

# HUMBOLDT WASTE MANAGEMENT AUTHORITY

## POLICY HANDBOOK

### TABLE OF CONTENTS

#### SERIES 1000 – GENERAL

<u>POLICY #</u>	<u>POLICY TITLE</u>
1000	Purpose of Board Policies
1010	Adoption/Amendment of Policies
1020	Conflict of Interest
1030	Public Complaints
1040	Claims Against Authority
1050	Copying Public Documents
1100	Board of Directors Meeting Times

**Commented [JD1]:** This Series was last revised and approved by the HWMA Board on May 8, 2014. Minor edits are recommended.

#### SERIES 2000 -- PERSONNEL

<u>POLICY #</u>	<u>POLICY TITLE</u>
2000	Executive Director
2005	Classification Plan
2006	Temporary <u>Reclassification</u>
2010	Hours of Work & Overtime
2020	Vacation
2030	Holidays
2031	Management Leave
2040	Sick Leave
2050	Bereavement Leave
2060	Jury Duty
2070	Continuity of Service
2080	Employee Status
2090	Uniforms
2100	Reimbursement for Travel Expenses
2105	Reimbursement for Expenditures
2110	Health & Welfare Benefits
2120	Educational Assistance
2130	Pay Periods
2150	Compensation
2155	Gifts

**Commented [JD2]:** Consider restructure to include grouping of policies in sequential and related order.

**Commented [JD3]:** Approved September 11, 2013

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BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

2160	Authorized Leave of Absence
2165	Unauthorized Voluntary Absence
2170	Performance Evaluation
2180	Grievance
2190	Drug & Alcohol Abuse
2195	Tobacco use on Authority Property
2200	Pre-Employment Physical Evaluation
2205	"HIPAA" Compliance
2210	Sexual Harassment
2215	Harassment
2220	Affirmative Action
2225	Equal Opportunity
2230	Nepotism
2240	Outside Employment
2250	Separation from Authority Employment
2255	Letters of Recommendation
2260	Disciplinary Action
2270	Internet, E-mail, and Electronics Communication Ethics, Usage & Security
2275	Cellular Phone Usage
2280	Driver Training & Record Review
2290	Authority Vehicle Usage
2300	Request for Records

**SERIES 3000 – FINANCIAL POLICIES**

Commented [JD4]: No proposed revisions at this time

<u>POLICY #</u>	<u>POLICY TITLE</u>
3000	Policy Regulation
3010	Purchasing Policy
3020	Annual Budget
3025	Financial Reports
3030	Reserve Policy
3040	Customer Delinquencies
3050	Miscellaneous Fees, Limits

**SERIES 4000 – PURCHASING POLICIES**

Commented [JD5]: No proposed revisions at this time

<u>POLICY #</u>	<u>POLICY TITLE</u>
4000	Policy Regulation
4010	Recycled Products
4020	Local Vendor Preference
4030	Petty Cash
4040	Purchasing
4050	Selection of Professional Services
4060	Services Agreements

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BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

- 4070 Reimbursement for Travel Expenses
- 4080 Credit Cards
- 4090 Surplus Sales

**SERIES 5000 – ENVIRONMENTAL PURCHASING POLICIES**

Commented [JD6]: No proposed revisions at this time

<u>POLICY #</u>	<u>POLICY TITLE</u>
5000	Policy Goals, Purposes
5010	Source Reduction
5020	Recycled Content Products
5030	Energy and Water Savings
5040	Toxics and Pollution
5050	Forest Conservation
5060	Agricultural Bio-Based Products
5070	Priorities
5080	Implementation
5090	Program Evaluation
5100	Definitions

**SERIES 6000 – OPERATIONS POLICIES**

Commented [JD7]: No proposed revisions at this time. Note this section was developed for the Tip Floor and needs policies for the Eureka Recycling Center.

<u>POLICY #</u>	<u>POLICY TITLE</u>
6000	Policy Regulation
6010	Labor Charges
6020	Non-Acceptance of Gratuities
6030	Retrieval of Lost Items
6040	Interaction with the Press
6050	Customer Questions, Accuracy of Charges
6060	Unusual Situations
6070	Discontinuing Right to Use Facility for Abuse of Service

**SERIES 7000 – DOCUMENT RETENTION, DISPOSAL AND STORAGE POLICY RECORDS  
RETENTION POLICIES**

Commented [JD8]: Strike existing title and policies in their entirety and replace with proposed policies

<u>POLICY #</u>	<u>POLICY TITLE</u>
7000	Policy Guidelines
7010	References
7020	Retention Schedule (attachment)

# Humboldt Waste Management Authority

## Policy Handbook

### SERIES 1000 GENERAL

**POLICY TITLE:** Purpose of Board Policies  
**POLICY NUMBER:** 1000

**1000.1** It is the intent of the Board of Directors of the Humboldt Waste Management Authority to maintain a Manual of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Manual of Policies will serve as a resource for Directors, staff and members of the public in determining the manner in which Authority business is to be conducted.

**1000.2** If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations or legislation having authority over the Authority, said rules, regulations or legislation shall prevail.

**POLICY TITLE:** Adoption/Amendment of Policies  
**POLICY NUMBER:** 1010

**1010.1** Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any member of the Board of Directors or the Executive Director. A written draft of the proposed new or amended policy would be included for consideration on the agenda of the next appropriate regular meeting of the Board of Directors.

**1010.2** Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular or special meeting of the Board of Directors and shall require a majority affirmative vote of the entire Board of Directors.

**1010.3** Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration.

**POLICY TITLE:** Conflict of Interest  
**POLICY NUMBER:** 1020

**1020.1** The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes, which the Board has adopted by resolution. The Board shall review the Conflict of Interest code every two years, in even years, and amend as necessary.

**1020.2** Designated employees shall file statements of economic interests with the Clerk of the Authority.

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**POLICY TITLE:** Public Complaints  
**POLICY NUMBER:** 1030

1030.1 The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

1030.2 A public complaint is an allegation by a member of the public of a violation or misinterpretation of an Authority policy, state, or federal statute of which the individual has been adversely affected.

1030.3 The method of resolving complaints shall be as follows:

1030.3.1 The individual with a complaint shall first discuss the matter with the area supervisor (i.e. Recycling Supervisor, Tip Floor Supervisor etc.) with the objective of resolving the matter informally.

