

## Resolution No. 2023-16

### Exhibit A

Below represents the changes made to the Mission Springs Water District Personnel Rules and Regulations:

**Rule 7. Workplace Safety** – *Added the following verbiage:*

A. Workers Compensation.

Employees must submit to HR Work Status reports after each medical visit. The District strives to coordinate the submission of Work Status reports with employees' medical providers. However, in the event the employees' medical providers fail to submit Work Status reports on behalf of the employees, the District will require employees to do so themselves. Reports should be submitted via email or hard copy within 48 hours after each medical visit. Failure to submit Work Status reports on a timely basis may result in employees' accommodations and/or leaves of absence being adjusted.

D. Coordination of Benefits. The District coordinates benefits with the Workers' Compensation program in order to ensure that employees receive up to 100% of their normal gross weekly wages during periods when they are unable to work. Employees may substitute any accrued paid leave for any portion of unpaid leave during which the employee receives Workers' Compensation benefits.

In no event shall employees receive more money from Workers' Compensation and District wage replacement benefits than their regular wages.

**Rule 10. Types of Appointments/Appointment Process** – *Added the following verbiage:*

"Classification" means each position in the competitive service that has a designated title, a specific statement of the duties required to be performed by the employees in such position, and an established wage range for such position.

D.1. Regular Employee. A regular employee is one who has successfully completed the probationary period and is employed full-time or part-time. A **full-time** regular employee receives all fringe benefits provided to that employee's classification pursuant to these Rules. ~~A regular part-time employee receives prorated fringe benefits if regularly assigned to work more than twenty (20) hours per week.~~

**Rule 17. Fringe Benefits - Revised**

A. Enrollment in Health Insurance, Dental Insurance, Vision Care Coverage, Life Insurance, Employee Assistance Program and Deferred Compensation.

1. All employees who are employed on a full-time basis, except emergency, seasonal and temporary employees (~~less than forty 40~~ thirty 30 hours or more per week), shall be enrolled in the health, vision, ~~life insurance~~, and employee assistance plans sponsored by the District. ~~Regular and probationary employees may enroll eligible dependents in the health plan provided acceptable proof of eligibility is submitted along with enrollment forms. Regular and probationary employees and their dependents. They~~ shall also be eligible for dental insurance, on the terms and conditions as authorized by the Board of Directors of the District. The District's deferred compensation program is voluntary. Fringe benefits may be altered on a year-by-year basis as the District may see fit. ~~Part-time employees receive prorated benefits if they are regularly assigned to work more than twenty (20) hours per week, except emergency, seasonal and temporary employees.~~ After a 30-day absence, that does not have job protection under any applicable local, state, or federal leave laws ("non-protected leave"), fringe benefits including but not limited to health insurance and life insurance will cease. Employees will be offered COBRA for medical benefits only. Life Insurance coverage will resume once the employee returns to work.

**Rule 25. Vacation Leave – Revised**

E. Personal Time. Personal need for time off from scheduled work shall be considered as ~~unscheduled~~ vacation leave and will be paid to employee from accrued vacation balance.

**Rule 26. Sick Leave – Revised**

E.2.b. Employees who qualify for sick leave under this section are entitled to use accrued sick days beginning on the 90th day of employment. Temporary, extra help, part-time, and seasonal employees shall receive 27 hours (or three (3) days) of sick leave in their sick leave bank immediately upon commencement of employment. Unused sick leave at the end of the calendar year may not be carried forward and sick leave may not be cashed out. Thereafter, at the beginning of each subsequent calendar year, the employee shall begin the year with 27 hours (or three (3) days) in their sick leave bank. ~~In the event a temporary employee becomes a full-time regular employee, they will begin to accrue sick leave at the same rate as all other full-time regular employees without loss to their accrual bank.~~

E.3.b. If the District does not receive sufficient information from an employee regarding the reason for an unexpected and unscheduled absence, the unexpected and unscheduled absence will be deducted from the employee's accrued ~~sick leave vacation~~ unless the District and the employee agree otherwise. For purposes of this Section, "sufficient information" shall mean to provide the general nature of the request (e.g., doctor's appointment, treatment, care of a covered family member or "designated person," etc.). When requesting sick leave, employees

should not disclose any private medical information or any other confidential personal information.

E.4.i. An employee taking three or more unauthorized sick leave days in one quarter will be subject to discipline at the discretion of the General Manager or his/her designee. ("Unauthorized" means leave that has not been previously approved by a supervisor or which does not constitute an appropriate use of sick leave in the discretion of management.) **After employees have exhausted their allotment of sick days under the Healthy Workplace Healthy Family Act (HWHFA), any additional unauthorized absences may be subject to discipline on a case-by-case basis.**

E.6.a. The employee shall make an effort to notify his/her supervisor within thirty (30) minutes of the beginning of the workday that the employee is absent, **if possible. If not possible, the employee shall provide notice as soon as possible.** If the employee is unable to contact his/her supervisor, he/she shall make an effort to notify Human Resources of the absence.

E.6.c. Sick leave benefits may be taken **15-minute in 30-minute** increments.

E.6.f. An employee on **a leave of absence due to illness or injury sick leave** must exhaust all other paid leaves, including, but not limited to, sick leave, vacation leave, and administrative leave, before ~~sick~~ the leave may be taken without pay. This provision shall not apply to accrued compensatory time off.

