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of you or your minor child or dependent (including preparing for and participating in protective order proceedings or other criminal or civil proceedings) related to domestic violence, sexual assault, harassment, or stalking of the employee or his/her minor child or dependent;
- To seek medical treatment or recover from injuries caused by domestic violence or sexual assault, harassment, or stalking of the employee or his/her minor child or dependent;
- To obtain or assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, sexual assault, harassment, or stalking;
- To obtain services from a prosecutor provided or non-profit victim services provider for the employee or his/her minor child or dependent; or
- To relocate or take steps to secure an existing home to ensure the health and safety of the employee or his/her minor child or dependent.

Eligible employees who need domestic violence leave should contact the General Manager. Certification of the need for leave is generally required. Domestic violence leaves are unpaid. However, employees may elect to use any earned and unused sick leave and/or other paid benefits for periods of domestic violence leave. Requests for domestic violence leave and all supporting documentation are treated confidentially.

HWPUD also makes other reasonable accommodations for victims of domestic violence, sexual assault, harassment, or stalking as required by law. Employees who need workplace accommodations should promptly contact the General Manager to discuss reasonable alternatives and options. Verification of the

need for accommodation is generally required. Requests and all supporting documentation are treated confidentially.

Other Crime Victim Leave

Any employee who has worked an average of at least 25 hours per week for 180 days is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or their immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault. “Immediate family member” includes a spouse, registered same-sex domestic partner, father, mother, sibling, child, stepchild, or grandparent.

Employees who are eligible for crime victim leave must:

- Use any accrued, but unused vacation/sick leave, compensatory time, like-time, and floating holiday during the leave period;
- Provide as much advance notice as is practicable of their intention to take leave (unless giving advance notice is not feasible); and
- Submit copies of any notices of scheduled criminal proceedings that the employee receives from law enforcement agencies.

5. EMPLOYEE SAFETY AND CONDUCT

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, firearm or knife (other than a folding pocket-knife) 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.

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 shall 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 the General Manager or the District office staff on or before the scheduled working time.
- 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 generally 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, outlined below.

Dispute Resolution Procedure:

The Dispute Resolution Procedure is for staff members to express their complaints. They apply to all matters affecting a staff member's relationship at HWPUD, except for discrimination and harassment complaint procedures found under section 14 and complaints regarding written policy and procedures approved by the Board of Directors. Clear and open channels for the expression of employee complaints are basic principles of sound employee relations. Because employees do on occasion differ with supervisors on important questions, HWPUD has provided

subordinates with a mechanism for appealing the action or decision of a superior to a higher level within the organization, without fear of retaliation. Each staff member is responsible for using this procedure in a timely manner whenever there are unanswered questions or problems which adversely affect any aspect of the employment relationship. A complaint should be initiated within five (5) business days of the circumstances which gave rise to the complaint. Staff members are counseled to avoid discussing specific problems with co-workers other than their supervisor or General Manager before making use of this procedure:

- **Informal Procedure:** The first step is to report the complaint to the employee's immediate supervisor and the General Manager. The staff member should discuss the situation, explain the nature of the problem, and then suggest a solution, if he or she has one. If it is a group problem, one or more staff members should represent the group in advising the appropriate party. Every effort should be made to resolve the problem at this stage. If a satisfactory solution is not reached, the staff member may proceed to the formal procedure.
- **Formal Procedure:** The formal procedure should be used if the informal procedure fails to produce a satisfactory solution. The staff member may use the following formal procedure without fear of retaliation. Formal complaints must be filed within thirty (30) calendar days of the event. No more than five (5) business days should elapse between steps or between the bringing of the complaint and the response of each step. Steps I, and II may be abbreviated to only one step, depending on the reporting level of the complainant.
 - Step I - The staff member forwards to the General Manager a written statement explaining why the first supervisor's response in the informal procedure is not satisfactory, along with a copy of that response and the original complaint. The General Manager also responds in writing and the decision by the General Manager is final.
 - Step II - If the complaint is against the General Manager and the informal procedure fails to produce a satisfactory solution, the staff member refers the entire matter, in writing, for review by the Board President. The staff member's statement should indicate why the outcome of the informal procedure was not satisfactory and should be accompanied by copies of all previous correspondence and pertinent documents. The reviewing Board President may make whatever further investigation they think necessary in an attempt to resolve the matter. The Board President will then prepare a written decision for the complainant and all parties to the complaint. This is the final step in the internal complaint procedures. The decision of the reviewing Board President is final.