1030.3.2 If the individual registering the complaint is not satisfied with the disposition of the complaint by the Division Director, the complaint shall be forwarded to the Executive Director. At the option of the Executive Director, they may conduct conferences and take testimony or written documentation in the resolution of the complaint. The Executive Director shall memorialize their decision in writing, with the individual registering the complaint being provided a copy.

**POLICY TITLE:** Claims Against the Authority  
**POLICY NUMBER:** 1040

The purpose of this policy is to provide direction to Authority staff for processing and resolving (if possible) account adjustment requests and property damage claims against the Authority. Inherent in this policy is the recognition that every adjustment request or claim will be unique, and that guidelines cannot be written to accommodate every case. Therefore, staff must use discretion and good sense in handling each claim.

1040.1 Property (Land and Improvements) Damage Claims

In the course of the Authority's operations at the Hawthorne Street Transfer Station, Cummings Road Landfill or other properties owned by the Authority, damage to land and improvements thereon occasionally occurs due to the proximity of the Authority's facilities to private properties. When Authority employees are aware that property has been damaged in the course of their work, restorative measures are to be taken to return the property as close to its original condition as possible.

When a property owner informs an Authority employee of damage to their property (by telephone or in person), the employee receiving the claim will document in writing the time and date, and a description of the stated circumstances and allegations.

As soon as possible after information about the damage has been received, the information shall be given to the appropriate Division Director. The Division Director or designee, shall investigate the property owner's allegations and report their conclusions to the Executive Director.

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If the owner of damaged property informs a member of the Board of Directors, the information will be given to the Executive Director. Board members should not independently investigate claims, but may accompany staff to observe.

Investigations shall be done in a timely fashion and documented with a written report, including photographs and/or interviews, when appropriate. A copy of the report with findings and recommendations shall be submitted to the Executive Director.

If the Executive Director is convinced that the damage was caused by Authority personnel, equipment, or infrastructure, they shall prepare a work order to have the damage repaired, subject to the following conditions:

- (a) Property owner agrees that the proposed repairs are appropriate and adequate;
- (b) Property owner agrees to allow Authority personnel or their designees access to their property to perform the repair work;
- (c) Authority personnel have the necessary tools, equipment, and expertise to perform the necessary work;
- (d) Repair work can be accomplished within a reasonable amount of time; and,
- (e) Cost of material for the repairs will not exceed \$500;
- (f) Property owner signs a release and hold harmless.

If the cost of material for repairs is stated by claimant or estimated by staff to exceed \$500, the owner will be asked to submit their claim in writing.

The Executive Director shall review the damage claim and the proposed repair work. If they determine that the damage is the Authority's responsibility and that the proposed repair work is appropriate, they may authorize the work if the cost of material for the repairs will not exceed the insurance deductible or \$20,000, whichever is larger, and the property owner signs a release and hold harmless.

If the cost of material for repairs is stated by claimant or estimated to exceed \$20,000, the claim will be submitted to the Board of Directors for its consideration.

Claims in excess of the Authority's insurance deductible shall be forwarded to the insurance company, and the claimant shall be advised of this action.

Claims for personal injury/wrongful death shall not be investigated by Authority staff or directors but shall be immediately forwarded to the Authority's insurance company.

#### 1040.2 Property (Vehicles and Unsecured Property) Damage Claims

All claims of damage to vehicles or other unsecured property shall be submitted to the Executive Director. The Executive Director or designee shall review the damage claim and the requested restitution. If they determine that the damage is the Authority's responsibility, they may authorize repairs or reimbursement of expenses to an amount not to exceed the insurance deductible or \$20,000, whichever is greater, provided the property owner signs a release and hold harmless.

The claim will be processed as described above if the cost of material for repairs is estimated to exceed \$20,000.

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**1040.3 Property Damage Claims On Authority Form**

Except for damage to land and improvements estimated to cost less than \$500, all damage claims must be submitted in writing on an Authority claim form.

If an individual does not wish to file a claim on the Authority form, they may present the claim by letter if it conforms to Section 910 and Section 910.2 of the California Government Code.

Authority staff shall provide no assistance to the claimant in filling out the claim form. Claimant must fill out the claim form in its entirety and submit it via mail, FAX, or personal delivery to the Authority's Business Office. Upon receipt, office staff shall date-stamp the document.

**1040.4 Account Adjustment Requests**

The Executive Director, or Director of Finance and Administrative Services, in their absence, is authorized to adjust a customer's disposal fee account if their bill reflects an error:

**POLICY TITLE: Copying Public Documents**

**POLICY NUMBER: 1050**

**1050.1** Individuals requesting copies of public documents shall be charged a reasonable fee based upon the cost to produce the copy (\$0.25 per sheet) to defray expenses associated with the copying process.

**1050.2** Copies of agendas and other writings (except for privileged documents) distributed to a majority of the Board of Directors at open Board meetings shall be made available to the public. A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge. Individuals requesting copies of such documents prior to the Board meeting will be charged \$0.25 per sheet. The copy charge may be levied at Board meetings for copies of documents if more are needed and/or requested in addition to those normally prepared for the public at Board meetings.

**POLICY TITLE: Board of Directors Meeting Times**

**POLICY NUMBER: 1100**

**1100.1** Regularly scheduled Board of Directors meetings shall be held on the second Thursday of each month and shall start at 5:30 p.m. or as may be amended from time to time by the Authority Board upon annual review of the Board's Calendar.

**Commented [JD9]:** Approved May 8, 2014 and reviewed/approved annually as part of the Calendar Approval.

**1100.2** Other than items continued or tabled to a date certain, the Board may, by majority vote, continue all matters not completed by 8:30 p.m. to a time certain or to the next regularly scheduled Board meeting. Should the Board vote to continue the meeting past 8:30 p.m., discussion on an item on the agenda that either requires or allows for public input may not begin without a unanimous vote of the Board members present.

**1100.3** Closed Session items may be scheduled for a time certain either before or after the regular session.

## SERIES 2000 PERSONNEL

It is the goal of the Authority to provide a positive work environment and a solid economic foundation upon which all employees may build a future. However, the Authority is also aware that personnel changes are sometimes initiated by employees and management alike. In this regard, it is expressly understood that employment at the Authority is for no specific duration, separation of employment can be voluntary or involuntary, and may be initiated either by the employee or by the Authority at any time for any reason. No section of this handbook is meant to be construed, nor should be construed, as establishing anything other than an employment-at-will relationship within the meaning of California Labor Code Section 2922, nor does it limit management's discretion to make personnel decisions such as reassignment, change of wages and benefits, demotion, etc. Moreover, no one at the organization, other than the Executive Director, has the authority or legal ability to modify the at-will nature of the employment relationship. The Executive Director can do so only if it is clearly set forth in a written agreement that is signed by both the Executive Director and the employee in question.

