

**BIG PLAINS WATER SPECIAL SERVICE DISTRICT
RESOLUTION BPW-R-2024-05**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Vacation” of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Vacation

VACATION

A reasonable period of time away from the job is conducive to the good health and well-being of the employee and can have a refreshing effect that is to the advantage of both employee and employer. The District grants annual paid vacation to full-time employees at the following rates:

SERVICE	ACCRUAL
One (1) month to one (1) year	Five (5) 8 hour work days or Eight (8) 10 hour 8 hour work days or Four (4) 10 hour work <u>Forty (40) hours of annual vacation shall accrue</u> days accrued at the rate of 1.54 hours per work period.
One (1) year up to five (5) years	Ten (10) work days <u>Eighty (80) hours of annual vacation shall</u> accrued at the rate of 3.08 hours per work period
Over f <u>Five (5) years up to eight (8) years</u>	Fifteen (15) 8 hour work days or Twelve (12) 10 hour <u>One Hundred Twenty (120) hours of annual vacation shall</u> work days accrued at the rate of 4.62 hours per work period.
<u>Over Eight (8) years</u>	<u>One hundred sixty (160) hours of annual leave shall accrue at the rate of 6.15 hours per work period</u>

Vacations may be taken as weekly periods, individual days or hourly increments as long as the periods chosen meet with department approval. Vacation leave requests should be submitted a reasonable time in advance of the desired time off.

Employees are required to take their earned vacation. No payments will be made in lieu of taking vacation, except for accrued vacation at the time of termination.

SECTION 2: **AMENDMENT** “Holidays” of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Holidays

Holidays Each year the District provides thirteen (13) paid holidays if the holiday falls on a regularly scheduled work day as follows:

- January 1 – New Years’ Day
- January (3rd Monday) - Human Rights Day ~~Martin Luther King Jr Day~~
- February (3rd Monday)– Presidents’ Day
- May (Last Monday) – Memorial Day
- July 4 – Independence Day
- July 24 – Pioneer Day
- September (1st Monday) – Labor Day
- October (2nd Monday) – Columbus Day
- November 11 – Veteran’s Day
- November 4th Week (Thursday/Friday) – Thanksgiving Day
- December 24 – Christmas Eve ½ Day
- December 25 – Christmas Day
- December 31 – New Year’s Eve ½ Day If holidays fall on Friday or Saturday, then the preceding ~~Friday~~ Thursday shall be the holiday. ~~is usually the recognized holiday.~~ If it falls on Sunday, then the following Monday is ~~usually~~ the recognized holiday.

SECTION 3: **AMENDMENT** “Leave Without Pay” of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Leave Without Pay

LEAVE WITHOUT PAY

Employees are advised to accumulate leave to have available for unexpected reasons such as vacation opportunities, family events, injury, or illness. The use of unpaid leave is discouraged. Requests must be submitted to the supervisor for approval. ~~Vacation accrual will be prorated during the leave of absence.~~

SECTION 4: AMENDMENT “Workers Compensation” of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Workers Compensation

WORKERS COMPENSATION

- A. All employees are covered by workers compensation which provides medical reimbursement and disability benefits for a job-related illness or injury. An employee does not accrue benefits while receiving workers compensation payments.
- B. Employees may use accrued vacation to make up the difference between workers compensation benefits and their base pay.
- C. Medical Attention: An employee who sustains a bona fide, on -the-job injury may seek medical attention from the medical facility of their choice. They must tell the doctor, HOW, WHEN and ~~WHERE~~~~here~~ the accident occurred. The doctor will complete a medical report and copies of this report should be sent within seven (7) days to the insurance carrier. ~~DO NOT~~ ~~Do not~~ submit doctor or hospital bills for on-the-job injuries or illness to the ~~employee's~~ regular medical plan.
- D. Initial Reporting of Illness or Injury: Reporting the accident or illness is critical to qualification for payment under workers’ compensation. If an employee is injured while on the job, no matter how minor, the circumstances should be reported to the supervisor immediately. The proper form should be completed and sent to the insurance carrier within seven (7) days of the date of injury.
- E. Reporting While Off the Job: While on leave because of a bona fide, on-the-job injury or illness, an employee must contact their supervisor to report on their condition. Failure to provide the required medical status reports may result in revocation of the leave and/or immediate termination.
- F. Return to Service: All employees must return to work after the approval of the attending physician. A statement from the attending physician stating the employee is able to resume normal duties will be required before returning to work. Failure to return to work when directed may result in immediate termination. An employee who is able to return to work in light duty status may be required to work in a different department and perform duties not contained within their current job classification.