Ethics:

Employees are expected to avoid situations that may compromise their reputation or integrity or that might cause their personal interests to conflict with the interests of HWPUD or HWPUD customers.

As public employees, HWPUD employees are subject to the State of Oregon's ethics laws. The state ethics laws provide limitations on employees including but not limited to prohibitions on gifts and strict definitions of conflicts of interest. Information on these laws are provided at the Oregon Government Ethics Commission website: <http://www.oregon.gov/OGEC>.

If you have questions about whether an activity meets HWPUD's or Oregon's ethical standards, please talk with the General Manager.

Political Activities:

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. This means that employees cannot:

- Be required to give money or services to aid any political committee or any political campaign;
- Solicit money or services (including signatures) to aid or oppose any political committee, nomination or election of a candidate, ballot measure or referendum, or political campaign while on the job during working hours (this is not intended to restrict the right of Microsoft employees to express their personal political views.); or
- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

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 as it relates to the drugs and alcohol policy:

- **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. 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, safety violations have occurred, or disciplinary actions have begun and does not result in a violation of this policy. No one will be discriminated against for undertaking rehabilitation.

You may be required to sign and live up to the terms of a performance improvement plan in order to demonstrate your commitment to rehabilitation and staying alcohol-free and/or drug-free. 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 shall 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 are involved in a job-related accident resulting in any property damage or physical injury requiring off-site medical attention, you shall 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.

When a reasonable basis exists to believe an employee possesses alcohol or a controlled substance on HWPUD property, or has otherwise violated provisions of this rule regarding possession, sale, or use of controlled substances or alcohol, HWPUD may search the

employee's possessions located on HWPUD property. Employees should have no expectation of privacy in any items they bring on to HWPUD property, or in property, equipment or supplies provided by HWPUD to the employee.

You will be subject to testing upon your return to work from a leave of absence of any kind that has lasted longer than forty (45) calendar 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

Employees must not access, use or disclose sensitive or confidential information or data except in accordance with HWPUD policies, practices and procedures and as authorized under state and federal law or regulations. Employees with access to confidential information, including but not limited to customer or employee financial, medical, or personal information (including without limitation Social Security numbers), are responsible for safekeeping and handling of that information to prevent unauthorized disclosure. Employees who access, use, or disclose confidential information contrary to state or federal law for person use or financial gain may be subject to civil or criminal penalties under those laws, in addition to appropriate disciplinary action for violating this policy.

No records or information, including (without limitation) protected medical data, documents, files, records, computer files, or similar materials (except in the ordinary course of performing duties on behalf of HWPUD), may be removed from our premises without permission from HWPUD. Likewise, any materials developed by employees in performance of their jobs is the property of HWPUD and may not be used for personal or financial gain. Additionally, the contents of records or information otherwise obtained in regard to HWPUD's business may not be disclosed to anyone, except where required for a business purpose or when required by law.

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, they 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 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 and/or has been requested by public safety personnel.

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.

HWPUD-related business conducted on HWPUD-provided or personal cell phones/cellular devices may be subject to disclosure and production under the Oregon Public Record laws or in connection with litigation filed against HWPUD.

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. The use of passwords for security does not guarantee confidentiality. All passwords to company systems must be disclosed to HWPUD.