**POLICY TITLE:** Executive Officer  
**POLICY NUMBER:** 2000

**2000.1** The Executive Director shall be the Executive Officer of the Humboldt Waste Management Authority and for the Board of Directors. The Executive Director, or designee shall serve as the Clerk of the Board.

**2000.2** The terms and conditions of the Executive Director's employment shall be specified in the agreement of employment established between the Executive Director and the Board of Directors. The agreement of employment shall be for the period of time as specified therein.

**2000.3** Whenever the agreement of employment established between the Executive Director and the Board of Directors is in conflict with any Authority policy, said agreement of employment shall prevail.

**POLICY TITLE:** Classification Plan  
**POLICY NUMBER:** 2005

**2005.1** The Executive Director shall ascertain and record the duties and responsibilities of all positions in service to the Authority and shall recommend a Classification Plan for such positions.

**2005.2** The Classification Plan shall be adopted and may be amended from time to time by the Authority Board upon the recommendation of the Executive Director.

**2005.3** Following adoption of the Classification Plan, the Executive Director shall allocate every position into the Authority Organization Chart, which shall be approved by resolution of the Board.

**2005.4** When a new position is created, before the same may be filled, and except as otherwise provided by ordinance or these rules, no person shall be appointed or employed to fill any such position until the Classification Plan shall have been amended to provide for such position.



POLICY TITLE: **Temporary Reclassifications**  
POLICY NUMBER: 2006

Commented [JD10]: Approved September 11, 2013

2006.1 The Executive Director may temporarily assign an employee to perform work normally performed by another employee or position classification at a different level or salary.

2006.2 An employee temporarily assigned to perform work of a lower paid classification shall not have his or her salary reduced, and an employee temporarily assigned to perform work of a higher paid classification shall receive compensation equal to either the lowest salary step for that position that would provide for an increase in pay or five percent, whichever is less, for all time spent in the acting position in excess of three (3) consecutive work weeks. An approved reclassification shall continue only until such time as the employee is returned to his or her original job duties.

2006.3 Temporary assignments to a higher or lower paid class need to be in writing and approved by the Executive Director in advance.

POLICY TITLE: **Hours of Work and Overtime**  
POLICY NUMBER: 2010

2010.1 With the exception of Section 2010.7, this policy 2010 shall apply only to all non-exempt employees.

2010.2 The regular hours of work each day shall be consecutive except for interruptions for meal periods.

2010.3 A workweek is defined to consist of seven (7) consecutive calendar days, Sunday through Saturday, and, except as otherwise provided herein, a basic workweek is defined to consist of forty (40) hours for full-time employees, and less than thirty-six (36) hours for part-time employees. Regular work hours for full-time and part-time employees shall be determined by each division in accordance with the facility hours of operation.

2010.3.1 The Hawthorne Street Transfer Station, Eureka Recycling Center, Household Hazardous Waste and Cummings Road Landfill operate on a schedule established by the Executive Director which shall be posted on the Authority's website and signage at the facilities.

2010.3.3 The Business Office is staffed five days per week, Monday through Friday, with hours of operation established by the Executive Director and posted on the Authority website

2010.4 Overtime is defined as:

2010.4.1 Time worked in excess of 40 hours in a workweek;

2010.4.2 Time worked in excess of eight hours on a scheduled workday if a five-day, eight-hour per day workweek is in effect except that when an employee has taken time off for holiday, vacation or sick leave, such time off shall not count as time worked for purposes of calculating overtime; or

2010.4.3 Time worked on a "Designated Holiday," as defined in Section 2030.2.

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2010.5 Other than regular hours of work, any time worked by a Non-exempt employee in emergency response, repair, or emergency maintenance of facilities of the Authority shall be compensated at the overtime rate of pay of time and a half.

2010.6 All overtime shall be pre-approved by an employee's Division Director or their designee.

2010.7 Exempt employees are not subject to overtime regulations. The ability of these employees to work extra hours, attend meetings outside the timeframe of the regular work day, and be able to respond to emergency situations at Authority facilities is considered to be a basic function of each position.

2010.7.1 The Executive Director, Director of Finance & Administrative Services, Director of Environmental Health & Safety, and Director of Operations, are the four positions in the Authority classified as Exempt. All other positions are Non-exempt.

POLICY TITLE: Vacation Leave

POLICY NUMBER: 2020

2020.1 This policy shall apply to Regular and Probationary employees in all classifications.

2020.2 Each vacation day will be considered eight (8) hours. Paid vacations shall accrue according to the following schedule on an annual basis, per the Authority's fiscal year (July 1-June 30):

- (a) First year of continuous service through three years of service, twelve (12) days;
- (b) Four through ten years of service, fifteen (15) days;
- (c) Eleven through fifteen years of service, twenty (20) days;
- (d) Sixteen through twenty years of service, twenty-five (25) days;
- (e) Twenty-one years and over, thirty (30) days.

2020.3 Regular employees may take their accrued annual vacation leave all at once, or gradually, upon the Division Director's advance approval. However, no vacation leave may be taken until the employee has completed their Probationary period, and only the accrued amount shall be then available.

2020.4 Vacation time may be accumulated or postponed. The total accumulated vacation time shall not exceed that amount earned in the preceding twenty-four month period by the employee.

2020.5 At termination of employment for any reason, the Authority shall compensate the employee for their accumulated vacation time at their straight time rate of pay at the time of termination.

2020.6 The Authority will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has

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been fully used. An unpaid leave of absence for medical reasons will not be granted until all accumulated sick leave and vacation time have been used.

2020.7 If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

2020.8 Vacations may be scheduled at any time during the year upon approval of the Executive Director or Designee. The scheduling wishes of the employee will be considered in reviewing a vacation request; however primary consideration will be given to the needs of the Authority's operation.

2020.9 Once per each fiscal year an employee may elect to cash out up to 50% of their annual vacation leave.

2020.10 Regular Part-time employees shall be entitled to vacation benefits provided by this section in a prorated basis according to the number of hours worked.