### **Rule 27 – Family Care Leave and Other Types of Leaves - Revised**

B.3. Substitution of Paid Leave. Employees are required to substitute accrued vacation time and other paid personal leave (except sick leave) for all family care, medical leaves, and military leaves. **Employees on leave for occupational injuries may elect to substitute paid leave for any portion of unpaid leave.** Employees may elect to substitute sick leave to attend to an illness of a child, parent, spouse or domestic partner of the employee *or* for other types of family care leave. Employees are required to substitute sick leave only for the employee's own medical leaves. During the time an employee is receiving Paid Family Leave benefits, he/she will be required to exhaust up to 2 weeks of accrued and unused vacation benefits, and employees, at their discretion, may use any accrued and unused sick leave.

B.6. Leave's Effect on Benefits. Employees will be placed on COBRA if employees **exhaust their FMLA, CFRA, and PDL leaves and fail to return to work performing the minimum number of hours required to be eligible for health insurance. fails to return to work after exhausting his/her 12 weeks of FMLA leave.**

B.11. Leave's Effect on Reinstatement. If you have questions or would like further clarification about your rights under the FMLA or other types of leave, please contact Human Resources. Separately, employees may file complaints of claimed violations of CFRA with the **California Department of Fair Employment and Housing (DFEH), Civil Rights Department (CRD)**

which is authorized to investigate such complaints. For more information, visit the CRD's [DFEH's](http://www.dfeh.ca.gov) website at <http://www.dfeh.ca.gov>. <https://calcivilrights.ca.gov/>.

#### E. Other Leaves of Absence: - Revised

##### **Leave for Educational/Daycare Purposes**

Employees will be granted time off without pay for up to 40 hours per calendar year, but no more than eight hours in any calendar month, to:

- participate in the activities of schools or licensed child daycare facilities attended by their children,
- find, enroll, or reenroll their children in a school or with a licensed child care provider, or
- address a child care provider or school emergency (*i.e.*, the school or child care provider requested that the child be picked up, there is a behavioral or discipline problem with the child that needs to be addressed with the school or child-care provider, there is a closure or unexpected unavailability of the school or child-care provider, or that there is a natural disaster, such as an earthquake or fire, requiring that the child be kept home or picked up from the school or child-care provider). Leave for this purpose will not be limited to 8 hours per month.
- Employees eligible for such leave are parents, step-parents, foster parents, grandparents, guardians or persons who stand *in loco parentis* (in the place of a parent) to a child.
- Employees must substitute accrued vacation for purposes of a planned absence under this policy.
- Employees wishing to take time off under this policy must provide their supervisors with reasonable notice of the planned absence. If both parents of a child are employed by District at the same worksite, the request for time off under this policy will be granted to the first parent to provide notice of the need for time off. The request from the second parent will be accommodated if possible.
- The District reserves the right to request that the employee furnish written verification from the school or daycare facility as proof that the employee participated in school or daycare activities on the specific date and at a particular time. Failure to provide written verification is grounds for disciplinary action.
- The District prohibits any discrimination or discharge due to an employee taking time off under this policy.

##### **Bereavement Leave**

Employees who have been employed with the District for at least 30 days and who are compelled to be absent from work because of the death of the employee's parent, including biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child, grandparent, sibling, sister-or brother-in-law, spouse, registered domestic partner, child of any age, including biological, adopted, or foster child or stepchild, a legal ward, or a child of an employee or the employee's registered domestic partner, or a

person to whom the employee stands in loco parentis, or grandchild, the employee may take up to five (5) days leave to attend the funeral or memorial services. The five (5) day leave shall be as follows:

1. Employees are allowed a maximum of three (3) days paid bereavement leave.
2. If the employee has accrued at least eighteen (18) hours of unused sick leave, the employee may substitute two (2) paid sick leave days for any unpaid portion of bereavement leave, and the two (2) days will be deducted from accrued leave entitlement OR employees may take an additional two (2) unpaid bereavement days if the employee does not have enough accrued sick leave.
3. Additional time off may be granted by the General Manager.
4. The five days of bereavement leave do not have to be used continuously. They can be taken intermittently, but the entire leave must be completed within 3 months of the death of the eligible family member.

The District reserves the right to request documentation of the death of the family member, including a death certificate, published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. If requested, the documentation must be provided within thirty days of the first day of bereavement leave. The District will maintain the confidentiality of any employee who requests bereavement leave under this policy.

A leave to attend to the death of an individual not covered under the paid bereavement policy above may be granted as a short unpaid personal leave. Vacation or other accrued leave (except sick leave) may be substituted for the unpaid personal leave.

#### **Rule 28 - Resignation and Job Abandonment - Revised**

A.3. Final paycheck. An employee who voluntarily resigns will receive their final wages at the next scheduled pay date.

#### **Rule 39 – Education and Certification Incentive Pay - Revised**

A. Higher Education. Employees whose jobs do not require a degree, but have earned a higher education degree will be eligible for the following incentive:

- a. ~~B.A. degree or B.S.~~ Bachelor's degree or Master's degree: two-and one-half percent (2 ½%).

**Rule 40 - Bilingual Pay** - *Added*

- A. Eligibility. Employees who demonstrate, to the satisfaction of the District, the ability to communicate in a foreign language will receive a stipend in the amount of \$25 per pay period. These employees may be required to communicate with customers, review literature that has been translated by third parties, and/or to translate simple documents from a foreign language to English or vice versa.

Employees who wish to receive bilingual pay must apply by submitting the Bilingual Pay form to the Human Resources department.

Employees who do not pass to the District's satisfaction the initial language evaluation may reapply to be evaluated after 6 months.

- B. Effective Date. The employee will receive a salary increase beginning the next full pay period after receiving a passing score in the foreign language evaluation.