Social Media and Networking:

HWPUD generally believes that your off-duty activities are your own business. However, certain types of off-duty activities, in particular certain online and social networking conduct by our employees, have the potential to affect our working environment and ability to serve the public. As a result, we have developed this policy to provide employees with information about what is expected of them when they engage in personal social networking and other online activity.

In general, employees should remember that they may be subject to personal liability in addition to employment discipline for their online conduct. Therefore, always use good judgment in posting content in any online forum. Additionally, all employees are expected to comply with the following:

1. **Comply with HWPUD Policies:** Access to and use of personal online social networking, blogs and other online social media while at work must be done only on your break or lunch time and must comply with all other provisions of HWPUD's Electronic Mail System and Communications and Software Policies (above). Use of HWPUD email addresses for personal online social networking, blogging, or other personal online activity is prohibited.
2. **Be Respectful:** Employees who "friend" or otherwise engage in online social networking, blogging, etc., with co-workers or other HWPUD business associates, or who post comments or information in online public forums, should remember that their personal online activity, even off duty, can impact our business and the work environment. Online activity that violates HWPUD policies (e.g. equal employment opportunity policies (including our policy against harassment and retaliation), workplace violence policies or other conduct policies) may result in discipline up to and including discharge, regardless of whether the conduct occurs on or off-duty or in a personal online forum.
3. **Be Aware of Confidentiality Obligations:** Remember HWPUD takes the confidentiality of its non-public information seriously. Employees are prohibited from posting non-public/confidential information on any website, blog, social networking site, etc.
4. **Respect the Rights of Others:** Respect all copyright and other intellectual property laws. It is important that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including HWPUD's own logos, brand names, taglines, slogans, or other trademarks.

5. **Identify Yourself:** In order to avoid misunderstandings when making personal postings related to the HWPUD's services, consider identifying your role at HWPUD and the HWPUD's lack of involvement in your posting. Note: HWPUD operates its own website and has an official presence on some social networking sites. Except for authorized members of management assigned to maintain such sites, employees are not allowed to make postings on behalf of/in the name of HWPUD or to create social networking accounts or websites that represent to be on behalf of or in the name of HWPUD.

Note: This policy is not intended to prevent employees from engaging in activity protected by applicable law.

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 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 shall 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:

Expenses for tips while on business travel are not reimbursable.

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 by the employee to HWPUD.

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.

10. WHISTLEBLOWER PROTECTION – Reporting Improper or Unlawful Conduct

Employees may report reasonable concerns about the HWPUD's compliance with any law, regulation or policy, using one of the methods identified in this policy. HWPUD will not retaliate against employees who disclose information that the employee reasonably believes is evidence of:

- A violation of any federal, Oregon, or local law, rules or regulations by HWPUD;
- Mismanagement, gross waste of funds, abuse of authority;
- A substantial and specific danger to public health and safety resulting from actions of HWPUD; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, HWPUD will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision, or an elected auditor of a city, county or metropolitan service district.

Employee Reporting Options

Employees who wish to report improper or unlawful conduct should first talk to their supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with the General Manager. Supervisors and managers are required to inform the General Manager about reports of improper or unlawful conduct they receive from employees.

Reports of unlawful or improper conduct will be kept confidential to the extent allowed by law and consistent with the need to conduct an impartial and efficient investigation.

If HWPUD were to prohibit, discipline, or threaten to discipline an employee for engaging in an activity described above, the employee may file a complaint with BOLI or bring a civil action in court to secure all remedies provided for under Oregon law.

Additional Protection for Reporting Employees

Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the HWPUD's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of their coworker or supervisor acting within the course and scope of their employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a manager with HWPUD; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense also only applies in situations where the information disclosed was lawfully accessed by the reporting employee.

Policy Against Retaliation

HWPUD will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes he/she is disclosing information about conduct that is improper or unlawful, and who lawfully accessed information related to the violation (including information that is exempt from disclosure as provided in Oregon law or by HWPUD policy) .

