Employee

Policy

Manual

Southwest Water Authority

INTRODUCTION

The Southwest Water Authority has a commitment to excellence in service. It is the intent of the Southwest Water Authority to employ capable employees who are dedicated to the highest standards of service and performance. The Southwest Water Authority recognizes that an employee has the right to leave the employ of the Southwest Water Authority at any time and for any reason. Similarly, the Southwest Water Authority reserves the right to terminate the employment of any employee at any time for any reason.

This Employee Policy Manual is intended for informational purposes only and is not a binding contract on the part of the Southwest Water Authority or the individual employee. All matters addressed in this manual which are not prescribed by federal, state or local law are subject to change, alteration or amendment at the discretion of the Southwest Water Authority with or without notice to employees. No employee has any vested right in having any policy or procedure continued.

Approved January 6, 1997

Southwest Water Authority does not discriminate on the basis of race, color, natural origin, sex, age, religion, marital status, or disability in employment or the provision of services.

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Administration Employee Policy Guideline

The administrative employee policy guideline includes the following:

SAFETY
Employee will review and become familiar with the Southwest Water Authority safety manual. Employee will be required to attend safety meetings presented by the safety officer. All safety guidelines recommended by the manufacturer and/or safety manual must be adhered to by the employee.

VEHICLES AND EQUIPMENT
Use of vehicles and equipment for private use is prohibited. Vehicles and equipment will be serviced as recommended by the manufacturer at locations established by the Southwest Water Authority. The employee is responsible to see that all maintenance required for an assigned vehicle is performed. Employee will be required to check all fluid levels, if applicable, before using equipment.

INVENTORY
Employee must complete inventory forms for spare parts or replacement parts either being received or utilized in repair work or provided to customers. It is very important for us to account for these materials.

PURCHASING
Other than normal maintenance supplies, purchases exceeding $300.00 will require approval by immediate supervisor. This will not apply to emergency situations.

SOUTHWEST WATER AUTHORITY RULES AND REGULATIONS
Employee will become familiar with Southwest Water Authority rules and regulations. Reference should be made to the *Rules and Regulations* when answering customer questions.

STAFF MEETINGS
Employee will attend staff meetings held by immediate supervisor. Employee is encouraged to discuss any administrative concerns. Employee is also encouraged to raise any questions concerning job assignments, duties, and responsibilities.

Annual Leave

Annual leave is an approved absence from work with pay for a vacation, or for other purposes.

Annual leave is earned by each permanent employee of the Southwest Water Authority at the rate of between 8 and 16 hours a month depending on the employee's length of service. The leave accrual schedule is as follows:

Months of Service	Hours Per Month	Hours Per Year
0 through 36	8	96
37 through 84	10	120
85 through 144	12	144
145 through 216	14	168
217 and over	16	192

Annual leave accrues on a prorated basis for a fraction of a month.

Increase in leave time begins on anniversary date of employment.

Only 240 hours of annual leave may be carried over from one year to the next, according to the cutoff date established by the Southwest Water Authority. Hours in excess of 240 hours will be lost.

Unless an employee leaves the service of the Southwest Water Authority, the employee will not be paid for annual leave that is not used.

All accrued annual leave is payable upon resignation or termination.

If any employee leaves and then returns to the service of the Southwest Water Authority within one year, the employee will be credited with their previous years of service for the purpose of determining their annual leave accrual rate.

Temporary employees do not earn annual leave. However, if a temporary employee becomes permanent, credit will be given by the agency for the employee's prior length of service, for the purpose of determining the annual leave accrual rate.

Hours of annual leave for permanent part-time employees will accrue based on hours worked.

Requests exceeding two working days for annual leave must be approved two weeks in advance by the employee’s supervisor, and must not disrupt operations of the Southwest Water Authority.

Annual leave can be used in quarter hour increments.

Certification for Water Distribution & Treatment Operator

Southwest Water Authority must employ appropriately certified water distribution and treatment operators. Appropriately certified refers to certification at a grade corresponding to the class of facility being operated, which is based on the population served and level of treatment provided by the system. SWA operations and maintenance employees operate a Class III water distribution system and water treatment operators operate Class IV water treatment facilities.

Employees not currently certified with Level/Class 1 certification will be under general supervision of appropriately certified senior operators and/or management. Employees unable to pass Level/Class certification may be subject to reprimand and/or possible termination of employment.

A. Direct Responsible Charge (D.R.C)

An operator who has direct responsible charge shall hold a certificate that is at least equal to the classification of the facility or system where the operator is employed. Direct responsible charge means full and active performance of on-site operation. In addition to full and active performance of on-site operation, one or several of the following may be included:

1. Responsible for technical support and provides direction to other operators

2. On site or on call during shift operations
3. Responsible for operation of a major segment of a facility or system
4. Operation of a small facility or system as sole employee

B. Becoming Certified

1. Submit request via NDDEQ portal and notify supervisor/management
2. Examination
    a. Candidates must apply 15 days prior to test date
    b. Meet education and experience requirements
    c. Pay the examination fee
    d. Pass the examination with a score of 70% or higher

SWA will pay for one test per level. If an operator requires more testing to pass it will be at the employee's expense. Once achieving a passing grade SWA will reimburse the employee for the passing test only. An expense report must be submitted accompanied by the receipt for the examination fee.

Certification will qualify you for an increase of $1,200.00, per level.

3. Reciprocity
    a. Candidates must be certified in another state by exam
    b. Fulfill education and experience requirements
    c. Pay the reciprocity fee

C. Education and Experience Requirements are set by the North Dakota Department Environmental Quality.

D. Maintaining Certification

1. Certificates expire each year on the first day of January.

2. To Renew

    a. Operator's need a minimum of 12 Continuing Education Credits (CECs) every three years.
    b. Pay annual renewal fees.

3. CECs may be earned by attending training programs, seminars, workshops, and schools established or officially recognized by the Department of Environmental Quality.

    a. Each operator must earn 12 CECs which are valid for a three-year period
    b. Certified operators no longer operating within the state are exempt.

Note: You are responsible for notifying the NDDEQ, Division of Municipal Facilities on trainings you have taken, that are not on the pre-approved list, so credits may be issued.

Conduct

Each employee is expected to use common courtesy while working with other employees. Employees should be aware that friendly relationships among employees contribute to the effectiveness of the organization.

Employees are expected to avoid comments that are of a sexist or racist nature. Comments such as this tend to promote and sustain the stigma of prejudice and discrimination which is against the Southwest Water Authority's principle of non-discrimination.

Relationships With the Public

Southwest Water Authority employees are expected to maintain a cooperative and helpful attitude in all contacts with the public, whether by phone, in person, or by correspondence.

Public Representation of the Southwest Water Authority

The highest standards will be expected of each employee while the employee is representing the Southwest Water Authority, whether on the job, at public meetings, or attending conferences or conventions in North Dakota or out of state.

Entering Premises

Employees are not authorized to enter the house or outbuilding of a customer unless the customer is present with the employee. If it is impossible for the customer to be present, an evaluation of the options to enter will be made by the employee's supervisor.

Off the Job

Employees are expected to maintain standards of conduct that will reflect favorably on the Southwest Water Authority.

Southwest Water Authority Property

Employees are urged to be as careful with tools and other Southwest Water Authority property as they are with their own belongings. The supervisor is the Southwest Water Authority's first line of defense against waste of materials, misuse of machinery and equipment, and carelessness in the handling of Southwest Water Authority property. When materials or equipment are assigned to employees, supervisors are responsible to see that they are used properly.

Misuse and/or theft of Southwest Water Authority property is grounds for disciplinary action, up to and including dismissal.

Personal use of Southwest Water Authority property is strictly prohibited.

Use of Alcohol and/or Drugs While Transacting Southwest Water Authority Business

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and on the job and may result in discipline up to and including dismissal. Persons whose usage of alcohol or abuse of drugs affects work performance will be referred to the Manager/CEO of the Southwest Water Authority. The Southwest Water Authority will make every effort to help the employee by referring him or her to available facilities and assisting in any reasonable way to comply with the medical recommendations.

Medical

Any employee, who is required to drive on the job, whose driver's license is suspended for a medical condition may be subject to dismissal. This decision is made jointly by the supervisor and the Manager/CEO. The decision will include, but is not limited to, the length of time the license may be suspended and the percent of time duties and responsibilities of the position require operating a vehicle.

During the time that the employee does not have a driver's license, the employee may be temporarily assigned to another area, if possible. If this is not an option, the employee may request annual leave or leave without pay.

Employees must notify their supervisor immediately when loss of their driver's license occurs because of a medical condition. Failure to provide notification is grounds for disciplinary action, up to and including dismissal. As used in this policy, the words "medical condition" means a health condition where the employee is at risk operating a vehicle due to the possibility of a lapse of consciousness, such as a seizure.

The Southwest Water Authority will not allow any employee to operate Southwest Water Authority vehicles until: 1) they have their driver's license restored or have been issued a temporary restricted license, and 2) a medical report has been provided stating the medical condition is satisfactory.

The decision to recommend that an employee be allowed to operate Southwest Water Authority vehicles with a temporary restricted license will be made jointly by the supervisor and the Manager/CEO. The decision to grant a temporary restricted license will be made by the Driver's License and Traffic Safety Division of the Department of Transportation.

Use of a Southwest Water Authority Vehicle

Employees who abuse alcohol and/or drugs while operating a Southwest Water Authority vehicle are subject to disciplinary action, up to and including dismissal.

All employees must exercise discretion with regard to driving and parking Southwest Water Authority vehicles while conducting Southwest Water Authority business. Adherence to all vehicle

rules and regulations while operating a Southwest Water Authority vehicle is the responsibility of each employee. It is a direct responsibility of each supervisor to see that each employee understands this responsibility. Disciplinary action will be taken against any employee who does not comply with all vehicle rules and regulations and against supervisors who fail to enforce this policy.

Law enforcement officers, private citizens, or Southwest Water Authority employees may report to the Southwest Water Authority any employee who does not adhere to vehicle rules and regulations. Within 10 days of the receipt of the report, an investigation will be conducted.

Passengers will be subject to disciplinary action but not normally the same as was given to the driver. When aware that the driver is not adhering to vehicle rules and regulations, the passenger has the responsibility of calling it to the attention of the driver.

Alcohol/Drug-Related Driving Violations

An employee, who is required to drive on the job, must notify the employee's supervisor immediately when charged with any alcohol or drug-related offense involving the use of a motor vehicle regardless of where the charge was made (example: other states, foreign countries, Indian reservations, military installations, etc.). Failure to provide notification is grounds for disciplinary action, up to and including dismissal.

Employees must report to a licensed facility for an addiction evaluation if their driver's license is suspended or revoked due to an alcohol or drug-related offense. An evaluation is required for a conviction or an administrative suspension or revocation resulting from the offense. It is the employee's responsibility to obtain a written report from the counselor on the results of the evaluation and submit it to the Manager/CEO. Failure to provide the results of the evaluation is grounds for disciplinary action, up to and including dismissal.

The Southwest Water Authority will not allow any employee to operate Southwest Water Authority vehicles until: 1) the employee has the driver's license restored or has been issued a temporary restricted license, and 2) an addiction evaluation has been done after an alcohol/drug-related offense and any recommendations from the counselor have been fulfilled or are progressing satisfactorily if a long-term program is recommended.

The decision to recommend that an employee be allowed to operate Southwest Water Authority vehicles with a temporary restricted license will be made jointly by the supervisor and the Manager/CEO. The decision to grant a temporary restricted license will be made by the Driver's License and Traffic Safety Division of the Department of Transportation.

Controlled Substance & Alcohol Testing

Purpose

To establish policy and procedures for controlled substance and alcohol testing for employees and prospective employees whose job description requires a Class A driver's license. The purpose of this program is to comply with Department of Transportation (DOT) regulations and to ensure a drug and alcohol-free transportation environment, which in turn will reduce the possibility of accidents.

Policy

It shall be the policy of the Southwest Water Authority to ensure the safety and performance of all employees and the public. In an effort to prevent injuries and death due to drug or alcohol-impaired drivers operating commercial vehicles, the Authority is mandated by the Omnibus Transportation Employee Testing Act of 1991 ("the Act") to test commercial drivers for drug and alcohol use. Employees who operate vehicles classified as commercial and have a commercial driver's license, are considered to be in "safety-sensitive positions" and are subject to the Act. This personnel policy concerns only employees subject to the Act.