- G. At the time of final release or settlement of a worker's compensation claim, if no vacancy exists; and, if a reasonable effort which has proven unsuccessful, has been made to place the employee in another position, they may be terminated and paid any accrued benefits due to them.
- H. Do not falsify any work injury report and report only injuries that occur on the job. Falsifying workers' compensation claims will merit discipline up to and including termination and may result in criminal and/or civil action by the insurance company.

SECTION 5: **AMENDMENT** "Paid Benefits" of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Paid Benefits

PAID BENEFITS (This may be changed at any time at the discretion of the District.)

- A. Medical Health/Dental/Vision Insurance: It is the policy of the District to provide medical health, dental and vision insurance for full-time employees. The rate paid by the District is 100% of the employee portion plus 50% of the family portion. The employee is responsible for 50% of the family portion.
- B. Life insurance: A basic life insurance policy is provided free of charge for each full-time employee, their spouse and children. The employee may voluntarily elect to increase coverage at the expense of the employee.
- C. HSA: It is the policy of the District to provide for HSA benefits. The calculation for each paycheck shall be 50% of the deductible whether it is single or double/family allocated over 26 pay periods. The Employee may contribute up to the maximum prescribed by law.
- D. State and Federal Unemployment: All employees are covered by the benefits of State and Federal Unemployment.
- E. RETIREMENT BENEFITS. The Town fully funds an employee pension plan through the Utah Retirement System (URS) for certain classes of employees as follows:
 - 1. ELIGIBLE:
 - a. Regular full-time employee. Eligibility begins after probationary period.
 - b. URS Tier 1 Employees: Based on the monthly pay established annually by the URS, ~~currently \$1,148.~~
 - c. URS Tier 2 Appointed Officers are Part-Time Ineligible
 - d. URS Tier 2 Elected Officers are Part-Time Ineligible.
- F. Additional Volunteer Benefits.

1. As a nominal fee reimbursement, all board members shall not be charged the base water fee during their time of service to the District.

SECTION 6: AMENDMENT “Credit Card Policy” of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Credit Card Policy

CREDIT CARD POLICY It is the cardholder’s responsibility to:

- Make only authorized purchases as prescribed by the District purchasing policy and approved budget.
- Retain receipts for all transactions.
- Keep the credit card and corresponding account information secure. Immediately report any lost or stolen credit card and/or account information to the District.
- Sign the back of the issued card.
- Return the card upon termination.

It is accounts payable responsibility to:

- Reconcile the credit card statement upon its arrival.
- Report fraudulent charges or any discrepancies in the credit card statement in a timely manner Prohibited credit card purchases:
- Report Any merchant, product, or service normally considered to be inappropriate use of District funds.
- Report the unauthorized Purchase of items for personal use or consumption.
- ~~Alcohol~~
- Any use not in conformity with the purchasing policy.

SECTION 7: AMENDMENT “Travel Policy” of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Travel Policy