2020.11 No paid vacation is provided to Temporary employees.

POLICY TITLE: Holiday Leave  
POLICY NUMBER: 2030

2030.1 This policy shall apply to all Regular and Probationary employees. Holiday Leave is composed of two categories 1) "Designated" and 2) "Floating" holidays. The HWMA facilities are closed to the public on designated holidays, but may require staffing, whereas HWMA facilities are open on floating holidays and require staffing.

2030.2 The following seven days shall be recognized and observed as "Designated Holidays," and each holiday is considered eight (8) hours:

New Years Day  
Easter Sunday  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Christmas Day

2030.3 The Transfer Station's "Tip Floor" will be open for Franchise Haulers only on the Designated Holidays. Employees scheduled to work on Designated Holidays shall receive eight (8) hours straight pay for working on the holiday, plus overtime pay for time actually worked, and be given an additional Floating Holiday.

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ORIGINAL APPROVED 2009

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2030.X Additionally, employees are given seven (7) days per year as "Floating Holidays". The Floating Holidays may be taken as time off only with advance management approval with consideration given to the operational needs of HWMA. An employee who is hired in mid-fiscal year will receive only those Designated Holidays remaining in the fiscal year and the number of Floating Holidays shall be pro-rated for the remaining fiscal year, rounded to the nearest whole number.

2030.4 When an employee is taking an authorized leave with pay when a holiday occurs, said holiday shall not be charged against said leave with pay.

2030.5 Once each fiscal year, an employee may cash out up to 50% of their annual holiday leave.

POLICY TITLE: Management Leave

POLICY NUMBER: 2031

2031.1 Non-exempt employees are entitled to twelve (12) days annual management leave. Management leave is over and above vacation and holiday leave, in lieu of overtime pay, and is based on the fiscal year.

2031.2 Exempt employees are identified as the: Executive Director; Director of Finance & Administrative Services, Director of Environmental Health & Safety, and Director of Operations.

2031.3 Management Leave may be accumulated or postponed.

2031.4 Once each fiscal year, non-exempt employees may cash out up to 50% of their annual Management Leave.

POLICY TITLE: Sick Leave

POLICY NUMBER: 2040

2040.1 This policy shall apply to Regular, Probationary and Temporary employees in all classifications.

2040.2 Sick leave is not a privilege, which an employee may use at their discretion, but shall be allowed for the diagnosis, care, or treatment of an existing health condition of, or preventative care for an employee or an employee's family member as further described below. In addition, an employee may use sick leave for time off if the employee is the victim of domestic violence, sexual assault or stalking to 1) obtain injunctive relief, 2) ensure their health, safety and welfare or that of their child, 3) seek medical treatment, or 4) obtain services. Dentist, and doctor appointments shall be subject to sick leave for Regular and Temporary employees in all classifications.

2040.2.1 Family Care. In addition to caring for a family member for purposes described above, an employee may use in any calendar year up to the amount of sick leave that would be accrued and available in a six-month period (one-half the annual accrual amount) to care for a family member who is the victim of domestic violence, sexual assault or stalking.

2040.2.2 Family Member Defined. For purposes of this Policy, a "family member" is defined as a child (biological, adopted, foster, step, legal ward, or any child for whom the employee is responsible as a

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ORIGINAL APPROVED 2009

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10312018  
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parent); a biological, adoptive, or foster parent, step parent, or legal guardian of the employee or the employee's spouse or registered domestic partner, or who was responsible for the employee when the employee was a minor child; a spouse; a registered domestic partner; a grandparent; a grandchild; a sibling.

2040.3 Employees shall earn sick leave according to the following schedule on an annual fiscal year:

- a) Full-time employees will earn sick leave at a rate of one working day (eight (8) hours) per month for a total of twelve (12) days per fiscal year.
- b) Part-time employees will earn sick leave at a prorated rate of one-half working day (four (4) hours), but not less than a total of six (6) days per fiscal year.
- c) Temporary employees will earn sick leave at a minimum rate of three (3) days per fiscal year.

Employees may accumulate earned sick leave days without limitation as to maximum number. Termination of an employee's service shall cancel all sick leave accrued to the time of such termination, regardless of whether or not such person subsequently re-enters HWMA employment, except as provided by the PERS sick leave credit upon retirement. At retirement, any unused sick leave may be converted to additional PERS service credit. Holidays occurring during sick leave shall not be counted as days of sick leave. For the purpose of computing sick leave, each employee shall be considered to work not more than five (5) days each week, and the minimum sick leave shall be chargeable in hourly increments. Sick leave credit shall continue to accrue while an employee is on vacation or sick leave. Sick leave shall not be granted in lieu of vacation while on vacation.

2040.5 In order to receive compensation while on sick leave, the employee shall notify their supervisor prior to, or within one (1) hour after the time set for beginning their daily duties on the regular work day, or as soon thereafter as practical. In the event of an extended illness, HWMA may request a physician's note/certificate to be provided on the next workday after the third consecutive workday of illness. Misuse of sick leave privileges is a ground for disciplinary action.

POLICY TITLE: Bereavement Leave  
POLICY NUMBER: 2050

2050.1 This policy shall apply to Regular and Probationary employees in all classifications. Temporary employees are not eligible for this leave.

2050.2 In the event of a death in the immediate family, an employee may be granted a paid leave of absence not to exceed five (5) days. This leave shall be charged against the employee's accumulated sick leave. Verification may be required.

2050.3 "Immediate family" is defined as being spouse, parents, children, brother, sister, grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law or any other person who is a legal dependent of the employee.

POLICY TITLE: Jury Duty

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POLICY NUMBER: 2060

2060.1 This policy shall apply to Regular and Probationary employees in all classifications. Temporary employees are not eligible for jury duty pay.

2060.2 An employee summoned for jury duty will immediately notify their immediate supervisor, and provide management with the expected jury duty dates with periodic updates as necessary to enable scheduling coverage as needed.

2060.3 While serving on a jury, an employee will be given a paid leave of absence for the duration of said jury duty provided the employee declines payment for jury service or endorses to HWMA any checks or warrants received in payment of jury duty exclusive of mileage for personal vehicles or other out-of-pocket expenses incurred due to jury duty and provides verification of jury duty service. Said leave of absence is conditional upon the employee returning to work upon dismissal each day to complete their remaining normal workday.