The procedures for conducting controlled substance and alcohol testing performed under this program shall be in accordance with the DOT Regulations 49 CFR Part 40 which outlines procedures for transportation work place testing programs.

The testing shall be done by an outside service provider.

Employees who refuse to submit to a drug or alcohol test under this policy will be considered to have tested positive. Failure to report for testing without a legitimate reason or attempting to alter a test, shall be treated as a refusal to submit to drug or alcohol testing and the employee will be considered to have tested positive. The employee will be promptly released from duty, suspended without pay and subject to discipline up to and including dismissal.

Alcohol Prohibition

Employees must:

1. Test when requested;
2. Not use alcohol, in any form, on the job (including mouthwash or cough syrup containing alcohol);
3. Not have even a part of one drink fewer than 4 hours before work duties begin;
4. Not work under the influence of alcohol;
5. Not remain on work duty if a test result reflects a breath-alcohol concentration (BAC) of .02 or greater;
6. Not use alcohol within 8 hours after an accident or until undergoing a post-accident alcohol test.

The Act requires that covered employees be available to be tested for alcohol while on duty and just prior to, just after, or while performing a safety-sensitive function. Employees who refuse to be tested or to cooperate in testing, or who attempt to alter test results, are subject to discharge procedures.

Controlled-Substance Prohibition

Employees must:

1. Test when requested;
2. Not use illegal controlled substances;
3. Not use prescription drugs containing controlled substances contrary to a physician's instructions.

The Act requires that employees be available to be tested while on duty.

The Act requires that covered employees be available to be tested for controlled substances while on duty regardless of the tasks being performed.

Employees who refuse to be tested or to cooperate in testing, or who attempt to alter test results, are subject to discharge procedures.

Testing

Drug and Alcohol testing will be required for:

1. Pre-employment testing. New employees will be hired for safety-sensitive positions on the condition they submit a negative drug test (administered after being chosen but before being hired) and a drug-testing record from previous employers that shows no drug use for at least the previous two years and successful treatment if applicable.

   Authority job announcements will say whether the position is safety-sensitive and requires pre-employment drug-testing.

2. Post-accident testing. Drivers are responsible for notifying their supervisor of any vehicle accident as soon as possible after the accident.

   An "accident" is defined as an incident involving a commercial vehicle in which there is either a death, an injury treated away from the scene, or a vehicle which must be towed from the scene.

   As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, the Authority shall test for alcohol and controlled substances each surviving driver:

A. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

B. Who receives a citation under State or local law for a moving traffic violation arising from the accident, if the accident involved:

I. Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

ii. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Employees must be tested for alcohol within two hours and controlled substances within 32 hours after all accidents resulting in a death or where the driver is cited for a moving violation. Employees must remain available until the post-accident test is administered or 8 hours after the accident.

If the alcohol test is not administered within two hours, the supervisor must file and maintain records stating why. If no alcohol test is administered within eight hours of the accident, no test will be given, and the supervisor must file and maintain records stating the reason for the delay and the lack of testing.

If the controlled-substance test is not administered within 32 hours, no test will be given, and the supervisor must file and maintain records stating the reason for the delay and the lack of testing.

Documentation regarding the alcohol test, the controlled-substance test, or lack of either test shall be forwarded to the CFO/Office Administrator for retention.

3. Random Testing. Each driver shall submit to controlled substance and/or alcohol testing when his or her name is selected at random by the testing program administrator. Once a driver is notified of the testing, he or she must report to the testing site at the appointed time.

4. Reasonable-Suspicion Testing. A driver must undergo alcohol or controlled-substance testing when his or her supervisor has reason to believe that the driver has used alcohol or controlled substances in violation of the DOT regulations.

5. Return-to-Duty Tests. If any alcohol test result is positive and the course of treatment recommended by the Employee Assistance Program (EAP) or Substance Abuse Professional (SAP) has been completed, the driver must submit to a return-to-duty alcohol test prior to resuming duties. The return-to-duty alcohol test must indicate a breath-alcohol concentration of less than .02.

If an employee is discharged as a result of a positive controlled-substance test and that discharge is appealed and overruled, the employee will be required to submit to

a return-to-duty controlled-substance test. The return-to-duty controlled-substance test result must be negative.

6. Follow-up Tests. Unannounced follow-up tests are required for any driver who, after a positive test result, is determined by a substance abuse professional to need help with alcohol or controlled-substance abuse.

Testing Vendor Responsibilities.

If the initial alcohol test results are .02 or greater, the testing vendor will wait 15 minutes and then issue a retest or confirmation test. During the 15-minute waiting period before the confirmation test, the employee will be given a set of instructions (for example, no eating or drinking) that must be followed. If the employee does not follow these instructions, it may be considered an attempt to alter the test results. If the confirmation test result confirms the initial test result, the disciplinary action will be initiated.

Controlled-substance tests must be performed by an approved lab and follow proper laboratory procedures. If a test is positive, it will be reviewed by the physician serving as the testing vendor's medical review officer (MRO). The MRO will follow specific procedures required by the federal guidelines. These procedures are intended to verify that the test result is a true positive. The medical review officer will call the employee who has tested positive, discuss what might have caused the test result to be positive, and make sure of the result, before notifying the Authority. If the test remains positive, the employee may request, at the Authority's expense, that a second independent analysis be performed on the untested portion of the sample.

Test results-required action.

1. Employees who test positive for controlled-substance tests will be promptly released from duty and terminated.
2. Employees who have an alcohol test less than .04, but greater than .02 shall immediately be removed from performing any safety sensitive functions for a period of 24 hours and be subject to discipline up to and including dismissal.
3. Employees who have an alcohol test of .04 or greater shall immediately be removed from performing any safety sensitive functions and will be subject to review by management for discipline up to and including dismissal.
4. All required actions must be taken by the Authority upon receiving the initial report of the verified positive test result. The Authority is not authorized to wait to receive the written report.
5. Failure to be able to operate a commercial vehicle without a commercial driver's license will impair the employee's ability to perform the essential functions of their job and subject them to discipline which includes time without pay and dismissal.

Out-of-Service Request

All drivers are subject to being on-call or recall for emergency duties. However, if the driver has had even a part of one drink in the 4 hours prior to the call, or suspects that he or she may have a breath-alcohol concentration of .02 or above, the driver must take himself or herself out of service. No disciplinary measures will be taken when the driver requests to take himself or herself out of service.

Confidentiality

Individual test results are confidential and will not be released to third parties without the employee's specific written consent or as otherwise provided by law.

Deferred Compensation

Deferred compensation is a voluntary, supplemental retirement plan for eligible employees. The program permits eligible employees to defer a portion of their salary on a pretax basis through automatic payroll deductions and have it invested for payment to them at a later date, usually at retirement. Neither the amount deferred to their investment account nor the income nor gains on those investments are subject to Federal and State withholding until they begin to withdraw money from the account. A deferred compensation plan is set up under Section 457 of the Internal Revenue Code (IRC).

To be eligible, the employee must be a permanent employee working at least 20 or more hours a week for at least five months of the calendar year.

The eligible employee should consider any deferred salary to be a long-term investment. They should not consider the deferred compensation amount to be a savings account with unlimited access to the funds at any time. Loans are not allowed. Funds are only available in the event of separation from service or if the employee experiences a severe and unforeseeable emergency.

The eligible employee may begin, stop, increase or decrease their deferred compensation deduction at any time by completing a Participant Agreement form. The IRC requires that any changes to the employee's salary deduction amount be made in the month prior to the month in which the salary is earned.

Specific information on deferred compensation can be obtained by contacting the payroll manager of the Southwest Water Authority.

Portability Enhancement Provision (PEP)

Starting January 1, 2000, public employees who start (or continue) participation in an approved deferred compensation plan can add part of the employer contribution to their member account. By starting a deferred compensation plan with at least one percent of salary, or $25, whichever is greater, part of the employer contribution (PEP) goes into the member account. NDPERS members with more than 36 months of retirement service can convert up to four percent of salary into their account.

Withdrawing Money

Money may be withdrawn when the employee retires, upon termination of employment, or upon approval of a claim for disability or financial hardship. Upon death, the benefits are paid to the employee's beneficiaries.

Demotion, Dismissal, or Suspension Without Pay

Prior to an action of demotion, dismissal or suspension without pay of an employee, the Southwest Water Authority shall do the following:

Give the employee written notice of the intent and an explanation of the reasons for the action.

Give the employee an opportunity to respond to the notice. The employee may be directed to respond in writing or appear at a pre-termination hearing.

Review all the material that relates to the situation, including the material provided by the employee.

Decide the issue based upon whether there are reasonable grounds to believe the charges are true and support the action.

Provide written notice of the decision to the employee, and describe in the notice any rights, including the right to appeal to the Board of the Southwest Water Authority.

Discipline

Discipline is a process used to correct an employee's job performance or for a violation of rules or standards.

The use of disciplinary measures must be for "cause" which means conduct related to the employee's job duties, job performance or working relationships which is detrimental to the discipline and efficiency of the service in which the employee is or was engaged.

The disciplinary actions must be progressive in nature, beginning with the least severe appropriate action and progressing to the more severe, for repeated instances of poor job performance, or for repeated violations of the same rule or standard.

Progressive discipline may not be appropriate when an infraction or a violation is of a serious nature.

Disciplinary actions that result in suspension without pay, demotion or discharge are grievable items, and the permanent employee has a right to appeal to the Board of the Southwest Water Authority.

Written documentation is required to support all disciplinary actions.

Drug-Free Workplace

It is the policy of Southwest Water Authority to maintain a workplace that is free from the health and safety-related consequences of drug, alcohol and cannabis (marijuana & THC) use and abuse. Employees are required to report to work in appropriate mental and physical condition to perform their jobs.

It is unlawful to use, manufacture, possess, distribute, dispense, sell or be under the influence of alcohol, cannabis or illegal drugs while on Southwest Water Authority premises and/or while conducting business-related activities at any location. Any employee violation of this policy will be subject to disciplinary actions up to and including dismissal.

An employee must notify Southwest Water Authority within five (5) days after being convicted for violating any federal or state criminal drug statute in the workplace.

Southwest Water Authority must notify the contracting federal agency within 10 days after receiving notice from employee.

E-Mail Policy for Business and Personal Use

Southwest Water Authority has established a policy with regard to access and disclosure of electronic mail messages created, sent or received by company employees using the company's electronic mail system.

Southwest Water Authority intends to honor the policies set forth below, but must reserve the right to change them at any time as may be required under the circumstances.

1. Southwest Water Authority maintains an electronic mail system. This system is provided by Southwest Water Authority to assist in the conduct of business within the Authority.

2. The electronic mail system hardware is Southwest Water Authority property. Additionally, all messages composed, sent, or received on the electronic mail system are and remain the property of the Authority. They are not the private property of any employee.

3. The electronic mail system is primarily for Southwest Water Authority business use. Limited, occasional or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable--as is the case with personal phone calls. However, employees need to demonstrate a sense of responsibility and may not abuse the privilege.

4. The electronic mail system may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

5. The electronic mail system is not to be used to create any offensive or disruptive messages. Among those which are considered offensive, are any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability.

6. The electronic mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

7. Southwest Water Authority reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the electronic mail system for any purpose. The contents of electronic mail properly obtained for legitimate business purposes, may be disclosed within the Authority

without the permission of the employee.

8. The confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the Authority or they are invalid and cannot be used.

9. Notwithstanding Southwest Water Authority's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior approval by the employer.

10. Employees shall not use a code, access a file, or retrieve any stored information, unless authorized to do so. Employees should not attempt to gain access to another employee's messages without the latter's permission. All computer pass codes must be provided to supervisors. No pass code may be used that is unknown to Southwest Water Authority.

11. Any employees who discover a violation of this policy shall notify the CFO/Office Administrator.

12. Any employee who violates this policy or uses the electronic mail system for improper purposes shall be subject to discipline, up to and including dismissal.

Email Security and Phishing Awareness

Employees are expected to remain vigilant and exercise caution when reviewing, opening, or responding to emails. Malicious emails may contain malware, phishing attempts, or other threats designed to compromise systems or obtain sensitive information.

Employees should be alert for suspicious indicators, including but not limited to:

- Unexpected attachments or links
- Requests for passwords, financial information, or personal data
- Urgent or threatening language
- Misspelling, unusual formatting, or unfamiliar sender addresses

Reporting Suspicious Emails

If an employee receives an email they believe may be malicious or suspicious, they must:

1. Not click the links or open attachments
2. Not reply to sender
3. Immediately forward the email to the IT Specialist

4. Delete the email only after reporting and receiving guidance

Employees are responsible for protecting SWA systems and information.