TRAVEL POLICY

- A. All travel outside of the Apple Valley limits during District work hours shall be authorized by the ~~Administrator or~~ Board Chairman or Designee. A log of all such travel exceeding a thirty (30) mile radius of Apple Valley shall be kept. This log shall include the reason for the trip, the time the employee departed, and the time the employee returned, and vehicle used.
- B. Travel for legitimate Apple Valley purposes in District vehicles may be authorized when the use of the vehicle does not detract from the operational needs of the District. Overnight use of District vehicles for travel purposes shall be authorized by the ~~Administrator or~~ Board Chairman or Designee ~~Board Administrator~~.
- C. If travel is outside the range of service of the District's repair shop, travel costs in conjunction with the use of District vehicles shall be paid by the employee with receipts being kept for reimbursements.
- D. All hotels or other sleeping accommodations and airplane or other travel accommodations shall be arranged in advance for overnight trips and paid in advance of the trip. If such payment in advance is not possible, the District shall reimburse to the employee the cash amount of the cost of such sleeping and travel accommodations after receiving the appropriate receipts to verify that the employee has expended their own money for such purposes. Failure to produce a receipt in such circumstances will necessitate the withholding of reimbursement. Receipts for hotel accommodations shall be turned into the District by the employee as a verification of attendance no matter what the form of payment.
- E. Use of an employee's personal vehicle may be authorized when circumstances warrant. The employee shall keep track of the mileage associated with the approved travel and submit a request for reimbursement to the Finance Director ~~Administrator or~~ ~~Board Chairman~~ based upon this record. The mileage rate will be consistent with the established rate used for Internal Revenue Service travel deductions.
- F. All registration fees, etc., will be paid in advance by check. If this is not possible, the employee will be reimbursed for their own expenditure for registration fees, etc. after presentation of a valid receipt in conjunction with previously authorized travel.
- G. The amount of fifty-nine dollars (\$59.00) shall be granted as the maximum daily per diem allowance for District employees engaged in travel on the District behalf. No per diem shall be authorized for spouses of employees or others traveling with the employee at their own expense (Please note: the Administrator or Board Chairman, however, may authorize the cost of a double rather than a single hotel room to accommodate the travel of a spouse with an employee). Receipts shall not be required for per diem advancements or compensation unless the employee requests reimbursement above the authorized amount.
- H. Travel that requires less than a full day shall be compensated by the following specific per diem allowances:
 - 1. Breakfast: Fifteen dollars (\$15.00) maximum, when departing before 7:00 a.m.
 - 2. Lunch: Twenty dollars (\$20.00) maximum.
 - 3. Dinner: Twenty-Four dollars (~~\$24.00~~\$14.00) maximum, when returning after 7:00 p.m.
 - 4. These amounts may be either an advance, after submission and approval of

travel request, or reimbursed after presentation of receipts.

SECTION 8: **AMENDMENT** “Personal Vehicle Use” of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Personal Vehicle Use

USING A DISTRICT VEHICLE FOR PERSONAL ~~VEHICLE-USE~~ District vehicles represent a tremendous investment of the taxpayers' dollars and shall be respected as such. Operation of District vehicles shall be in accordance with applicable laws and regulations. Only authorized District employees ~~and Board Members~~ are permitted to drive District vehicles as authorized by the ~~Town Administrator or~~ District Chairman or designee. Authorization of use shall be done on a case-by-case basis. Prior to approving a driver and periodically thereafter, the human resources department must check the employee's driving record. Employees approved to drive on company business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability. All employees must exhibit good driving habits at all times. Employees are responsible for any driving infractions or fines as a result of their driving. Employees must exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Texting on cell phones is specifically prohibited. Smoking or use of tobacco products in vehicles owned, leased, or rented by the Town is prohibited. Employees are not permitted, under any circumstance, to operate a District vehicle when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any company vehicle at any time while using or consuming alcohol, illegal drugs or prescription medications that may affect their ability to drive. Doing so is grounds for immediate termination. Essential employees may be authorized to take a District vehicle home so they can respond to business needs as soon as possible. Essential employees are those who conduct a range of operations and services that are typically essential to continue critical operations, who may be required to work after hours in order to meet operational requirements. The ~~Town Administrator or~~ District Chairman or designee will determine who is an essential worker. All persons riding in a District vehicle are required to use provided seat belts and must not be of an age or size to require child safety seating. Carrying of passengers should be limited to those with some direct relationship to the conduct of District business. However, there may arise an unanticipated situation which may warrant the use of a District vehicle to transport a family member. If, while an employee is on duty, a family member is stranded, ill, or likewise, and is unable to reasonably find transportation, or unable to transport themselves home or to another's care, the employee may transport the family member to the appropriate location. This should be done after receiving permission from a supervisor and should be in limited circumstances only. Certain discretionary personal uses shall be permitted with District vehicles during regular work hours such as break stops or short personal errands that fall within the immediate geographic area of specific business already being conducted for and in behalf of the District. Employees must report any accident, theft or malicious damage involving a District vehicle to their supervisor and the human resources department, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 24 hours after the incident. Employees are expected to cooperate fully with the authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.