POLICY TITLE: Continuity of Service

POLICY NUMBER: 2070

2070.1 For Regular and Probationary employees in all classifications and Temporary employees, length of continuous service with the Authority will be used as the basis for determining benefits such as sick leave and vacation leave. Length of continuous service may also be one of the considerations in promotions, demotions and layoffs.

2070.2 Continuous service with the Authority will start with the date of employment and continue until one of the following occurs:

2070.2.1 An employee is discharged for cause;

2070.2.2 An employee voluntarily terminates their employment;

2070.2.3 An employee is laid off; or

2070.2.4 An employee is otherwise separated from employment with HWMA

2070.3 Continuity of an employee's service will not be broken by absence for the following reasons, and their length of service will accrue for the period of such absence:

2070.3.1 Absence by reason of industrial disability;

2070.3.2 Authorized Unpaid Leave of Absence without pay for up to six (6) months in a calendar year; or,

2070.3.3 Absences governed by applicable state and/or federal laws such as military or National Guard service.

2070.3.4 Other circumstances as may be determined by the Executive Director on a case-by-case basis.

2070.4 Regular Full-time employees who were laid off and called back for work not being regular in nature will have their employment service records maintained so that they accumulate length-of-service as they work on an "hour-for-hour" basis.

2070.5 Part-time and Temporary employees who are hired for a position having Regular status will have previously earned length-of-service maintained in their employment service records.

2070.6 Previous Temporary employees who are rehired within 18 months of their last date of employment shall have their employment service records restored to include previously earned length-of-service.

POLICY TITLE: Employee Status  
POLICY NUMBER: 2080

2080.1 A "Probationary" employee is one who has been conditionally hired to fill a regular position in any full-time or part-time job classification and has less than 6 continuous months of service with the Authority.

2080.2.1 A Probationary employee will receive not less than the minimum rate for the job and will be eligible for sick leave, and accrue holiday leave, vacation leave, insurance coverage or items of a similar nature, as they become eligible. A Probationary employee will not be eligible for an unpaid leave of absence.

2080.2 A "Regular" employee is one who has successfully completed the probationary period in a particular job classification to fill a Regular full-time or part-time position.

2080.2.1 A Full-Time employee will receive not less than the minimal rate for the job, and be eligible for federal and/or state required benefits as required by law or otherwise specified in these policies and will accrue seniority and leave of absence rights.

2080.2.2 A Part-Time employee will receive not less than the minimum rate for the job, and be eligible for federal and/or state required benefits as required by law or otherwise specified in these policies, and will accrue leave, leave of absence, retirement and seniority on a prorated basis.

If a Part-Time employee is reclassified to Full-Time Regular status, they will be credited with all continuous service in determining eligibility for such benefits that may accrue to them in their new status.

2080.4 A "Temporary" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The duration of the work assignment of a Temporary employee may range from one day to a maximum of 120 days (960 hours) annually, and will be scheduled at the needs of the Authority.

2080.4.1 Employees hired to replace a Regular employee who is on an approved leave of paid or unpaid absence shall be hired as "Temporary" employees, unless said leave of absence is in excess of 180 days.

2080.4.2 A Temporary employee will receive not less than the minimum rate for the job, and will be eligible for federal and/or state required benefits as required by law or otherwise specified in these policies.

2080.3.3 If a Temporary employee is reclassified to Probationary or Regular status, they will be credited with all continuous service in determining eligibility for such benefits that may accrue to them in their new status.

2080.5 A "Non-exempt" employee is one who is subject to minimum wage and overtime laws per the federal Fair Labor Standards Act (FLSA) and California Industrial Welfare Commission. Minimum and overtime wages are determined as the better of FLSA regulated rates or California labor law rates.

2080.6 An "Exempt" employee is a salaried employee who performs duties which differ greatly from those of non-exempt employees, and which require a higher level of professional, technical, or administrative skill at an executive level. These employees are not subject to minimum wage and overtime laws per the federal Fair Labor Standards Act (FLSA) and California Industrial Welfare Commission.

POLICY TITLE: Uniforms and Boot Allowance  
POLICY NUMBER: 2090

2090.1 The cost of uniforms and/or protective clothing, shoes and other gear that employees are required to wear shall be borne by the Authority. Each fiscal year, the Board will allocate funds for this purpose through the budgetary process. The purchase of uniform clothing and protective boots is to equip an employee for initial and ongoing work duties, and all employees are eligible for this benefit on the first day of employment.

2090.2 The Authority has the option of authorizing reimbursements to qualifying employees upon proof of purchase; or, of arranging with local retailers to supply all qualifying employees with a specific product that meets the needs and/or safety requirements, and bill the Authority for the total cost of all products purchased.

POLICY TITLE: Reimbursement for Travel Expenses  
POLICY NUMBER: 2100

2100.1 When an employee or a member of the Board of Directors is authorized to use their personal vehicle in the performance of Authority work, they shall be reimbursed for the cost of said use on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of said usage.

2100.1.1 A log of the mileage must be submitted with the request for reimbursement.



2100.2 Proof of adequate insurance coverage for collision, personal injury, and property damage shall be required by the Authority of any employee using a personal vehicle in the performance of Authority work. Prior to such vehicle use, the employee must complete a "Privately Owned Vehicle Use Form".

2100.2.1 Any use of personal vehicles must comply with Authority policies for such use.

2100.3 Reimbursement may also be made to cover any necessary out-of-county travel expenses. All such travel must have prior approval of the Executive Director.

2100.3.1 Employees may be advanced money for Authority related travel expenses. Per Diem will be based on Internal Revenue Service rates presently in effect for the travel to cover meals and incidental expenses. The Authority will reimburse for transportation, parking, tolls, lodging, registration, and course materials based on provided receipts.

The most economical mode and class of transportation reasonably consistent with scheduling requirements will be used. In the event a more expensive class of transportation is used, the reimbursable amount will be limited to the cost of the most economical class of transportation available.

2100.3.2 If the travel period is less than six (6) hours the reimbursement per diem rate will be at 75% of the standard per diem.

2100.3.3 In the event that a spouse or dependent accompanies the employee, the Authority will cover only the costs of the employee.