Employee Education

The Southwest Water Authority continues to encourage the training and development of Authority employees through tuition assistance for education courses at area high school, colleges, and university extension courses.

The following guidelines are provided to assist both employees and department managers in proper application of the policy:

1. An employee must have completed twelve (12) months of continuous employment with the Authority to qualify. An employee must be in a full-time, non-probationary status at the time of application for tuition assistance. The employee's last performance evaluation must be at a "good" or higher level.

2. Each eligible employee may receive tuition assistance for a maximum of 12 semester hours, or the equivalent quarter hours, during any academic year. Enrollment may be limited to no more than 8 semester hours or the equivalent quarter hours, within a particular semester or quarter. An academic year shall be construed as from September of any year through August of the following year. Requests for tuition assistance shall be submitted each semester or each quarter.

3. The Authority may reimburse eligible employees for up to 50% of the cost for tuition and course related fees, not including books, if the employee can demonstrate that the acquired knowledge and skills will benefit the Authority and that the course in question is significantly job related.

4. If a substantially equivalent course or courses are available from more than one college, the Authority will limit reimbursement to the lowest cost of tuition and course-related fees for which the substantially equivalent course or courses are available.

5. The Authority will reimburse an employee for 100% of the cost of tuition, course-related fees, including books but no other expenses (such as notebooks, pens, etc.) if the Authority requires the course.

6. Employee attendance at education courses shall not be during office hours, except where course is not offered at other times, or circumstances exist which create a hardship to the employee. If this occurs, Authority approval is required. The employee must make up the time or use annual leave, or leave without pay to attend education courses during office hours. Leave without pay requires prior department manager approval.

7. Prior to receiving reimbursement, employees must agree in writing to refund any reimbursement if:

   a.) Course is not completed in the scheduled time period.
   b.) A passing grade is not received.
   c.) The employee terminates employment while taking the course, or
   d.) Employee leaves Authority employment within 12 months after completion of course.

8. Employee requests will be processed in the following manner:

   a.) An employee request for tuition assistance will be submitted to the employee's department manager for consideration.
   b.) The department manager will submit the employee's request to the Manager/CEO and consult with the Manager/CEO to determine employee eligibility as well as applicability of education courses to this policy.
   c.) The department manager will present the employee's request, including the determination and recommendation of the department manager and Manager/CEO for final decision.
   d.) The Manager/CEO will notify the employee when the request has been approved or denied and the reason therefore.

9. The Authority office will be responsible for keeping up-to-date records of courses taken and grades received to verify that payment of tuition is justified. The employee must agree to submit whatever records the Authority requires.

10. Employee who resigns or is terminated while attending a course previously approved for reimbursement will not receive reimbursement.

Employee Service Award Program

The purpose of the Service Award Program is to recognize dedicated employees at five-year intervals and upon retirement. The Southwest Water Authority intends to recognize long and faithful service by presenting awards.

A. An employee must have completed the equivalent of five, ten, fifteen, twenty, twenty-five, thirty, thirty-five, or forty years of full-time employment with the Southwest Water Authority, including employment with the State Water Commission transferred January 1, 1996, and employees with the city of Dickinson who transferred to Southwest Water Authority April 1, 2000, in order to receive an award. An employee who leaves employment with the Authority and then returns, again begins to accumulate time. That time must be added to the employee's previous service and applied to any future service award.

B. The service awards will be as follows:

1. Following the completion of five years; certificate or plaque, and gift not to exceed a value of $100.

2. Following the completion of ten years; certificate or plaque, and a gift not to exceed a value of $150.

3. Following the completion of fifteen years; certificate or plaque, and a gift not to exceed a value of $175.

4. Following the completion of twenty years; certificate or plaque, and a gift not to exceed a value of $225.

5. Following the completion of twenty-five years; certificate or plaque, and a gift not to exceed a value of $250.

6. Following the completion of thirty years; certificate or plaque, and a gift not to exceed a value of $250.

7. Following the completion of thirty-five years; certificate or plaque, and a gift not to exceed a value of $250.

8. Following the completion of forty years; certificate or plaque, and a gift not to exceed a value of $250.

C. Such awards will be presented to each employee during the year the employee

becomes eligible for such an award or during the first quarter of the subsequent year.

Retirement or Resignation

It should be recognized that judgment must be used in determining the scale of what is done (if anything) to recognize retiring or resigning employees for their years of service, as retirement and resignation are personal matters, and desires vary from individual to individual.

Upon the announcement of the intent of an employee to retire or resign, the supervisor of that employee's department shall determine whether or not the individual desires or will attend a social function at which the employee will be recognized for their service to the Authority. If the employee does not want a social function, this wish should be respected.

A. Social functions shall include, but not be limited to activities such as dinner, luncheon, coffee party, open house, or other similar activities.

B. Planning of activities for staff retiring or resigning, regardless of years of service will be the responsibility of the department manager in which the employee is presently serving. Such planning may be delegated at the discretion of the department manager or Manager/CEO.

C. A retirement award must be provided to an employee who has a minimum of fifteen years of service, and who has not been previously recognized for a retirement by the Authority, as follows:

1. A plaque with bronzed certificate or bronzed letter signed by the Board Chairperson.

2. A gift with a value not to exceed $200.

3. A farewell coffee party, provided that the employee agrees to participate.

Executive Time

Under normal circumstances, compensatory time is not provided for "executive, administrative, nor professional" employees as defined in the federal Fair Labor Standards Act.

The Southwest Water Authority recognizes the availability and use of convenience time for those personnel who are not required by law to receive compensation for overtime, and overtime compensation for non-exempt personnel.

The purpose of officially recognizing the use of Executive Time is not to encourage building up large blocks of Executive Time hours but rather to allow some flexibility to deal with the long days encountered during certain times of the year and the extra work hours required of exempt employees while working on high priority projects.

When applying this policy to Executive Time, the department manager may grant approval and make the determination instead of the Manager/CEO.

Granting Executive Time: Exempt employees *may* receive Executive Time credit at a rate of one-hour Executive Time for every hour worked in excess of forty-five (45) hours per calendar week. Hours must be worked and will not include holiday hours taken. Executive Time may be taken, with the Manager/CEO's prior approval, in increments of one-hour minimum to 40 work hours maximum on five (5) consecutive workdays.

Accrual of Executive Time must be approved in advance by the department manager. Employees are responsible for documenting their own hours. All such time off shall be reported to the department manager on the standard leave form in the space indicated for "Compensatory Time."

Special Events: Exempt employees who participate in, attend, organize, or present such events as programs at workshops, meetings or conferences or perform special work projects, outside their normally scheduled work day may, with the department manager's prior approval, receive hour-for-hour Executive Time credit for such events.

Eligible for Executive Time credit are all activities related to participation in any of the above events, including out-of-town travel after normal working hours. The amount of Executive Time credited for each event will be negotiated between employee and department manager prior to the event.

If an employee's responsibilities include numerous workshops, meetings, conferences, or special work projects, regularly occurring outside the employee's normal workday, the department manager and employee by mutual agreement may adjust the employee's regular working hours to accommodate these events and to eliminate the need for accruing large amounts of Executive Time.

WAIVER/FORFEITURE: The claiming of Executive Time by exempt employees is not mandatory. Exempt employees may voluntarily waive their individual right to any accrued Executive Time. Executive Time not taken within 12 months of accrual is forfeited. All unused Executive Time is forfeited when employment is terminated whether voluntarily or involuntarily. Executive Time is not transferable to another employee.

Family Leave

The Family and Medical Leave Act of 1993 and the North Dakota Family Leave Act of 1989 allow up to 12 weeks or 16 weeks respectively, of unpaid leave for reasons specified below. The provision of state law or federal law that provides the more generous benefit is the one that is listed.

Family Leave is an unpaid leave of absence available to an employee for the birth, adoption or foster placement of a child; or for the serious health condition of a parent, child, spouse or employee. (Federal)

Family Leave is available to all employees who have been employed for at least 12 months and at least 20 hours per week during the year proceeding the start of leave. (State)

The maximum length of leave available is 16 weeks in a twelve-month period, which is prorated for part-time employees. (State)

The maximum length of leave available in a twelve-month period is 12 weeks for an employee's serious health condition and 16 weeks for all other authorized reasons. The leave is prorated for part-time employees. (State)

If both spouses are employed by the Southwest Water Authority, the combined leave may not exceed the applicable 12 or 16 weeks. Reasonable and practical notice must be provided to the Southwest Water Authority; the needs of the Southwest Water Authority shall be given reasonable consideration. (State)

Leave may be taken consecutively, intermittently, or on reduced work schedule. (Federal)

When an employee is aware of the need for FMLA leave, the employee is required to provide the employer with notice 30 days in advance. When leave is not foreseeable, the employee can give notice as soon as he or she is aware of the need. Notice can be verbal or in writing, in person or by telephone. (Federal)

Birth, adoption or foster care leave must be taken within 12 months of the event. (Federal)

When leave is completed, the employee must be restored to the same position or a position with equivalent compensation and benefits. If a layoff would have caused the position to have been lost, this reinstatement provision does not apply. (State)

The Southwest Water Authority will continue health benefits at the same level and coverage had the employee not taken leave. The premium paid may be recovered from the employee if the employee fails to return to work after the leave has expired, unless the continuation, recurrence or onset of a serious

health condition that entitles the employee to leave, or other circumstances beyond the control of the employee. (Federal)

Medical certification may be required by the Southwest Water Authority. However, it is limited to stating only that: a serious health condition exists, the date of commencement and probable duration; or the medical facts to the best of the provider's knowledge. (State)

Flexible Compensation

FLEXCOMP is an optional employee benefit plan that allows full-time Southwest Water Authority employees to pay for certain eligible expenses on a pre-tax basis. Employees can set aside a portion of their wages, before taxes are deducted, into accounts from which they draw tax free reimbursements. Eligible expenses include medical expenses that are not covered by health insurance, qualifying premium expenses, and dependent care expenses which enable the employee and spouse to be gainfully employed.

Funeral Leave

Funeral leave is a leave of absence with pay of up to 24 working hours that may be granted to an employee to attend or make arrangements for a funeral, as a result of a death in the employee's family, or in the family of an employee's spouse.

"Family" means the husband, wife, son, daughter, father, mother, stepparents, brother, sister, grandparents, grandchildren, stepchildren, foster parents, foster children, daughter-in-law, and son-in-law of the employee and employee's spouse.

Funeral leave is not considered as sick leave or annual leave.

Grievance

A grievance is a dispute or disagreement between an employee and the employer over some term or condition of employment, or over the interpretation or application of policy, rule, or law.

The Southwest Water Authority will follow a grievance procedure.

The grievance procedure will involve the use of a standard form, identify the steps to be followed and the time limits, require the parties to respond, and allow the employee a reasonable amount of time to process the grievance without loss of pay.

Some grievances are appealable to the Southwest Water Authority Board following completion of the grievance process.

Each party to a grievance should attempt to resolve the dispute at the lowest possible level.

Grievance Procedure

The Southwest Water Authority has developed the following grievance procedure in order to systematically consider employee problems or complaints.

Any employee who has a problem or a complaint about a term or condition of employment, or about the application or interpretation of any policy, rule, or law should use this procedure.

INTENT

It is the intent of the Southwest Water Authority to try to resolve any grievance at the lowest possible level.

PROCEDURE

Step 1. When an employee has a problem or a complaint, the employee should first discuss it with their immediate supervisor. If discussion and any subsequent action the supervisor might take fails to effectively resolve the problem, the employee may file a written grievance, using the approved grievance form, with the immediate supervisor. The supervisor shall investigate and respond to the grievance, in writing, within ten (10) working days of receipt of the written grievance from the employee.

Step 2. If dissatisfied with the response or action taken by the immediate supervisor, the employee may continue the grievance by sending it to the Manager/CEO within ten (10) working days from receipt of the supervisor's response. The Manager/CEO shall investigate the grievance, and give the employee a written response within ten (10) working days of the receipt of the grievance.