~~At times employees are required or expected to travel on District business using their personal automobiles. The District will reimburse employees at the current IRS authorized rate when required to do so.~~

SECTION 9: AMENDMENT “Personal Use Of District Property” of the Apple Valley Water & Sewer District is hereby *amended* as follows:

AMENDMENT

Personal Use Of District Property

COMPUTER SYSTEM, INTERNET AND E-MAIL USE

The Internet can be misused in a variety of ways, including but not limited to:

1. Downloading files that contain viruses, thereby endangering District information services;
2. Accessing objectionable material;
3. Wasting work time by performing unauthorized research or accessing non-business related information and people or for computer games, or online games.

Individual Responsibilities:

Internet users are responsible for complying with this and all other District policies when using the District’s resources for accessing the Internet. Violation of this policy is grounds for disciplinary action, up to and including termination.

General Policies for Use of the Entity’s Computer System, Including the Internet:

An employee does not have a right to privacy when using the Internet via District resources and employees should not expect or assume any privacy regarding the content of email communications. The District reserves the express right to monitor and inspect the activities of the employee while accessing the Internet at any time, and to read, use and disclose e-mail messages. In addition, all software, files, information, communications, and messages (including emails) downloaded or sent via the Internet using District resources are the District’s records and property of the District; such records are subject to potential review and disclosure under the public disclosure law of the State of Utah. Even after an email message has been “deleted,” it may still be possible to retrieve it. **It is your responsibility to not delete any emails, unless it is spam or junk, from any email account belonging to the District.**

The District has the right to restrict or prohibit any employee from Internet access for violation of the policy. Violations may also result in disciplinary action, up to and including termination.

Internet use via District resources is for District business. Except as outlined here, use of District's computer, Internet and email services are for District business only. Some limited personal use is permitted, so long as it does not result in cost to the District, does not interfere with the performance of duties, is brief in duration and frequency, does not distract from the conduct of District business and does not compromise the security or integrity of District information or software. Such limited use shall not occur on "paid time," but is permitted immediately before or after work hours and during an employee's breaks. Examples of allowable personal use include accessing a weather report or news item on the Internet, or transmitting email to a family member to assure safe arrival at home. Any personal use of District's computer, Internet and email services must comply with all applicable laws and District policies, including anti-discrimination policies and Internet usage policy.

Internet use must comply with applicable laws and District policies including but not limited to all federal and state laws, and District policies governing sexual harassment, discrimination, intellectual property protection, privacy, public disclosure, confidentiality, misuse of District resources, information and data security.

All Internet use must be consistent with the District's Personnel Policies Manual.

The District's computer system permits employees to perform jobs, share files, and communicate internally and with selected outside individuals and entities in the performance and conduct of District business. Employees are prohibited from gaining unauthorized access to another employee's email messages, or sending messages using another employee's password.

In order to prevent potential District liability, it is the responsibility of all Internet users to clearly communicate to the recipient when the opinions expressed do not represent those of the District.

The District has the capability and reserves the right to access, review, copy, modify and delete any information transmitted through or stored in its computer system. The District may disclose all such information to any party (inside or outside the District) it deems appropriate and in accordance with applicable law. Accordingly, employees should not use the computer system to send, receive or store any information they wish to keep private. Employees should treat the computer system like a shared file system—with the expectation that files sent, received, or stored anywhere in the system will be available for review by any authorized representative of the District for any purpose, as well as the public if a proper request is made for public records.