In addition, HWPUD prohibits retaliation against an employee for participating in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no HWPUD employee will be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. HWPUD may take disciplinary action (up to and including termination of employment) against an employee who has engaged in retaliatory conduct in violation of this policy.

This policy is not intended to protect an employee from the consequences of their own misconduct or inadequate performance simply by reporting the misconduct or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if HWPUD determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity. If such a determination is made, an employee may be subject to discipline up to and including termination of employment.

11. EMPLOYEE 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 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 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 violation or issue, 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. 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 if such costs are approved in advance. 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. Types of employee records are outlined in section 6. Employees are responsible for updating the General Manager on changes in name, address, marital status, dependents and contact information.

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.

Information kept in a personnel file is generally exempt from disclosure under the Oregon Public Records laws and will only be released subject to those laws and regulations or as ordered by a court. 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 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.

14. EQUAL EMPLOYEMENT OPPORTUNITY (EEO) AND PREVENTION OF WORKPLACE DISCRIMINATION, HARASSMENT, AND RETALIATION

The following EEO Policies apply to all employees. Members of management, elected officials, and employees alike are expected to adhere to and enforce the following EEO Policies. Any employee’s failure to do so may result in discipline, up to and including termination.

All employees are encouraged to discuss these EEO Policies with the General Manager at any time if they have questions relating to the issues of harassment, discrimination, or bullying, or what it means to work in a respectful workplace.

1. No-Discrimination, No-Retaliation Policy

HWPUD provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, sex, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other status protected by applicable federal, Oregon, or local law. HWPUD also recognizes an employee’s right to engage in protected activity under Oregon and federal law, as discussed in various policies below, and will not retaliate against an employee for engaging in protected activity.

HWPUD’s commitment to equal opportunity applies to all aspects of the employment relationship — including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and termination of employment.

2. Pay Equity

HWPUD supports Oregon’s Pay Equity Law and federal and Oregon laws prohibiting discrimination between employees on the basis of a protected class (as defined by Oregon law) in the payment of wages or other compensation for work of comparable character. Employees who believe they are receiving wages or other compensation at a rate less than

that at which HWPUD pays wages or other compensation to other employees for work of comparable character are encouraged to discuss the issue with the General Manager.

3. No-Harassment Policy

HWPUD prohibits harassment of any kind or sexual assault in the workplace, or harassment or sexual assault outside of the workplace that violates its employees', volunteers', and interns' right to work in a harassment-free workplace and all are entitled to a respectful and productive work environment free from behavior, action, or language that constitutes workplace harassment or discrimination. Sexual assault is unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

Specifically, HWPUD prohibits harassment or conduct related to an individual's race, color, religion, sex, pregnancy, sexual orientation, marital status, gender identity, national origin, age, disability, genetic information, performance of duty in a uniformed service, veteran status, domestic violence victim status, expunged juvenile record, or any other protected status or activity recognized under Oregon, federal or local law.

HWPUD prohibits discriminatory and harassing conduct that a reasonable person in the individual's circumstances would consider unwelcome, intimidating, hostile, threatening, violent, abusive, or offensive.

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and sexual assault. Further, all employees are responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participate in the conduct or did not appear to be offended. All employees are encouraged to discuss this policy with their immediate supervisor, any member of the management team, or with the General Manager, at any time if they have questions relating to the issues of discrimination or harassment.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during HWPUD-related or -sponsored trips (such as conferences or work-related travel), while traveling on behalf of HWPUD, and during non-working hours when that off-duty conduct creates an unlawful hostile work environment for any of HWPUD's employees. ***Such harassment is prohibited whether committed by HWPUD employees or by non-employees (including elected officials, members of the community, volunteers, interns, contractors, visitors, and vendors).*** This policy applies to all matters related to hiring, firing, transfer, promotion, benefits, compensation, and other terms and conditions of employment.