Step 3. If dissatisfied with the response or action taken by the Manager/CEO, the employee may continue the grievance by sending it to the Executive Committee of the Southwest Water Authority within ten (10) working days of receiving the response. The Executive Committee shall investigate the grievance, and give the employee a written response within thirty (30) working days of the receipt of the grievance. The Executive Committee's response is final and concludes the internal consideration of the employee's grievance.

APPEALS

The Southwest Water Authority Board considers appeals from permanent employees who have completed their probationary periods on issues relating to demotion, suspension without pay, dismissal, discrimination, reduction-in-force (limited), forced relocation and reprisal actions. A form for making the appeal should be obtained from the personnel department of the Southwest Water Authority. The appeals procedure is as follows:

1. Within 5 business days after the effective date of dismissal, demotion, discrimination, forced relocation, reduction-in-force, reprisal action, suspension without pay, or written response to grievance, any employee affected may appeal in writing to the Southwest Water Authority Board of Directors for an informal hearing. The address of the Board of Directors is 4665 2nd Street SW, Dickinson, ND 58601.

2. The Board, upon receiving a notice of appeal, will set a date for an informal hearing before the Executive Committee, which may not be less than 5 nor more than 20 business days after the date of receipt of the notice of appeal. Notice of the time and place of the informal hearing must be served upon the employee personally or by mail at least 5 business days before the date of the informal hearing.

3. The Executive Committee will hear the appeal at the time set by the Board. The Executive Committee may hear the evidence and facts to be presented by the appealing employee and the authority imposing the suspension, demotion, or dismissal, or other action complained or in any order it deems appropriate so long as all parties are given a full opportunity to be heard. The informal hearing may be continued from time to time by the Executive Committee. After all parties have presented their evidence and have been given a full opportunity to be heard, the Executive Committee may call other persons or witnesses. The informal hearing will be tape recorded. No transcript of the recording will be prepared, except at the expense of the party requesting the transcript.

4. After having completed the hearing and any investigation which it has chosen to undertake, the Executive Committee will make a recommendation to the Board for a decision based on the merits. The Board can fully uphold the discipline imposed upon the employee. The Board can reinstate the employee to the status held immediately prior to the discipline and restore to the employee any pay lost as a result. The Board can also find that it was proper to discipline the employee, but that the level of discipline imposed did not fit the offense committed. It may therefore impose upon the employee some lesser form of discipline. In all cases the Board will issue its written findings, conclusions, and order within 15 business days of the hearing.

5. A decision of the Board is final for those employees not previously employed by the North Dakota State Water Commission.

Health Insurance Portability and Accountability Act (HIPAA) 1996
HIPAA Policy

The Southwest Water Authority (SWA) will comply with the Privacy Regulations of the Health Insurance Portability and Accountability Act of 1996. SWA shall limit the use of and access to Protected Health Information (PHI), which is held by SWA, or its lawful agents. PHI is any written, oral, or electronic form of information, relating to a person's past, present or future health condition, delivery or payment of health services that identifies an individual or where there is a reasonable basis to believe the information could be used to identify an individual. Administrative, technical and physical safeguards, established to limit use and access to protected health information are stated as an integral part of this policy. They are established as part of daily operating procedures and will be maintained by all responsible staff and representatives of lawful agents and business associates of SWA. PHI will be shared in accordance with HIPAA on a "need-to-know-only" basis by authorized staff. The most critical examples of this would include the Human Resources and Business Management department staff due to employee leave information, NDPERS forms and SWA's cafeteria plan for flexible benefits.

To assure this commitment to compliance, SWA shall designate a Privacy Officer who shall have the responsibility to:

- to keep SWA informed of all changes, updates, requirements, responsibilities, claims, etc. concerning the HIPAA privacy regulations,
- to maintain documentation of SWA's efforts to comply with HIPAA privacy regulations,
- to ensure that employees are sent privacy notices,
- to track any protected health information disclosures,
- to process authorizations for disclosure and use of PHI,
- to serve as SWA's liaison with relevant business associates and health insurance carriers, communicating SWA's commitment and securing the commitment of these entities to the privacy and security of PHI.

The Privacy Officer will receive the support of SWA. In accordance with HIPAA, only the SWA Privacy Officer (or designated other staff) may be given access to PHI in order to legally perform the duties and administer SWA's programs. This would include, but not be limited to, other PHI such as sick leave requests, leave applications, and other personnel related information.

SWA will communicate its commitment to HIPAA Privacy Regulations to all employees.

PHI may be shared when required by law for public health, civil/criminal proceedings, abuse or neglect, or food and drug administration purposes. Information, which is normally maintained in the employment record that may contain PHI will be maintained in a locked or sealed location. Only the Privacy Officer or his/her designee will have access to this protected health information.

Protected health information may be released for other purposes by the authorization of the employee submitting a HIPAA Release of Information Form to the Privacy Officer. The use and/or disclosure of PHI is limited to the specific information for the specific purpose as indicated by said form. Employees are allowed to review their protected health information that is held by SWA and to make corrections to errors. Upon request, an employee will be provided with an accounting of disclosures of PHI.

COMPLAINTS

You have the right to file a complaint with SWA if you believe that your privacy rights have been violated. Any complaints to SWA should be made in writing to Privacy Officer, 4665 Second Street SW, Dickinson, ND 58601-7231.

You may receive information on how to file a federal complaint by contacting the Regional Manager, Office for Civil Rights, U.S. Department of Health and Human Services, 1961 Stout Street, Room 1185 FOB, Denver, CO 80294-3538, Phone (303) 844-2024, FAX (303) 844-2025, TDD (303)844-3439 or the Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 515F HHH Bldg., Washington, D.C. 20201.

SWA will not retaliate against YOU for filing a complaint.

SWA PRIVACY CONTACT

SWA has designated a Privacy Officer as its contact person for all issues regarding patient privacy and your privacy rights. If you have any questions about SWA privacy policy or your privacy rights, please submit a written request to: SWA Privacy Officer, 4665 Second Street SW, Dickinson, ND 58601-7231or call 701-225-0241 or 1-888-425-0241.

NOTICE OF PRIVACY

THIS NOTICE DESCRIBES HOW PROTECTED HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. *PLEASE REVIEW IT CAREFULLY.*

USES AND DISCLOSURES OF HEALTH INFORMATION

The Southwest Water Authority (SWA) uses health information about you for administrative purposes and in other limited forms.

Subject to certain requirements, we may give out your health information if you have given written authorization to have your health information disclosed; or if a personal representative of yours (with proper authorization) has requested SWA to disclose your health information.

SWA may use or disclose "protected (identifiable) health" information about you without your authorization for several reasons: (1) subject to a court order; (2) when disclosure is required under a federal or state law (such as an audit of SWA financial records); or, (3) for research purposes. But, in the case of disclosure for research, we will disclose information only if the project is approved by SWA (Plan Sponsor), and the information is "summary information" from which all direct identifiers such as name, address, Social Security number, date of birth, etc. have been removed.

SWA also limits the use and disclosure of health information as required by section 54-52.1-11 of the North Dakota Century Code, which provide for the confidential treatment of health information of individuals receiving health care benefits under the Uniform Group Insurance Program.

SWA will not disclose individually identifiable health information about you or other plan members. Only aggregate de-identified information will be disclosed for the purpose of evaluating SWA health plan benefits structure, expenditure trends, and related matters.

Furthermore, only aggregate, summarized, de-identified health information (such as total annual amounts, average payments per member per month) will be disclosed to anyone for the purpose of evaluating SWA health plan benefits structure, expenditure trends and related matters.

Except as stated above, SWA will not "use" or "disclose" your health information, unless you have

given SWA your written authorization to do so. You may revoke this authorization at any time to stop any future uses and disclosures by sending SWA a written revocation of your authorization.

YOUR RIGHTS

You have the right to request restrictions on certain uses and disclosures of protected health information, but SWA is not required to agree to a requested restriction.

You have the right to receive confidential communications of protected health information subject to certain limitations.

In most cases, you have the right to look at or get a copy of health information about you that we use to make decisions about you.

You have the right to request that SWA amend your health information, if you believe that your information is incorrect.

You also have the right to receive a list of certain instances when we have disclosed health information about you except for disclosures (1) to you, subject to certain limited exceptions; (2) incidental to a use or disclosure otherwise permitted or required by the HIPAA privacy rule; or (3) pursuant to an authorization.

Accounting requests may not be made for periods of time going back more than six (6) years. SWA will provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee. SWA will inform you in advance of the fee, if applicable.

Requests for any of the above must be made in writing and submitted to the Privacy Officer at 4665 Second Street SW, Dickinson, ND 58601-7231.

OUR DUTIES

SWA is required by law to maintain the privacy of protected health information and to provide you with a notice of our legal duties and privacy practices with respect to identifiable health information about you. You have the right, even if you agreed to receive the notice electronically, to obtain a paper copy of the notice from SWA upon request.

SWA is required to protect the privacy of your information, provide this Notice about our information practices, and follow the information practices which are currently in effect, that are described in this Notice.

We reserve the right to change the terms of this Privacy Notice and to make the new notice provisions effective for all protected health information that SWA maintains.

If SWA changes its policies and procedures, SWA will revise the Notice, post a copy of the revised Notice and provide a copy of the revised Notice to you within 60 days of the change. For more information about our privacy practices, contact the person listed at the end of this Notice.

COMPLAINTS

You have the right to file a complaint with SWA or the Secretary of the Department of Health and

Human Services (DHHS) if you believe that your privacy rights have been violated. Any complaints to SWA should be made in writing to Privacy Officer, 4665 Second Street SW, Dickinson, ND 58601-7231.

You may receive information on how to file a federal complaint by contacting the Regional Manager, Office for Civil Rights, U.S. Department of Health and Human Services, 1961 Stout Street, Room 1185 FOB, Denver, CO 80294-3538, Phone (303) 844-2024, FAX (303) 844-2025, TDD (303)844-3439 or the Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 515F HHH Bldg., Washington, D.C. 20201.

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SWA has designated a Privacy Officer as its contact person for all issues regarding patient privacy and Your privacy rights. If You have any questions about SWA privacy policy or Your privacy rights, please submit a written request to:

SWA Privacy Officer, 4665 Second Street SW, Dickinson, ND 58601-7231 or call 701-225-0241 or 1-888-425-0241.

Complaint Form

COMPLAINT FORM
CONCERNING PRIVACY OF PROTECTED HEALTH INFORMATION

PLEASE TYPE OR PRINT LEGIBLY.

THIS FORM MUST BE FULLY COMPLETED IN ORDER TO BE CONSIDERED AS A WRITTEN COMPLAINT. IN ADDITION, WE MAY NEED TO CONTACT YOU FOR ADDITIONAL INFORMATION.

Name:_____

Mailing Address: _____

Daytime phone where we can contact you (including area code): _____

E-mail address where we can contact you about this complaint: _____

TELL US ABOUT YOUR COMPLAINT. Please be specific. Include the approximate date(s) of the occurrence(s), the kind(s) of Protected Health Information involved; identify the name, title, and if available phone number or e-mail of any Southwest Water Authority employees you think may have knowledge about your complaint; and anyone you want us to contact about your complaint. You may attach additional pages if necessary. Please bear in mind that we may need to request a signed Authorization from you in order to contact some individuals. Please enclose COPIES of any documents you wish to be considered in connection with your complaint. PLEASE DO NOT SEND ORIGINAL

DOCUMENTS AS WE CANNOT RETURN THEM. PLEASE KEEP A COPY OF YOUR COMPLAINT FOR FUTURE REFERENCE IF POSSIBLE.

Signature:_____ Date:_____

Complaint Form

If complaint is signed by a legal representative of the individual:

Printed name of legal representative: _____

Representative's authority to act for the individual: _____

If the complaint is signed by a legal representative of the individual, please note that we must verify that you are this individual's legal representative for purposes of filing this complaint. Please enclose any documents that support this authority (Power of Attorney, Court Order, etc). As this person's representative, can you be contacted at the address, e-mail or phone number listed above? If not, please provide us with your mailing address, e-mail address and phone number as well:

_____

This form should be delivered in person, by U.S. mail, or by facsimile to the following:

ATTN:
Privacy Officer
4665 Second Street SW
Dickinson, ND 58601-
7231
FAX Number 701-225-4058

For SWA Use Only

Person processing complaint _____

Date complaint logged _____

Log number _____

Action taken _____

Holiday

The Southwest Water Authority has 11 holidays on which the Southwest Water Authority offices are closed:

--January 1; New Year's Day
--The 3rd Monday of January; Martin Luther King Jr. Day
--The 3rd Monday of February; Recognition of the birthday of George Washington
--The Friday preceding Easter Sunday; Good Friday
--The last Monday of May; Memorial Day
--July 4th; Independence Day
--The 1st Monday of September; Labor Day
--November 11th; Veteran's Day
--The 4th Thursday of November; Thanksgiving Day
--The 4th Friday of November; Day after Thanksgiving
--December 25th; Christmas Day

If a holiday falls on Saturday or Sunday, the preceding Friday or following Monday, respectively, is considered the holiday.