Good judgment should always be employed in using the District's email and Internet systems. Employee email messages may be read by someone other than the person(s) to whom they were sent. Email inconsistent with the District's policies must be avoided. For example, it is prohibited to make jokes or comments which could offend someone on the basis of gender, race, age, religion, national origin, disability or sexual orientation. These comments would be in direct conflict with the District's policies prohibiting discrimination and harassment. Accordingly, employees should create and send only courteous, professional and businesslike messages that do not contain objectionable offensive or potentially discriminatory material.

Caution should be taken in transmitting confidential information on the computer system. Employees should use due care in addressing email messages to assure messages are not inadvertently sent to the wrong person inside or outside the District. Email creates a written record subject to court rules of discovery and may be used as evidence in claims or legal proceedings. Once sent, email cannot be retracted. Even after deletion at a workstation, email can be retrieved and read.

The safety and security of the District's network and resources must be considered at all times when using the Internet. Any programs from a non-current source (i.e., software that is not purchased in original diskette or CD ROM format) or which involve executable or binary files must not be downloaded or installed without prior permission from the District Administrator and without being properly scanned for viruses.

Employees are not to share or reveal individual passwords to anyone.

There is a wide variety of information on the Internet. Some individuals may find information on the Internet offensive or otherwise objectionable. Individual users must be aware that the District has no control over available information on the Internet and cannot be responsible for the content of information.

Prohibited Uses of the Internet:

The following is a non-exclusive list of prohibited uses of the Internet and email:

- Commercial use – any form of commercial use of the Internet is prohibited;
- Solicitation – the purchase or sale of personal items or non-business items through advertising on the Internet is prohibited;
- Copyright violations – the unlawful reproduction or distribution of copyrighted information, regardless of the source, is prohibited;
- Discrimination / Harassment – the use of the Internet to send messages or other content which is harassing, derogatory or unlawfully discriminatory to employees, citizens, vendors or customers is prohibited;
- Political – the use of the Internet for political purposes is prohibited;
- Aliases / Anonymous messages / misrepresentation – the use of aliases or transmission of anonymous messages is prohibited. Also, the misrepresentation of an employee's job title, job description, or position with the District is prohibited;
- Social networking sites – the accessing and/or creation of social networking sites, such as Facebook, Twitter, Instagram, Blogs and similar sites is prohibited for non-entity business purposes;
- Instant messaging not related to district business, remember you must not delete any of these messages;
- Misinformation / Confidential Information – the release of untrue, distorted, or confidential information regarding District business is prohibited;
- Viewing or Downloading of Non-Business Related Information - the accessing, viewing, distribution, downloading, or any other method for retrieving non-District related information is prohibited. This includes, but is not limited to, entertainment

- sites, pornographic sites, sexually explicit sites, chat rooms and bulletin boards;
- Unauthorized attempts to access another’s network or e-mail account;
- Display or transmission of sensitive or proprietary information to unauthorized persons or organizations;
- Spamming email accounts from the District’s email services or District machines.

Nothing in this section prohibits the use and access of the described systems for bona fide law enforcement and investigation purposes. **Office Equipment/Consumables:**

Office equipment may be used incidentally for personal purposes so long as it does not interfere with the employee’s work. It should preferably occur during the employee’s personal time. All consumables or other costs shall be paid for. The use must not involve any activity that reflects adversely on the District or is incompatible with public service. Any violations will result in disciplinary action, up to and including termination. Depending on the specific nature of the offense, the violation could also result in criminal prosecution or civil action.

SECTION 10: **EFFECTIVE DATE** This Resolution shall be in full force and effect immediately after the required approval.

PASSED AND APPROVED BY THE BIG PLAINS WATER
SPECIAL SERVICE DISTRICT

	AYE	NAY	ABSENT	ABSTAIN
Chairman Michael Farrar	_____	_____	_____	_____
Board Member Kevin Sair	_____	_____	_____	_____
Board Member Harold Merritt	_____	_____	_____	_____
Board Member Ross Gregerson	_____	_____	_____	_____
Board Member Matt Politte	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk

Michael Farrar, Chairman