Individuals found to have engaged in discriminatory conduct, harassment, or sexual assault may face disciplinary action up to and including dismissal. HWPUD may also subject supervisors and managers who fail to report known harassment - or fail to take prompt, appropriate corrective action - to disciplinary action, up to and including dismissal.

Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is “welcome”), when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; comments about an individual’s body, sexual prowess, or deficiency; talking about your sex life or asking others questions about theirs; leering or whistling; unwelcome touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects or pictures; making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex.

This is not a complete list.

Other Forms of Prohibited Harassment

HWPUD policy also prohibits harassment against an individual based on the individual’s race, color, religion, sex, pregnancy, sexual orientation, gender identity, marital status, national origin, age, disability, genetic information, performance of duty in a uniformed service, veteran status, domestic violence victim status, expunged juvenile records, or any other protected status or activity recognized under Oregon, federal, or local law.

Such harassment may include:

- Physical harassment, including but not limited to unwelcome physical contact such as touching, impeding, or blocking movement, or any physical interference with work;
- Verbal harassment including but not limited to disparaging or disrespectful comments, jokes, slurs, innuendoes, teasing, and other sexual talk such as jokes, personal inquiries, persistent unwanted courting, and derogatory insults;
- Nonverbal harassment, including but not limited to suggestive or insulting sounds, obscene gestures, leering or whistling;
- Visual harassment including but not limited to displays of explicit or offensive calendars, circulation of derogatory content, posters, pictures, drawings or cartoons that reflect disparagingly upon a class of persons or a particular person;
- Sexual harassment as described above.
- Negative stereotyping;
- Displaying racist symbols anywhere on HWPUD property;
- “Teasing” or mimicking the characteristics of someone with a physical or mental disability;
- Criticizing or making fun of another person’s religious beliefs, or “pushing” your religious beliefs on someone who doesn’t have them;
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or

- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the protected status.

This is not a complete list. All employees are expected to exercise common sense and refrain from other similar kinds of conduct.

Complaint Procedure

Employees, volunteers, or interns who have experienced a sexual assault, harassment, or discrimination in violation of this policy, who have witnessed such behavior, or who have credible information about such behavior occurring, are expected and should report that information immediately. Specifically, an employee may make the report verbally or in writing to the employee's immediate supervisor or higher management, if the employee prefers. As an alternative, an employee may report the harassment to the following designated individual the General Manager.

Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message (or phone call) as soon as possible after it occurs. An employee who experiences or witnesses harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that he/she wants it to stop.

Investigation and Confidentiality

All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with HWPUD's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, HWPUD will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the HWPUD's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Nothing in this policy precludes a person from filing a formal grievance in accordance with a collective bargaining agreement (if applicable), with the Oregon Bureau of Labor and Industries (BOLI), or with the Equal Employment Opportunity Commission. Note that Oregon law requires that any legal action taken on alleged discriminatory conduct (specifically that prohibited by ORS 659A.030, 659A.082, or ORS 659A.112) must be commenced **no later than five years** after the occurrence of the violation. Other applicable laws may have a shorter time limitation on filing.

Protection Against Retaliation

HWPUD prohibits retaliation in any way against an employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) sexual assault, harassing, or discriminatory conduct, or has participated in an investigation of such conduct.

Employees who believe they have been retaliated against in violation of this policy should immediately report it to the General Manager. Any employee who is found to have retaliated against another employee in violation of this policy will be subject to disciplinary action up to and including termination of employment.

See also the No-Discrimination, No-Retaliation Policy, above, and the Reporting Improper and Unlawful Activity Policy, below.

Other Resources Available to Employees

HWPUD cannot provide legal resources to its employees or referrals to specific attorneys. Employees may contact the Oregon State Bar for more information: <https://www.osbar.org/public/>.

Other Employee Rights

Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing his/her experience.

HWPUD will not require an employee to enter into any agreement if the purpose or effect of the agreement prevents the employee from disclosing or discussing conduct constituting discrimination, harassment, or sexual assault.