The Southwest Water Authority offices will be closed on December 24. This is an office closure, not a holiday. This closure applies to December 24 only, and is not moved to the preceding Friday or following Monday as referenced above for holidays.

Employees who are scheduled to work on holidays are generally provided an alternate day off. This is to be coordinated with the employee’s immediate supervisor.

Hours of Work

The standard work week for Southwest Water Authority employees is 40 hours.

For the purpose of calculating overtime, the work week begins at 12:01 a.m. Sunday and finishes at 12:00 midnight Saturday.

The Southwest Water Authority office is open and must be staffed from 8:00 a.m. to 5:00 p.m., Monday through Friday. However, work schedules may vary significantly based on Southwest Water Authority operations.

The Manager/CEO or designate is responsible for scheduling each employee's work hours, including any flex scheduling policies.

Internet Policy for Business and Personal Use

Access to the Internet has been provided to staff members for the benefit of Southwest Water Authority and its customers. It allows employees to connect to information resources around the world. Every staff member has a responsibility to maintain and enhance Southwest Water Authority's public image, and to use the Internet in a productive manner. To ensure that all employees are responsible, productive Internet users and are protecting Southwest Water Authority's public image, the following guidelines have been established for using the Internet.

Acceptable Uses of the Internet

Employees accessing the Internet are representing Southwest Water Authority. The Internet is primarily for Southwest Water Authority business use. Limited, occasional or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable--as is the case with personal phone calls. However, employees need to demonstrate a sense of responsibility and may not abuse the privilege. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Internet Relay Chat channels may be used to conduct official company business, or to gain technical or analytical advice. Databases may be accessed for information as needed. E-mail may be used for business contacts.

Unacceptable Use of the Internet

The Internet should not be used for personal gain or advancement of individual views. Solicitation of non-company business, or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the Southwest Water Authority network or the networks of other users. It must not interfere with your productivity.

Communications

Each employee is responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have your name attached. No messages will be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language is to be transmitted through the system. Employees who wish to express personal opinions on the Internet may be encouraged to obtain their own user names on other Internet systems.

Software

To prevent computer viruses from being transmitted through the system there will be no unauthorized downloading of any software.

Copyright Issues

Copyrighted materials belonging to entities other than Southwest Water Authority may not be transmitted by staff members on the Internet. One copy of copyrighted material may be downloaded for your own personal use in research. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action from Southwest Water Authority or legal action by the copyright owner.

Security

All messages created, sent or retrieved over the Internet are the property of Southwest Water Authority, and should be considered public information. Southwest Water Authority reserves the right to access and monitor all messages and files on the computer system as deemed necessary and appropriate. Internet messages are public communication and are not private. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

Harassment

Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual or group's race, religion, national origin, physical attributes, or sexual preference will be transmitted.

Company Chat Policy (Teams, Skype, Text)

- Professionalism: Maintain a polite and professional tone and avoid text speak or excessive, unprofessional emoticons.
- Purpose: Keep conversations focused on work-related topics and avoid or limit nonwork chatter.
- Data Security: Do not share sensitive or confidential information through unauthorized channels.
- Monitoring: Employees should be aware that company-provided chat, including private messages, may be archived and monitored.

Virtual Meeting Policy (Teams, Zoom, Etc.)

- Preparation: Join on time with video enabled, if possible, to foster connection, using a professional or blurred background
- Audio Hygiene: Mute microphones when not speaking to eliminate background noise.
- Screen sharing: Review content before sharing to avoid displaying sensitive or personal information.
- Attendance: Treat virtual meetings with the same punctuality and focus as in-person meetings, limiting distractions like phone usage.

Violations

Violations of any guidelines listed above may result in disciplinary action up to and including discharge. If necessary Southwest Water Authority will advise appropriate legal officials of any illegal violations.

Insurance

Employees are eligible to enroll in the North Dakota group insurance programs if they:

1. Work 20 or more hours per week.
2. Work at least 20 or more weeks per year.
3. Are at least age 18.

Health Insurance

You have an initial enrollment period of 31 days from your date of employment. Applications received within the enrollment period will be accepted with no restrictions or limitations for you and any eligible dependents. Coverage will be effective the first of the month following your hire date.

If you do not enroll during the initial 31-day eligibility period when hired or do not enroll within 31 days of a qualifying event, you may apply for coverage during the designated Annual Enrollment Season with coverage effective the following January.

Life Insurance

Each full-time employee automatically receives a life insurance policy, including accidental death and dismemberment, upon employment with the Southwest Water Authority.

Additional group life insurance may be purchased. Coverage for dependents, including spouse, may also be purchased. The premium is based on the age of the employee. The insurance coverage becomes effective on the first day of the month following the month of employment as an eligible employee. Adjustments in the amount of the premium due to changes in age are effective January 1 of each year.

Information

A summary report of payments made by the Southwest Water Authority for premiums is provided to each employee every calendar year.

Jury and Witness Leave

Jury Duty Leave is an approved absence from work with pay (minus any jury duty fee received) for the purpose of serving on jury duty.

An employee may use accrued annual leave to perform jury duty and may then keep any jury duty fee paid.

Witness Leave is an approved absence with pay to appear as a witness or expert witness on behalf of the employer. An employee may not retain any witness fee while on approved paid witness leave.

An employee who performs witness duties unrelated to the employee's official capacity must do so in an annual leave or leave without pay status. A subpoena is required to compel the attendance of an employee for witness duties that are not on behalf of the employer.

An employee serving as a witness or expert witness, even if the employee is on annual leave or leave without pay, may be reimbursed for mileage, meals, and lodging from only one source.

Leave Without Pay

A leave without pay means an unpaid approved absence from work for up to one year, and is separate from family leave authorized without pay.

Approving a leave without pay is discretionary on the part of the Southwest Water Authority. Granting a request for a leave without pay depends on:

-- whether the absence of the employee will unduly disrupt the Southwest Water Authority's operation or services.

-- whether the terms and conditions concerning the leave have been agreed to in writing by the employee and the Southwest Water Authority.

Before a leave without pay is granted, both parties should understand who will pay for health insurance during the leave and what position the employee will be returned to at the completion of the leave.

Leave Sharing

Annual Leave Sharing Program

1. As used in this section:
   a. "Household members" means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another. This term includes foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.

   b. "Relative of the employee" is limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of an employee.

   c. "Severe" or "extraordinary" means serious, extreme, or life threatening. These terms do not include conditions associated with normal pregnancy.

   d. "Employee" means a permanent employee with over six months continuous service with Southwest Water Authority. It does not include employees in probationary status or employees on temporary or other limited term appointments.

2. An employee may donate annual leave to a fellow employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to take leave without pay or terminate employment.

3. An employee may be eligible to receive shared leave pursuant to the following conditions:
   a. The CFO/Office Administrator and Supervisor of the employee determine that the employee meets the criteria described in this section.

   b. The employee has abided by Southwest Water Authority's policies regarding the use of sick leave.

   c. The employee's use of shared leave, including both annual and sick leave, does not exceed four months in any twelve-month period.

4. An employee may donate annual leave to another Southwest Water Authority employee only pursuant to the following conditions:
   a. The receiving employee has exhausted, or will exhaust, all annual leave, sick leave, and compensatory time off due to an illness, injury, impairment, or physical or mental condition, that is of an extraordinary or severe nature, and involves the employee, a relative of the employee, or a household member of the employee;

b. The condition has caused, or is likely to cause, the receiving employee to go on leave without pay or terminate employment; and

c. The donating employee donates leave in full-hour increments and retains a leave balance of at least forty hours.

5. The CFO/Office Administrator shall require the employee to submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

6. One hour of donated annual leave must be regarded as one hour of shared leave for the recipient.

7. Any donated leave may only be used by the recipient for the purposes specified in this section and is not payable in cash.

8. All forms of paid leave available for use by the recipient must be used prior to using shared leave.

9. Any shared leave not used by the recipient during each occurrence as determined by the CFO/Office Administrator may be retained by the recipient.

10. All donated leave must be given voluntarily. No employee may be coerced, threatened, intimidated, or financially induced into donating annual leave for purposes of the leave sharing program.

11. All donated annual leave will remain confidential in the personnel department.

Sick Leave Sharing Program

1. As used in this section:
   a. "Severe" or "extraordinary" means serious, extreme, or life threatening. These terms do not include conditions associated with normal pregnancy.

   b. "Employee" means a permanent employee with over six months continuous service with Southwest Water Authority. It does not include employees in probationary status or employees on temporary or other limited term appointments.

2. An employee may donate sick leave to a fellow employee who is suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition that is caused or is likely to cause the employee to take leave without pay or terminate employment.

3. An employee may be eligible to receive shared leave pursuant to the following conditions:
   a. The CFO/Office Administrator and Supervisor of the employee determine that the employee meets the criteria described in this section.

   b. The employee has abided by Southwest Water Authority policies regarding the use of sick leave.

   c. The employee's use of shared leave, including both sick and annual leave, does not exceed four months in any twelve-month period.

4. An employee may donate sick leave to another employee only pursuant to the following conditions:
   a. The receiving employee has exhausted, or will exhaust, all annual leave, sick leave, and compensatory leave due to an illness, injury, impairment, or physical or mental condition, that is of an extraordinary or severe nature;

   b. The condition has caused, or is likely to cause, the receiving employee to go on leave without pay or terminate employment; and

   c. The employee may not donate more than five percent of the employee's accrued leave hours, and all leave must be donated in full-hour increments.

5. The CFO/Office Administrator shall require the employee to submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the employee's condition.

6. One hour of donated sick leave must be regarded as one hour of shared leave for the recipient.

7. Any donated leave may only be used by the recipient for the purposes specified in this section and is not payable in cash.

8. All forms of paid leave available for use by the recipient must be used prior to using shared leave.

9. Any shared leave not used by the recipient during each occurrence as determined by the CFO/Office Administrator may be retained by the recipient.

10. All donated leave must be given voluntarily. No employee may be coerced, threatened, intimidated, or financially induced into donating sick leave for purposes of the leave sharing program.

11. All donated sick leave will remain confidential in the personnel department.

Military Leave

All employees of the Southwest Water Authority who are members of the National Guard, armed forces reserve, subject to call to service by the President, or those who volunteer for service when ordered by proper authority are entitled to a leave of absence without loss of status or efficiency rating.

The employee is allowed 20 days (160 hours) of military leave per calendar year without loss of pay.

To be eligible, the employee must have been in the continuous employ of the Southwest Water Authority for ninety days preceding the leave of absence.

Should a mobilization occur, national or state authorized, the first 30 days shall be without a loss of status or efficiency rating, less any other paid leave of absence granted during the calendar year.

Weekend, daily or hourly periods of drill are excluded from the authorized 20 days (160 hours) leave of absence. If an employee is scheduled to work during those periods, the employee has the option to either take the time off with loss of pay, or be given the opportunity to reschedule the work period so that the training occurs during time off without loss of pay.

Employees returning from military leave following an extended period of active-duty service have a protected right of return to their former position or one of like status and pay.

Nondiscrimination/Anti-Harassment

Southwest Water Authority is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment (sexual harassment is covered under separate policy). SWA expects that all relationships among persons employed at SWA will be business-like and free of explicit bias, prejudice and harassment.

Southwest Water Authority complies with applicable Federal civil rights laws and the policies of SWA prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies.

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

It is unlawful to fail or refuse to make reasonable accommodation for an otherwise qualified individual with a physical or mental disability or because of that person's religion. Some exceptions apply when bona fide occupational qualifications are involved.

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

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone, voicemail, text messages, social networking sites or other means.

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor or human resources personnel. Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

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

Appeals can be made by filing a written report. Grievance procedures are addressed under separate policy. The office of the North Dakota Commissioner of Labor may investigate complaints of discrimination.