2100.4 Meals and tips shall be reimbursed to employees at the per diem meal rates established by the IRS for the area in which travel occurs. Expenses for alcoholic beverages are not reimbursable. For the purpose of determining entitlement for meal reimbursements the following will apply:

- a. Breakfast – travel begins no later than 7 a.m. and last at least four hours.
- b. Lunch – travel begins no later than 11:00 a.m. and last at least four hours.
- c. Dinner – travels last to or after 7 p.m.

**POLICY TITLE: Reimbursement for Expenditures**

**POLICY NUMBER: 2105**

2105.1 The purpose of this policy is to prescribe the manner in which Authority employees and Directors may be reimbursed for expenditures related to Authority business.

2105.2 This policy applies to all employees and members of the Board of Directors and is intended to result in no personal gain or loss to an employee or Director.

2105.3 Whenever Authority employees or Directors desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to Authority business, they shall submit their requests on a reimbursement form approved by the Executive Director. Included on the reimbursement form will be an explanation of the Authority-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.

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2105.4.1 The Director of Finance & Administrative Services, or the Executive Director will review and approve reimbursement requests. Reimbursement requests by the Director of Finance & Administrative Services will be reviewed and approved by the Executive Director. Reimbursement requests by the Executive Director will be reviewed and approved by the Director of Finance & Administrative Services.

POLICY TITLE: Health and Welfare Benefits  
POLICY NUMBER: 2110

2110.1 Health Insurance. Accident, health, hospital and dental and vision insurance to cover non-occupational injuries and sickness for Probationary and Regular employees in all job classifications, and their dependents, shall be provided by the Authority. Part-time employees benefits will be prorated. The scope of coverage and the portion of premiums to be paid by the Authority are subject to periodic review and revision by the Board of Directors. Employees may elect in lieu payments if covered by other approved health care.

Commented [JD11]: Approved May 2016

2110.1.1 In-Lieu Benefits for Health Benefit. Employees with valid proof of other coverage such as Veterans Administration, Medicare, other Employer Sponsored Group Coverage, and Individual Coverage (not subsidized) may opt out of the Authority's group health insurance and receive 100% of the monthly health insurance premium amount of the sponsored plan in lieu of the health insurance benefit.

2110.2 Workers' Compensation Insurance. All Authority employees will be insured against injuries received while on the job as required by State law.

2110.3 Retirement Plan. All Regular Authority employees shall be enrolled in the Authority's employee retirement plan. The Authority will provide a retirement benefit in accordance with the agreement between the Authority and California Public Employees Retirement System (CALPERS). The Authority presently pays the employee and employer contributions as set by CALPERS annually.

2110.3.1 All Regular and Probationary Authority employees may also enroll in the Authority's voluntary deferred compensation plan.

2110.5 Wellness Benefit. The Authority shall provide a wellness benefit to all probationary and regular full-time employees, and their dependents. The Authority shall self-insure and manage this benefit.

Commented [JD12]: This was approved by the Board May 2016

2110.5.1 A Wellness Benefit Account shall be established and maintained for each probationary or regular full-time employee and dependent who chooses to enroll. The Authority will reimburse an employee from said Account, or pay the service provider directly, for qualified expenses as defined in Section 2110.5.4. Said reimbursement shall be authorized after submission by the employee of a receipt or bill for said expenses.

2110.5.2 The Authority shall contribute a prorated amount to each employee's Wellness Benefit Account on the date the employee is eligible. The initial contribution shall be prorated based on the number of months remaining in the Fiscal Year.

HWMA POLICY HANDBOOK, REV 9/6/2019/5/2019  
ORIGINAL APPROVED 2009

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10312018  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

2110.5.3 Annually, after the initial contribution, the Authority shall contribute \$120.00 to the Wellness Benefit Account. Authority coverage shall be based on the following schedule:

**Covered Wellness Expenses:**

Amount of Expenses	Employer Share	Employee Benefits Share Paid
First \$120.00	100.0%	\$120.00
<b>ANNUAL MAXIMUM WELLNESS BENEFITS PAID</b>		<b>\$120.00</b>

By Authority, Per Employee

2110.5.4 Wellness benefit reimbursement shall be made for fees associated with membership at fitness clubs (e.g. gym, pool, recreation center membership), and for recreation team and individual sport leagues, which shall be reimbursed for the cost to the employee only. Uses of a participant's Wellness Benefit Account are subject to final approval by the Executive Director.

**POLICY TITLE: Educational Assistance**  
**POLICY NUMBER: 2120**

2120.1 Employees of the Authority are encouraged to pursue educational opportunities which are related to their present work, which will prepare them for foreseeable future opportunities within the Authority or which will prepare them for future career advancement.

2120.2 The Authority will reimburse regular employees up to \$150.00 each fiscal year for approved courses of study.

2120.3 To be eligible for reimbursement of course costs, the employee must receive advance approval from the Executive Director. Requests for reimbursement should be submitted in writing. The employee will be notified of final approval, or the reasons for disapproval. Those requests for reimbursement which are received after the class begins will be eligible for only one-half (½) of the usual reimbursement.

2120.4 Upon completion of the class the employee is responsible for sending copies of the grade slip and expense receipts to the Executive Director.

**POLICY TITLE: Pay Periods**  
**POLICY NUMBER: 2130**

2130.1 The salaries and wages of all Authority employees shall be paid semi-monthly. Payroll periods will cover the first day of the month through and including the fifteenth day of the month; and the sixteenth day through and including the last day of the month.

HWMA POLICY HANDBOOK, REV 9/6/2019/5/2019  
ORIGINAL APPROVED 2009

2130.2 Time cards shall be completed properly and submitted by staff to the Director of Finance and Administrative Services by the due date established by the Director.

2130.3 Payday will be as soon after the end of the payroll period as practicable or by the 10<sup>th</sup> of the month and by the 25<sup>nd</sup> of the month.

2130.4 Advancement of wages prior to a regular payday is not authorized.

POLICY TITLE: Compensation  
POLICY NUMBER: 2150

2150.1 This policy shall apply to all Authority employees.

2150.2 Compensation at Hiring.

2150.2.1 New Employees. All newly appointed employees, including Probationary employees, shall be paid at the first step of the salary range for the position to which the employee is appointed, except as provided elsewhere herein.

2150.2.2 Advanced Step Hiring. If the Executive Director finds that qualified applicants cannot be successfully recruited at the second step of the wage range, the Executive Director may request the Board of Directors to authorize an appointment at an advanced step of the wage range.