An employee claiming to be aggrieved by discrimination, harassment, or sexual assault may, however, voluntarily request to enter into a settlement, separation, or severance agreement which contains a nondisclosure, non-disparagement, or no-rehire provision and will have at least seven days to revoke any such agreement.

For the purposes of this policy:

- a “nondisclosure agreement” is an any agreement by which one or more parties agree not to discuss or disclose information regarding any complaint or work-related harassment, discrimination, or sexual assault.
- a “non-disparagement agreement” is any agreement by which one or more parties agree not to discredit or make negative or disparaging written or oral statements about any other party or HWPUD.
- a “no-rehire provision” is an agreement that prohibits an employee from seeking reemployment with the company and allows a company to not rehire that individual in the future.

No-Bullying Policy

HWPUD strives to promote a positive, professional work environment free of physical or verbal harassment, “bullying,” or discriminatory conduct of any kind. HWPUD, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate, or that creates a hostile work environment for another employee for any reason. For purposes of this policy, “bullying” refers to repeated, unreasonable actions of individuals (or a group) directed towards an individual or a group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee(s). Examples of bullying include:

1. Verbal Bullying: Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. Physical Bullying: Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person’s work area or property.
3. Gesture Bullying: Non-verbal threatening gestures, glances that can convey threatening messages.
4. Exclusion Bullying: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with co-workers may be viewed as bullying.
5. Cyber Bullying: Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying

include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for co-workers, managers or supervisors or elected officials.

6. This is not a complete list.

Employees who have experienced bullying in violation of this policy, who have witnessed an incident of bullying, or who have credible information about an incident, are expected and should bring the matter to the attention of their supervisor or a member of management as soon as possible. If conduct in violation of this policy is found to have occurred HWPUD will take prompt, appropriate action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Disability Accommodation Policy

HWPUD is committed to complying fully with the Americans with Disabilities Act (ADA) and Oregon's disability accommodation and anti-discrimination laws. We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

Accommodations

HWPUD will make reasonable efforts to accommodate a qualified applicant or employee with a known disability, unless such accommodation creates an undue hardship on the operations of HWPUD.

Requesting an Accommodation

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the department or unit (or, in some cases, HWPUD) and that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, a reasonable accommodation may include providing or modifying equipment or devices, job restructuring, allowing part-time or modified work schedules, reassigning an individual, adjusting or modifying examinations or training materials provided by HWPUD, providing readers and interpreters, or making the workplace readily accessible to and usable by people with disabilities.

Employees should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to perform the essential duties of a position. All requests for accommodation should be made with the General Manager and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his/her need for a reasonable accommodation. Both HWPUD and employee must monitor the employee's accommodation situation and make adjustments as needed.

Pregnancy Accommodation Policy

Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact the General Manager to discuss their options for continuing to work and, if necessary, leave of absence options. HWPUD will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on the HWPUD's operations.

Although this policy refers to "employees," HWPUD will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

Requesting a Pregnancy-Related Accommodation

Employees who are concerned that their pregnancy, childbirth, or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with the General Manager and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist HWPUD and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both HWPUD and employee must monitor the employee's accommodation situation and make adjustments as needed.

No Discrimination, No Retaliation

HWPUD prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by HWPUD; or (3) needed an accommodation.

Employees who ask about, request or use accommodations under this policy and applicable Oregon law have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation. Under Oregon law, an employer can't require an employee to use sick leave if a reasonable accommodation can be made that doesn't impose an undue hardship on the operations of HWPUD. Also, no employee will be denied employment opportunities if the denial is based on the need of the HWPUD to make reasonable accommodations under this policy.

Leave of Absence Options for Pregnant Employees

Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under Oregon's sick leave law. See policies under section 4 Employee Time Off, or speak with the General Manager.

**Heceta Water People’s Utility District
Personnel Policy and Procedures**

I have received a copy of the Heceta Water People’s Utility District 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