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

Operation & Maintenance Employee Policy Guideline

This is a policy guideline for employees engaged in the daily, weekly, monthly and yearly Operations and Maintenance (O&M) of all components associated with water distribution within the Southwest Pipeline Project (SWPP) and Southwest Water Authority (SWA) facilities. The operator and/or maintenance employee policy guideline includes the following:

SAFETY

Employee will review and become familiar with the Southwest Water Authority Safety and Health Policy Manual. Employee will be required to attend safety meetings presented by the safety officer. All safety guidelines recommended by the manufacturer and/or Safety and Health Policy manual must be adhered to by the employee.

OPERATIONS MAINTENANCE AND TROUBLE SHOOTING

Employee must become familiar with the operation and maintenance (O&M) manuals, Contract Drawings, and SWPP operating criteria. All maintenance and troubleshooting performed shall be in accordance with manufacturer recommendations as detailed in the O&M manuals. Operating criteria, including pressure set points, flow rates, and reservoir levels shall be in accordance with the Contract Drawings. Shortcuts for trouble shooting will not be permitted unless specific authorization is granted by the immediate supervisor or equipment manufacturer representative. If equipment manufacturer grants permission to take shortcuts, the employee must document the name of the representative granting such permission and forward information to their immediate supervisor. In an emergency situation, the employee is allowed to use their own judgement to maintain service and/or safety of the system if they are unable to contact the immediate supervisor or manufacture representative. Bypassing system safety features is not acceptable unless it is an emergency as previously described and only after careful consideration of possible consequences of such action.

It is the employee's responsibility to perform all assigned periodic maintenance. The employee must inform their immediate supervisor if assistance is needed to complete required maintenance within the scheduled time.

EXTRAORDINARY MAINTENANCE/EMERGENCY REPAIRS

Extraordinary maintenance and emergency repairs frequently require isolating a segment of the distribution system and interrupting service to consumers. In these situations, public notification may be required to expedite the work and minimize hardship for consumers. It is the employee's responsibility to provide the administrative staff with detailed information that may be used in the public notice, including beginning and ending times, if known, and the area affected.

The duration of extraordinary maintenance items can typically be predicted, which may not be the case with emergency repairs. In either situation, employee safety is a priority that may be jeopardized by long working hours. Therefore, the supervisor must:

- Make employees aware of the situation and available to assist when called
- Rotate personnel for rest periods
- Ensure employees are resting during slack periods
- Monitor physical wear and mental awareness of employees

The employee is responsible for informing the supervisor when their physical and/or mental functions are no longer reliable and may pose a safety hazard.

ONE-CALL LOCATES

All maintenance and underground work that requires excavation will require notification of utilities through the One-Call locate system as required by North Dakota Century Code 49-23. The employee responsible for the excavation must contact One-Call locates when excavation will be performed by SWA personnel. If the excavation will be performed by a hired contractor, it is the contractor's responsibility to request locates from One-Call.

When responding to One-Call locate requests for SWPP/SWA utilities, the employee must utilize all available resources to identify the location as closely as possible. Resources include GIS, but the employee must be aware that accuracy limitations apply, specifically those contracts where GPS work was performed several years after contract completion or digitized from Record Drawings coordinates. The contracts include: All raw water contracts (2-1 through 2-3C), 2-3E, 2-3F, 2-5A, 2-6A, 2-7A, 2-7B, 2-7C, 7-1A, 7-1B, 7-2, 7-2A, and the SCS Project. Additional resources include measurements recorded on Contract Drawings and visual clues. The employee must make the contractor aware of any doubt concerning the accuracy of the horizontal location identified. Subsequent customers are responsible for locating the pipelines and appurtenances installed by themselves.

SAMPLING AND TESTING WATER

The North Dakota State Health Department requires collection of water samples to analyze for various purposes. Employees assigned to this task must collect and submit the required samples to a certified testing laboratory and shall obtain a receipt for submission of the sample(s). Employees shall collect and submit bacteriological (Bac-T) samples from the scheduled sites by the 15th of the month to allow for retesting if necessary. Other tests required will be collected and submitted on the date specified by the regulatory agency. Care must be taken to avoid contamination of the samples and to ensure the correct paperwork accompanies the sample and is accurate.

VEHICLES AND EQUIPMENT

Use of vehicles and equipment for personal or private use is prohibited. Employee will be allowed to take vehicle home when they are on call. Exceptions may be allowed for employees returning to their base office after scheduled working hours. Discretion is advised as this exception will be monitored to avoid abuse. Vehicles and equipment will be serviced as recommended by the manufacturer at locations established by SWA. The employee is responsible to ensure all maintenance required for an assigned vehicle is performed. The employee is required to check all fluid level, if applicable, before using

equipment. At a minimum, the employee will perform monthly vehicle safety checks for the assigned vehicle on the standard form provided.

INVENTORY

Employee must complete inventory forms for spare or replacement parts being received or utilized in repair work or provided to customers. It is very important for SWA to account for these materials to ensure adequate inventory and compliance with auditing standards.

PURCHASING

Other than normal maintenance supplies, purchases exceeding **$300.00** will require approval by immediate supervisor. This will not apply to emergency situations.

SOUTHWEST WATER AUTHORITY RULES AND REGULATIONS

Employee will become familiar with and carry a copy of Southwest Water Authority Rules and Regulations. Reference should be made to the Rules and Regulations when answering customer questions. Always refer customers to our office rather than try to answer a question you cannot answer confidently.

REPORTS AND WEEKLY TIME LOGS

Employee is required to provide an explanation of daily activities on the Weekly Time Log form. It is very important the explanation provides sufficient detail that may be used at a later date to determine maintenance performed, billing information, dispute settlements, or any other questions that may arise. Employee is required to provide immediate supervisor with written reports for all incidents not considered normal maintenance, and must provide detailed documentation for time, materials, and equipment for all extraordinary maintenance or repairs. Normal maintenance is to be recorded on prepared O&M requirement checkoff lists, primarily retained at system facilities.

STAFF MEETINGS

Employee will attend staff meetings as scheduled by the department manager to review system O&M and discuss present and future projects that may affect O&M. The employee is encouraged to discuss any operational concerns, assignment, duties, and responsibilities.

On-Call Policy for Operations and Maintenance Employees

In order to be eligible, the hours worked per week must be in excess of the combination of 40 regular hours of work, all types of paid leave, and/or legal holidays for that week.

On-Call -- Monday through Friday:

Employees specifically instructed to remain in an on-call status after regular working hours on Monday through Friday shall be compensated at a daily rate of two hours and 15 minutes of regular pay.

On-Call -- Saturday, Sundays and Holidays:

Employees specifically instructed to remain in an on-call status on Saturday and Sunday shall be compensated at a daily rate of six (6) hours per day of regular pay, and eight (8) hours per day of regular pay for holidays. The holiday will be considered the day of the office closure.

Call-Back:

The on-call employee must use experience and discretion to determine if a situation warrants call-back status or if it can be addressed during regular working hours. Consultation with a supervisor may be necessary to make such a determination. When the situation occurs in a satellite office area, first response should be as effort to contact an operator from that area to enhance expedience and efficiency.

Employees will be paid for a minimum of one hour of call-back time when, after a regular workday, on a weekend, or on a legal holiday, the employee is required to return to work. Call-back time worked will be paid at overtime rates. Call-back on holidays will be paid at double time rates with consideration given to delaying until the following day unless an emergency exists. Once again, the holiday will be considered the day of the office closure.

Employees will be paid a call back rate for telephone calls while on-call, at an overtime rate. The rate paid on telephone calls on holidays will be paid at double time rates. Time for telephone calls will be tracked and paid in 12 minutes increments: 1-12 minutes (1/5 hour), 13-24 minutes (2/5 hour), 25-36 minutes 3/5 hour), 37-48 minutes (4/5 hour), and 49-60 minutes (1 hour).

Call-back is in addition to regularly scheduled hours.

It is the understanding that this compensation is based on average on-call demands and that actual demands vary from week to week depending on circumstances.

Employees who are called back on a holiday will be given the choice of being paid for the call-back time plus the holiday or they may choose to count the hours worked as regular hours to be counted in the regular work week. The employee who chooses this second option will then be able to use the holiday day off on

another day. This option is at the employees' discretion and given to allow the employee time off for the holiday if that is their preference. Employees are expected to work a 40-hour week.

Employees understand that in the event of a call-back situation between the hours of 12:00 a.m. and 6:00 a.m. they will not be required to report for work at the normally scheduled time the following work day. For each two hours in a call-back situation the employee is allowed to report to work one hour later than normally scheduled but no later than 1:00 p.m. It is the employee's responsibility to contact staff members to report any major problems with the system. An available option in the event of a late-night call-back is to report to work at the normally scheduled time and leave work an hour earlier than normally scheduled for each two hours of time spent on the call-back. Because of safety concerns the employee must also understand that at times it may be necessary to take additional hours to rest without compensation. Such hours can be made up at that employee's discretion within two weeks of occurrence.

Responsibilities:

It is the responsibility of the on-call employee to monitor the SCADA system and maintain the water distribution system through the use of a laptop computer provided by SWA while on-call. The on-call employee is responsible for changing the SCADADial cell phone notification number at the beginning of their on-call shift and shall routinely check that SCADADial is "ok" to ensure that alarm messages are forwarded to the designated telephone.

During regular office hours, laptop computers are not to be left connected to SCADA system to ensure regularly scheduled staff have access if needed. The on-call representative is responsible for ensuring that the computer monitor at the O&M Center is turned off at the end of the business day. This will provide additional backup battery time in the event of a power failure.

An on-call employee must carry a cell phone provided by the employer while on-call and is responsible for ensuring that the cell phone is in proper working condition. To ensure response to a water related emergency call to the office after regular working hours, the employee shall call the office to verify that the answering machine is on and contains the correct message. If incorrect, contact the Administrative Assistant. An on-call employee must return a call or voice mail within 15 minutes. Employees called back to an area where cell phone reception is marginal shall routinely check for new messages.

It is permissible to take an assigned SWA vehicle home while on-call, but the on-call employee shall not use it for personal or private use. The on-call employee shall ensure that the vehicle is available for staff usage during regular Monday through Friday hours of work.

Scheduling of On-Call Responsibilities:

The Water Distribution Manager will list the schedule for on-call responsibilities at least four weeks in advance. Requests for days off must be made to the Water Distribution Manager prior to the posting of the schedule. After the posting of the schedule, it becomes the responsibility of the scheduled person to arrange for a substitute. The substitute must be approved by the Water Distribution Manager.

Overtime

The Southwest Water Authority is responsible for determining which positions are exempt or non-exempt from the overtime requirements of the Fair Labor Standards Act (FLSA).

Executive, administrative, and professional employees, as defined by the FLSA, are exempt from the overtime-pay provisions of the Act.

Non-exempt employees must be paid time and one-half their regular rates for all hours worked in excess of 40 in a work week.

Compensatory time off will not be used in lieu of overtime compensation.

Performance Management

The Southwest Water Authority will develop and use a program to provide for the development and management of the performance of each employee.

An employee must be informed of the responsibilities assigned to the employee's position and the expected level of performance.

Performance reviews should be conducted at least annually or more frequently if required.

Performance reviews must be reduced to a written format and a copy placed in the employee's file only after the employee acknowledges having read the material by signing the document.

The approach of the performance management program should be to develop the individual employee.

Personnel Records

Any document addressing an employee's character or performance may be placed in the official personnel file only with the employee's acknowledgment by signature that it has been read. The signature does not signify agreement with the contents.

If the employee refuses to sign the file copy, the supervisor or designated representative, in the presence of the employee and a witness, shall indicate on the copy that the employee was shown the material, was requested to verify by signature that the material was read, and refused to sign the file copy.

An employee's answer to material filed must be attached to the file copy and may not be used as a basis for subsequent adverse personnel action.

Material found to be without merit or unfounded through an established grievance procedure must be removed from the file and may not be used against the employee.

Any medical records (or records pertaining to use of an employee assistance program) are confidential and are not to become part of an employee's personnel record. Supervisors, managers, first aid and safety personnel, and government officials investigating compliance with the Americans with Disabilities Act may be informed regarding medical records.

Notes or records of an employee's performance used for the purpose of preparing evaluations or disciplinary actions may be kept separate from the personnel file.

The employee or a designated representative must be permitted to review the official personnel file by appointment during normal business hours.

The employee must be permitted to reproduce any material in the file at the employee's expense.

An employee may file a grievance on non-evaluation material in the file.