2150.2.3 Former Employees. A person who previously held a full-time position from which the person was separated in good standing may, when re-employed in a position with the same or lower pay range than held at separation, be appointed at the same salary rate which was paid at the effective date of the person's termination, or the nearest lower applicable step for the range to which the person is appointed, provided such re-employment occurs within twelve (12) months from the date of said termination.

2150.3 Pay Plan and Merit Advancement.

2150.3.1 Pay Plan. The Executive Director shall prepare a Pay Plan consisting of a schedule of salary ranges and a chart showing the allocation of each position in the Classification Plan. A minimum and maximum salary shall be established for each position in the Classification Plan and for each part-time and temporary position. The maximum salary level shall be twenty-one and one-half percent (21.5%) higher than the minimum salary level.

2150.3.2 Merit Advancement. Each advancement in the salary range shall not be automatic, but based on merit. The Executive Director shall authorize merit advancement within the salary range only after evaluating the employee's performance and determining that it is satisfactory. This determination shall be noted on a performance evaluation form to be placed in the employee's file, with a copy given to the employee.

2150.4 Promotion. Employees promoted to a position with a higher salary range may be paid either at the minimum rate of the new range or at the nearest higher rate that the employee would otherwise be entitled to on the date the promotion is effective, whichever is greater.

2150.5 A Cost of Living Allowance (COLA) may be approved by the Authority Board from time to time. A COLA will increase the salary range, for those positions awarded the allowance.

POLICY TITLE: Gifts  
POLICY NUMBER: 2155

2155.1 An employee or their immediate family may not accept from, or provide to, individuals or companies doing or seeking to do business with the Authority, gifts, entertainment, and/or other services or benefits unless the transaction meets all of the following guidelines:

2155.1.1 Is customary and gives no appearance of impropriety and does not have more than a nominal value;

2155.1.2 Does not impose any sense of obligation on either the giver or the receiver;

2155.1.3 Does not result in any kind of special or favored treatment;

2155.1.4 Cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances including the ability of the recipient to reciprocate at Authority expense.

2155.1.5 Is given and received with no effort to conceal the full facts by either the giver or receiver.

POLICY TITLE: Authorized Unpaid Leave of Absence  
POLICY NUMBER: 2160

2160.1 With the approval of the Executive Director, an employee may verbally request a leave of absence without pay or benefits for a period not to exceed 3 days. A leave of absence in excess of 3 days but not longer than 6 consecutive months will be considered upon written request of the employee setting forth the reasons for the request. Approval, if granted, will be in writing. The convenience of the Authority shall be a primary consideration in deciding whether or not to grant the leave.

2160.2 Such leave of absence may be taken only after all accumulated vacation time has been exhausted. If the leave of absence is for medical reasons, then all accumulated sick leave time must also be exhausted before a leave of absence can be granted.

2160.3 With the exception of sick leave as required by state law, employees will not accrue benefits available to regular employees of the Authority (e.g., vacation, holiday, or management) during a leave of absence.

2160.4 Upon expiration of an approved leave of absence, the employee shall be returned to the same position held at the time the leave was granted. Due to the Authority's limited work force, maintenance of job classifications for the term of an authorized leave of absence cannot be guaranteed beyond six months. Employees returning from a leave of absence beyond six months will be reinstated to the first available job classification

for which they are qualified. Failure on the part of the employee to report promptly at the expiration of such leave shall be just cause for discharge.

**POLICY TITLE: Unauthorized Voluntary Absence**  
**POLICY NUMBER: 2165**

2165.1 Voluntary absence from work without permission for five (5) consecutive working days shall be considered an automatic resignation by any employee.

2165.1.1 After three consecutive days of voluntary absence from work without authorization, the employee shall be notified in writing that the absence will be considered as resignation if it continues consecutively through the fifth working day. Said notice shall provide factual evidence that the employee's absence is voluntary and unauthorized and an invitation to the employee to present their version of the "facts" at an informal hearing before the Executive Director.

2165.1.1.1 Constructive resignation shall not be determined to have occurred until after the employee has an opportunity to present their version of the "facts" at the informal fact-finding hearing.

2165.1.1.2 The fact-finding hearing shall be held within ten (10) days after the end of the five (5) consecutive days of unauthorized voluntary absence.

2165.1.1.3 Failure of the employee to attend any scheduled hearing after due notice shall be grounds for termination.

2165.2 The Executive Director may, prior to the informal fact-finding hearing, reinstate the employee who has been voluntarily absent without leave for five consecutive days if the employee provides a satisfactory explanation. If the employee is reinstated after providing a satisfactory explanation, back pay for the period of absence may be disallowed, including the employee's use of vacation time to cover the period of absence.

2165.3 If the Executive Director determines, as a result of the evidence presented at the fact-finding hearing, that the employee was voluntarily absent without leave and did not have a satisfactory explanation, the employee shall not be entitled to a post-severance evidentiary hearing and the employee's resignation shall be considered to be effective at the end of the fifth consecutive day of their unauthorized voluntary absence.

**POLICY TITLE: Performance Evaluation**  
**POLICY NUMBER: 2170**

2170.1 This policy shall apply to all Regular employees.

2170.2 The Executive Director, or designated representative, shall conduct a scheduled performance review of each Regular employee annually at the employee's anniversary date of hire. If the employee's immediate supervisor is not the evaluator, they shall be consulted during the preparation of the evaluation.

2170.3 Performance evaluations shall be in writing on forms prescribed by the Executive Director. Said evaluation shall provide recognition for effective performance and also identify areas that need improvement. In addition to providing scaled scores in each performance and characteristic category, the evaluator will also provide a narrative.

2170.4 The performance evaluation shall be signed by the evaluator and shall be discussed with the employee. The employee will be provided an opportunity to prepare a written response to the evaluation that will be attached to the evaluation for inclusion in their personnel file.

2170.5 Unscheduled performance evaluations may be made at the discretion of the Executive Director or designated representative.

POLICY TITLE: Grievance  
POLICY NUMBER: 2180

2180.1 This policy shall apply to all employees in all classifications.

2180.2 The purpose of this policy is to provide a procedure by which an employee may formally claim that they have been affected by or reason to believe the occurrence of a violation, misapplication, or misinterpretation of a law, Authority policy, rule, regulation, or instruction. This policy expressly recognizes state whistle blower laws that prohibit an employer from retaliating against an employee for disclosing information to a government or law enforcement agency, or participating in a specific activity, where the employee has reasonable cause to believe that the information discloses or the specific activity would result in a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.