A record of access must be maintained by the Southwest Water Authority and provided to the employee upon examination of the file.

Probationary Period

All employees are required to complete a probationary period. The following provisions apply:

1) The purpose of the probationary period is to determine whether the employee can meet the performance requirements of the position.

2) The minimum length of the probationary period is six months (1040 hours), but it may be up to one year if it is needed to satisfactorily determine performance.

3) An employee must be told the length of the probationary period prior to the time the employee begins work.

4) An employee may be separated from employment at any time during the probationary period for any lawful reason, without the right to appeal.

5) An initial probationary period may be extended if there is a documented work-related reason for doing so. The employee must be given written notice of an extension.

6) An employee must be given a written performance evaluation and notice of completion at the end of the probationary period.

An employee may be required to complete a probationary period at any time if there is a documented work-related reason for doing so. The employee would be subject to all of the above provisions.

Personnel Records Retention

The following retention periods are recommended for specific personnel documents:

Applications/Resumes (employed)	6 years after last action
Status/Change of Status forms	6 years after updated
Job Descriptions	6 years after updated
Employee Evaluations	6 years after last action
Retirement Correspondence	6 years after last action
Insurance Enrollment Notices	6 years after last action
Leave Reports	3 years
Request for Leave Records	3 years
Time Cards	3 years
Payroll Records	5 years
Job Announcements	1 year
Applications/Resumes (not hired)	3 years
Medical Records related to or required by employer	6 years after last action
I-9 Employment Eligibility Verification	3 years after hire or 1 year after termination, whichever is later
Lawsuits or actions for recovery of overtime, damages, fees, or penalties	2 years after the accrual of such claim for relief

If there is any legal action regarding an employee or former employee initiated by anyone, all records regarding the employee or former employee should be retained until the completion of the legal action or the end of the retention period, whichever is later.

Use of personnel records may extend the retention period for those records. To allow for the possibility of a defamation case regarding any personnel files, the retention periods for those records should be changed to six years after last action. This retention period would prevent disposing of the records until six years after the last action: i.e., reference for an ex-employee; ex-employee requesting information from his/her file; termination of employment.

Always check with legal counsel before destroying documents regarding employees who have been involved in legal action.

Recruiting

When recruiting externally, the Southwest Water Authority must ensure the public has the opportunity to know of and to apply for the vacant position. The Southwest Water Authority must also select applicants for employment based on their job-related qualifications.

The Southwest Water Authority must employ applicants and promote or reassign employees only into positions for which they meet the minimum qualifications as described in the class specifications.

The departments are encouraged to promote from within whenever practical.

Job descriptions should be reviewed before beginning the recruiting process.

All individuals interviewed for a position should be notified in writing of the Southwest Water Authority's decision.

Reduction-In-Force

A Reduction-In-Force (RIF) is the layoff of employees caused primarily reduction in workload, funding, or reorganization.

Employees who have successfully completed probation may appeal a RIF only if the following factors were not considered by the Southwest Water Authority:

1) An analysis of acquired knowledge, demonstrated skills, and versatility

2) An analysis of demonstrated performance

3) A review of length of service

4) An analysis of retraining needed to reassign an employee

Emergency, temporary, provisional, or probationary employees shall be considered for RIF ahead of permanent employees.

A RIF is nondiscriminatory in nature and may not be used to substitute for disciplinary measures.

Salary Administration

Salary increases are allowed under certain circumstances for the following reasons:

1) Successful completion of a probationary period

2) Increase in responsibility/workload

3) Promotion

4) Performance exceeding standards

5) Equity

6) Temporary assignment to a position with a higher level of responsibility

Exceptions to the Salary Administration Rules may be granted only by the Southwest Water Authority Board of Directors.

All salary adjustments are subject to the availability of budgeted funds.

General salary increases are provided strictly as budgeted by the Southwest Water Authority Board of Directors.

Sexual Harassment

Sexual harassment is unlawful conduct, it is a form of discrimination, and it is prohibited by federal and state law.

Sexual harassment includes any unwelcome sexual conduct that either:

-- is made a term or condition of employment, or

-- has the purpose or effect of unreasonable interfering with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

The Southwest Water Authority is responsible for the act of the employer's supervisory employees if employer knew or should have known of the existence of harassment.

The Southwest Water Authority Manager/CEO must thoroughly and promptly investigate every complaint of harassment - and take appropriate action.

Complaints of sexual harassment should be made in writing to the Manager/CEO of the Southwest Water Authority. The Manager/CEO shall investigate the complaint and give the employee a written response within 10 working days of receipt of the complaint. If the employee is dissatisfied with the response or action taken by the Manager/CEO, the employee may continue the complaint by sending it to Executive Committee of the Southwest Water Authority in accordance with the Grievance Procedure in this manual. In the event the complaint of sexual harassment involves the Manager/CEO, the employee's complaint should be made directly to the Executive Committee.

Sick Leave

Sick leave is an approved absence from work with pay when an employee is ill or in need of medical care, or when there is an illness or medical need in the employee's family. If an employee is using unscheduled sick leave, a direct call to their manager or supervisor is required. When there is an illness or medical need in the employee's family, up to 40 hours may be used annually.

For all uses of sick leave, the manager or supervisor has the option to request verification from the team member's healthcare provider.

Sick leave accrual rate.

Sick leave for an eligible employee will range from a minimum of one working day per month of employment to a maximum of one and one-half working day per month of employment, based on length of employment. Sick leave will accrue as follows:

Months of Service	Hours Month	Hours Year
0 - 24	8	96
25 - 72	10	120
Over 72	12	144

Sick leave accrues on a prorated basis for a fraction of a month.

Increase in sick leave time begins on anniversary date of employment.

All accrued unused sick leave may be carried over from one year to the next.

If an employee leaves the service of the Southwest Water Authority after 10 continuous years of employment, the employee must be paid for 10% of the accrued unused sick leave. Reference NDCC 54-06-14

If an employee leaves and returns to the service of the Southwest Water Authority within one year, the employee must be credited with the amount of sick leave hours the employee had accumulated at the time of departure, less any amount for which the employee had subsequentlybeen paid.

Temporary employees do not earn sick leave.

Sick leave can be used in quarter hour increments.

Hours of sick leave for permanent part-time employees will accrue based on hours worked.

Storm Days

There may be days when bad weather blocks roads for travel or makes travel hazardous. Every effort will be made to keep the office open.

Before Office Opens: When the weather is bad a decision will be made by the Manager/CEO whether the Southwest Water Authority office and water treatment plant will be open. If the Manager/CEO is unavailable, the CFO/Office Administrator, Water Distribution Manager and Water Treatment Plant Manager will make the decision.

If the decision to close the office has been made, the CFO/Office Administrator will contact all administrative staff, the Water Distribution Manager will notify operations staff, and the Water Treatment Plant Manager will notify water treatment plant staff with the news.

If the decision is made to close the office, all employees scheduled to work will be paid for 8 hours.

In case employees are unable to get to work because of road conditions, that employee must call the CFO/Office Administrator or the office to let them know prior to the beginning of the work day.

After Office is Open: If weather turns bad during the day, a decision will be made on closing by the Manager/CEO or CFO/Office Administrator, Water Distribution Manager and Water Treatment Plant Manager. If the decision is made to close the office, all employees scheduled to work will be paid for 8 hours.

Office Open — Employee Unable to get to Office: There will be times when the office is open because weather is not sufficiently bad to require closure of the office, but, at the same time, an employee may not be able to get to the office due to bad or blocked roads or due to lack of visibility. Southwest Water Authority expects all employees to exercise reasonable discretion on bad weather days. If an employee is unable to get to the office due to bad weather at times when the office is open, then, in fairness to employees who are able to get to the office, employees who are unavoidably absent shall have the following alternatives:

a. Use accrued annual leave;
b. Make up the missed day(s) on days or times acceptable to management; or
c. Take uncompensated time for day(s) missed.

Survivors' Payments for Deceased Employees

If at the time of the death of an employee, the Southwest Water Authority owed the employee for wages earned, unused sick leave in accordance with the sick leave policy, unused annual leave, or expenses incurred, and no personal representative of the employee's estate has been appointed, the Southwest Water Authority, at the request of the surviving spouse, or, if there is no surviving spouse, then upon the request of the employee's next eligible heir or heirs as determined by NDCC Section 30.1-04-03, shall make payment to the said surviving spouse or heirs. The Southwest Water Authority will require proof of the claimant's relationship to the deceased employee by affidavit and will require the claimant to acknowledge receipt of such payment in writing.

Temporary Employment

Temporary employment is not exhaustively defined in the North Dakota Century Code. However, the following conditions generally characterize temporary employment with the Southwest Water Authority:

Temporary employees do not occupy regularly funded positions.

Temporary employees perform work that usually is limited in duration.

Temporary employees normally do not receive benefits such as annual leave, sick leave, and health insurance.

The hour's temporary employee's work may vary considerably, from as few as one hour per month to forty in a week.

Temporary employees, who become regular full-time employees, are given credit for their temporary service for the purpose of determining their annual leave accrual date.

The Southwest Water Authority supervisor should advise a new temporary employee of the anticipated length of employment.

Travel Reimbursement

Employees are allowed reimbursement of expenses for meals and lodging while away from normal working and living residence as authorized for reimbursement of state employees.

Verification of claims via receipt is not required for meal reimbursement, but is required for lodging. Receipts are also required for taxi fares in excess of $10 and for other miscellaneous expenses in excess of $2.

Reimbursement for mileage for use of personal vehicles is at a rate authorized for state employees.

Before any allowance for travel expenses is made, the employee must file a travel expense voucher showing mileage traveled, the day and hour of departure and return, the method of travel, and the purpose.

Travel out of state must be approved in advance by the Manager/CEO.

NDCC Section 44-08-04 provides that reimbursement is allowed only for overnight travel and other travel while away from the normal place of employment for four hours or more. Employees will not be reimbursed for the first quarter if travel began after 7:00 a.m. In order to claim expenses for the second and third quarters, the employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed. The expense allowance for each quarter of any 24-hour period is as follows:

Meal Allowance	In-State	Out-of-State
1. First quarter, 6 a.m. to 12 noon	$9.00	20% of GSA daily rate
2. Second quarter, 12 noon to 6 p.m.	$14.00	30% of GSA daily rate
3. Third quarter, 6 p.m. to 12 midnight	$22.00	50% of GSA daily rate
4. Fourth quarter, 12 midnight to 6 a.m.		

In-State Lodging:
SWA, as a political subdivision, will pay current state rate when available, plus any additional applicable state and local taxes on lodging. Actual lodging expense will be paid if state rate is not available.

Out-of-State Lodging:
Actual lodging expense

Veterans Preference

North Dakota Century Code provides a preference in public employment for wartime veterans and in some instances, the spouses of wartime veterans.

Public employment not only includes temporary and permanent employment with the State of North Dakota, but all political subdivisions.

Veteran, for the purposes of employment preference, means a North Dakota resident who has served in the active military forces during a period of war, or who has received the armed forces expeditionary or other campaign service medal during an emergency situation, and who was discharged or released therefrom under other than dishonorable conditions.

Disabled veteran means a veteran who meets the requirements listed above who has a service-connected disability as determined by the United States Veterans Administration and the disability must exist at the time of application.

Eligible spouse means the un-remarried spouse of a deceased veteran who died while in service, or later died from a service-connected cause or causes; or the spouse of a disabled veteran as defined above, who because of his or her disability is unable to exercise his or her right to employment preference.

All veterans claiming preference must include proof of their veteran's status. If claiming disabled veteran's preference, the veteran must include proof of their disability. Additional documentation is required if claiming eligibility as the spouse of a deceased or disabled veteran.

In most cases, veterans who meet the advertised minimum qualifications must be employed over other qualified non-veterans.

Veterans who meet the minimum qualifications of positions and are not employed, must be notified by certified mail that employment was refused. These veterans may appeal the non-selection.

The Southwest Water Authority should be specific when minimum qualifications are established for vacancies.

The Southwest Water Authority should use an application form which asks applicant if they wish to claim veteran's preference and describes documentation required for the claim.

For further information, contact the Stark County Veterans Service Office, Stark County Courthouse, 264-7654.

Vote

It is the policy of the Southwest Water Authority to encourage voting by all eligible voters at all statewide and local special, primary or general elections.

When an employee's regular work schedule conflicts with the time when polls are open, an employee who is a qualified voter may be absent from employment for the purpose of voting with the advance approval of the Manager/CEO. The absence from work for voting may not be longer than is reasonably necessary to vote. Employees are also encouraged to vote by absentee ballot when they are unable to vote in person.

Water Treatment Plant Employee Policy Guideline

This is a policy guideline for the water treatment plant (WTP) employee who must operate the WTP and perform routine manufacturer recommended daily, weekly, monthly, and yearly maintenance on the WTP components. This policy also includes emergency repair work as may be necessary. The WTP employee policy guideline includes the following:

SAFETY

Employee will review and become familiar with the Southwest Water Authority safety manual. Employee will be required to attend safety meetings presented by the safety officer. All safety guidelines recommended by the manufacturer and/or safety manual must be adhered to by the employee.

MAINTENANCE AND TROUBLE SHOOTING

Employee must become familiar with the operation and maintenance (O&M) manuals which are available for all WTP components. All maintenance will be performed in accordance with manufacturer recommendations. Employee will also reference the O&M manuals for trouble shooting techniques. Short cuts for trouble shooting will not be permitted unless specific authorization is granted by the immediate supervisor or equipment manufacturer representative. If equipment manufacturer grants permission to take short cuts, the employee must document the name of the representative granting such permission and forward information to immediate supervisor. In an emergency situation, the employee is allowed to use own judgement if they are unable to contact either the immediate supervisor or manufacturer representative. Bypass switches will not be used unless it is an emergency as just previously described. Extreme caution must be utilized whenever situations warrant the use of short cut methods. The employee must carefully consider the consequences of such action.

All maintenance and underground work that requires excavation will require notification of utilities before excavation. The employee who is responsible for the excavation work must contact One-Call for locates whether they are doing the excavation work or a hired contractor is doing the excavation. Do not rely upon as built drawings or someone else to identify potential underground utilities. Again, it is extremely important to contact One Call for locates before digging. It is the responsibility of the operator of the excavator to make sure this requirement was met.

SAMPLING AND TESTING WATER

Employees assigned to this task must collect and test water samples in accordance with North Dakota State Health Department requirements. Employee is to follow protocol established to assure all required testing is performed. When necessary, employee will collect and submit samples to a certified testing laboratory. The employee will instruct the laboratory to send test results to the WTP Manager who will post test results. The WTP Manager will forward a copy of test results to immediate supervisor. The employee will collect and submit samples as necessary to allow for retesting if necessary. In summary, the employee assigned to this task must follow through and make sure satisfactory test results are obtained for sampling requirements.

All testing results to be filed and easily accessible at WTP.

VEHICLES AND EQUIPMENT

Use of vehicles and equipment for private use is prohibited. Vehicles and equipment will be serviced as recommended by the manufacturer at locations established by the Southwest Water Authority. The employee is responsible to see that all maintenance required for an assigned vehicle is performed. Employee will be required to check all fluid levels, if applicable, before using equipment.

INVENTORY

Employee must complete inventory forms for spare parts or replacement parts either being received or utilized in repair work or provided to customers. It is very important for us to account for these materials.

OVERTIME AND ON CALL POLICY

The standard work week will be 40 hours per week. From time to time, it becomes necessary to work overtime hours to efficiently operate the system. Following are guidelines that should be referenced when evaluating the need for overtime:

1. Extra time for "On Call" policy will be granted as provided herein.

2. Emergency repair or response to situations that are necessary to maintain service.

3. Completion of work that can be completed in two hours or less to avoid returning to complete such work. Unless this is the last working day of the week, arrangements should be made to compensate for this during the remainder of the work week.

4. Overtime preauthorized by supervisor.

All monthly time sheets will be reviewed and all overtime must be authorized by immediate supervisor. Please provide and attach a brief explanation for all overtime to monthly time sheet. Good judgement and common sense will go a long way in determining whether or not overtime is necessary.

On-Call Policy

All employees in personnel classifications not identified as Exempt Employees are covered by this policy. In order to be eligible, the hours worked per week must be in excess of the combination of 40 regular hours of work, all types of paid leave, and/or legal holidays for that week.

CELL PHONE

An on-call employee must carry a cell phone provided by the employer while on-call and is responsible for ensuring that the cell phone is in proper working condition. An on-call employee must return a call within 15 minutes of receiving a missed call, and arrive at the water treatment plant within 30 minutes.

ON-CALL

Nonexempt employees specifically instructed to remain in an on-call status after WTP working hours shall be compensated as follows:

1. Normal working days - one hour regular time
2. Saturdays and Sundays - 2.5 hours regular time
3. Holidays with WTP in operation - one hour regular time
4. Holidays without WTP in operation - 2.5 hours regular time

CALL-BACK

Employees will be paid for a minimum of one hour of call-back time when, after a regular workday, on a weekend, or on a legal holiday, the employee is required to return to work. Call-back time worked after 40 hours per week will be paid at overtime rates. Call-back is in addition to regularly scheduled hours.

SCHEDULING OF ON-CALL RESPONSIBILITIES

The WTP Manager will list the schedule for on-call responsibilities at least four weeks in advance. Requests for days off must be made to the WTP Manager prior to the posting of the schedule. After the posting of the schedule, it becomes the responsibility of the scheduled person to arrange for a substitute. The substitute must be approved by the WTP Manager.

PURCHASING

Other than normal operations and maintenance supplies, purchases exceeding $300.00 will require

approval by immediate supervisor. This will not apply to emergency situations.

SOUTHWEST WATER AUTHORITY RULES AND REGULATIONS

Employee will become familiar with and carry copy of Southwest Water Authority rules and regulations. Reference should be made to the rules and regulations when answering customer questions. Always refer customers to our office rather than try to answer a question you cannot answer confidently.

REPORTS AND DIARY

Employee is encouraged to maintain a daily diary and provide immediate supervisor with written reports for all monthly incidents not considered part of normal operation. Also, maintain detailed documentation for time, materials, and equipment for all extraordinary maintenance. Normal maintenance is to be recorded on prepared O&M requirement checkoff list. The WTP Manager will provide the Manager/CEO with a detailed monthly activities report.

STAFF MEETINGS

Employee will attend monthly staff meeting held by immediate supervisor to review system operation. Employee is encouraged to discuss any operational concerns. Employee is also encouraged to raise any questions concerning job assignments, duties, and responsibilities.

In addition to the aforementioned items, employee is encouraged to become familiar with the Southwest Pipeline Project, Southwest Water Authority personnel policy and/or any policies which may affect employment. This policy will be subject to periodic review and may be updated as deemed necessary.

Workers Compensation

Workers Compensation is a no-fault mandatory insurance plan to provide benefits to employees for job related injury or illness, or in the case of death, to a beneficiary. When an employee is involved in an accident while on the job, the employee shall take steps immediately to notify the Southwest Water Authority that the accident occurred and what the general nature of the injury is to the employee, if apparent. Notice may be either oral or written. An incident report must be filled out. The notice must be given to the employee's immediate supervisor or to another supervisor authorized to receive notice. Absent good cause, notice may not be given later than seven days after the accident occurred or the general nature of the employee's injury became apparent.

By law, workers compensation provides payment for medical expenses; financial benefits for disabilities or death; and if needed, payment for vocational rehabilitation.

When an employee is awarded workers compensation benefits, the employee may elect to use either accumulated leave benefits or leave without pay during the time the employee is unable to work.

If an employee makes no selection, Option 1A will automatically apply.

All work-related injuries requiring medical attention must be filed with Worker’s Compensation.

Option 1. Using sick leave.

An employee may choose one of two methods in which to use sick leave while receiving workers compensation payments. In either case, an employee's sick leave account is charged with a number of hours that corresponds to the percentage of salary the employer pays. The amount an employee receives each month may not total more when the employee is using sick leave and receiving workers compensation payments than if the employee was working.

1A. The employee keeps the workers compensation payments and that amount is deducted from the employee's salary. Since the employee's paycheck is smaller, there will be a reduction in the amount contributed each month to social security and retirement accounts.

1B. When part of the workers compensation payment is for dependents, the employee writes a personal check to the Southwest Water Authority equal only to the employee's portion of the workers compensation payment received. If there is no payment for dependents involved in the workers compensation payment, the employee signs over the employee's workers compensation payment, the employee signs over the employee's compensation check to the Southwest Water Authority. The employee is then paid the employee's regular salary. With 1B, the employee will be responsible for paying income tax for the workers compensation payment.

Option 2. Using annual leave or compensatory time.

The employee keeps the workers compensation payments. There are no deductions from the employee's salary and no payments made to the Southwest Water Authority. The employee accumulates annual and sick leave hours as usual.

Option 3. Using temporary disability leave (leave without pay).

An employee must use all of the employee's sick leave, and is encouraged to use all of the employee's annual leave, before using temporary disability leave. The employee keeps the workers compensation payments. There is no salary paid to the employee and no payment made to the Southwest Water Authority, and the employee accumulates no annual leave hours or sick leave.

OPTION SELECTION -- WORKERS COMPENSATION BUREAU

Southwest Water Authority,

I wish to make the following option selection with regard to Workers Compensation benefits in accordance with Personnel Policy.

Option 1A. I will use sick leave and keep the lost time benefits paid by Workers Compensation. I agree that the amount received from Workers Compensation is to be deducted from my gross salary. Sick leave hours equivalent to the amount deducted will be credited to my sick leave balance.

_____

I understand that in selecting this option there will be a reduction of the amount contributed to my social security and retirement accounts.

Option 1B. I will use sick leave. I will make payment to the Southwest Water Authority equivalent to the lost time benefits received from Worker Compensation. Sick leave hours equivalent to the amount paid to the Southwest Water Authority will be credited to my sick leave balance.

_____

I understand that in selecting this option I will be responsible for the income tax liability of my total gross salary and there could be some income tax liability on the payment received from Workers Compensation.

Option 2. I will use annual leave and keep the lost time benefits paid by Workers Compensation (Compensatory time may also be used in this option.) No payment is made to the Southwest Water Authority and no deduction is made from my gross salary. No credit of leave hours will be made.

_____

Option 3. I will use temporary disability leave (leave without pay) and keep the lost time benefits paid by Workers Compensation. No payment is made to the Southwest Water Authority. No credit of leave hours will be made.

_____

SIGNATURE	NAME (print or type)
DATE	SOUTHWEST WATER AUTHORITY

Date of Injury:_____

Policy Reviews & Amendments

Deferred Compensation	Reviewed January 11, 2023
Drug Free Workplace	Amended January 11, 2023
Executive Time	Reviewed February 21, 2023
Funeral Leave	Reviewed March 21, 2023
Leave Without Pay	Reviewed March 21, 2023
Personnel Records	Reviewed March 21, 2023
Personnel Records Retention	Reviewed March 21, 2023
Veterans Preference	Reviewed April 17, 2023
Vote	Reviewed April 17, 2023
Discrimination	Removed July 25, 2023
Nondiscrimination/Anti-Harassment	Added July 25, 2023
Holidays	Amended July 25, 2023
Travel Reimbursement	Amended August 1, 2023
Annual Leave	Amended August 24, 2023
Water Treatment Plant Employee Policy Guideline	Amended August 24, 2023
Operation & Maintenance Employee Policy Guideline	Amended August 24, 2023
On-Call for Operations & Maintenance Employees	Amended August 24, 2023
Water Treatment Plant Employee Policy Guideline	Amended August 24, 2023
On-Call Policy	Amended August 24, 2023
Administrative Employee Policy Guideline	Amended April 2, 2024
Annual Leave	Amended October 30, 2023
Sick Leave	Amended November 30, 2023
Storm Days	Amended November 30, 2023
Conduct	Amended March 14, 2024
Demotion, Dismissal or Suspension Without Pay	Reviewed April 25, 2024
Employee Education	Amended June 21, 2024
Grievance	Reviewed January 8, 2025
Grievance Procedure	Amended January 8, 2025
Certification Water Distribution & Treatment Operator	Added April 25, 2025
Sick Leave	Amended April 25, 2025
Discipline	Reviewed June 23, 2025
Performance Management	Reviewed June 23, 2025
Temporary Employment	Amended December 3, 2025
E-Mail Policy for Business and Personal Use	Amended February 6, 2026
Internet Policy for Business and Personal Use	Amended February 6, 2026
Certification Water Distribution & Treatment Operator	Amended June 23, 2026
Jury and Witness Leave	Reviewed June 23, 2026
Military Leave	Reviewed June 23, 2026