2180.3 Specifically excluded from the grievance procedure are subjects involving the amendment of state or federal law; resolutions adopted by the Authority's Board of Directors, ordinances or minute orders, including decisions regarding wages, hours, and terms and conditions of employment.

2180.4 Grievance Procedure Steps.

2180.4.1 Level I, Preliminary Informal Resolution. Any employee who believes they have a grievance shall present the evidence thereof orally to their immediate supervisor within five working days after the employee knew, or reasonably should have known, of the circumstances which form the basis for the alleged grievance. The immediate supervisor shall hold discussions and attempt to resolve the matter within three working days after the presentation of such evidence. It is the intent of this informal meeting that at least one personal conference be held between the employee and the immediate supervisor.

2180.4.2 Level II, Executive Director. If the grievance has not been resolved at Level I, the grievant may present their grievance in writing to the Executive Director within ten working days after the occurrence of the act or omission giving rise to the grievance.

2180.4.2.1 The statement shall include the following:

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10312018  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

- (a) A concise statement of the grievance including specific reference to any law, policy, rule, regulation, and/or instruction deemed to be violated, misapplied or misinterpreted;
- (b) The circumstances involved;
- (c) The decision rendered by the immediate supervisor at Level I;
- (d) The specific remedy sought.

**2180.4.2.2** The Executive Director shall communicate their decision within ten days after receiving the grievance. Decisions will be in writing setting forth the decision and the reasons therefore and will be transmitted promptly to all parties in interest. If the Executive Director does not respond within the time limits, the grievant may appeal to the next level. Time limits for appeal shall begin the day following receipt of the Executive Director's written decision. Within the above time limits, either party may request a personal conference with the other.

**2180.4.3** Level III, Board of Directors. In the event the grievant is not satisfied with the decision at Level II, the grievant may appeal the decision in writing to the Authority Board of Directors within five (5) days. The statement shall include a copy of the original grievance; a copy of the written decision by the Executive Director; and a clear, concise statement of the reasons for the appeal to Level III.

**2180.4.3.1** The Board of Directors, as soon as possible at a regular monthly meeting of the Board, shall schedule a hearing in closed session, as permitted by and in accordance with the Brown Act (Government Code §549050 et seq.) to formally receive the written grievance and the answers thereto at each step and to hear evidence regarding the issue or issues. The Board's decision shall be announced in open session immediately after the closed session in which it was made.

**2180.4.3.2** In the event the subject matter of the grievance directly concerns the Executive Director, the grievant may file a grievance with the Board of Directors without first exhausting the Level I and Level II procedural steps otherwise required. The grievance shall be in writing, signed and dated by the complaining employee, and shall present a statement of the circumstances that form the basis for the alleged grievance. The provisions of Section 2180.4.3.1 above shall apply to any such grievance.

**2180.5** Basic Rules.

**2180.5.1** If an employee does not present the grievance, or does not appeal the decision rendered regarding the grievance within the time limits specified above, the grievance shall be considered resolved.

**2180.5.2** The Executive Director may temporarily suspend grievance processing on an Authority-wide basis in an emergency situation. Employees covered by this policy may appeal this decision to the Board of Directors.



**2180.5.3** A copy of all formal grievance decisions shall be placed in the employee's permanent personnel file.

**POLICY TITLE:** Drug & Alcohol Abuse  
**POLICY NUMBER:** 2190

**2190.1** It is the desire of the Board of Directors that all work environments of Authority employees be safe and productive and free of the influence of drugs, alcohol and/or other controlled substances. The Board of Directors is concerned with the physical safety of all employees, potential damage to property and equipment, mental and physical health of employees, productivity and work quality, medical insurance costs, and the harm done to employees and their families by the inappropriate use of controlled substances.

**2190.2** The use (except as prescribed by a physician), sale, possession, purchase, or transfer of drugs, alcohol and/or other controlled substances by any Authority employee or officer on Authority property or work sites or while said employee or officer is on Authority business is prohibited.

**2190.2.1** Employees are also prohibited from being under the influence of drugs, alcohol and/or other controlled substances during hours of work where such substances could impair the fitness of an employee to perform their work.

**2190.2.2** Commission of any of the actions described above will subject the employee to disciplinary action up to and including termination.

**2190.2.3** For the purpose of applying this policy, being under the influence of drugs, alcohol and/or other controlled substances means being impaired in any way from fully and proficiently performing job duties and/or having a detectable amount of said substances in one's body.

**2190.3** The decision to discipline or terminate an employee found to have used and/or be under the influence of drugs, alcohol and/or other controlled substances during working hours may be waived or held in abeyance by the Executive Director or designee pending said employee's attempt at rehabilitation. The Executive Director or designee has discretion to handle each case individually with factors such as the employee's frequency of use, commitment to rehabilitation, and type of substance taken into consideration regarding the waiving of penalties.

**2190.3.1** Discipline or termination that is waived or held in abeyance pending rehabilitation should be done on the condition, set forth in writing, that the employee:

**2190.3.1.1** Successfully complete an approved rehabilitation program;

**2190.3.1.2** Faithfully comply with maintenance and therapeutic measures (e.g., attendance at AA or NA meetings); and,

**2190.3.1.3** Be subject to periodic testing without further reasonable cause.

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PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

2190.3.2 Employees who are found to have brought drugs, alcohol or other non-prescription controlled substances onto Authority property or work sites, and to have provided them to other employees shall be terminated without recourse to a rehabilitation program.

2190.4 To assure that employees, property and equipment are not endangered by other employees who are involved with, or under the influence of drugs, alcohol and/or other controlled substances, any employee whose conduct, appearance, speech, or other characteristics create a reasonable suspicion of involvement with, or influence of said substances will be taken to a medical facility and be subject to an exam by a qualified physician at Authority expense. If said physician determines that a drug/alcohol test is warranted, said employee will be subject to testing for the presence of alcohol or drugs in their bodies.

2190.4.1 Presence of such substances will result in disciplinary action up to and including termination, as described above.

2190.4.2 An employee who is suspected of involvement as described above and refuses to cooperate in the physician's exam and/or drug/alcohol testing is subject to termination.

2190.5 If a qualified physician, as a part of the examination specified in Section 2190.4, above, determines that an employee is not capable of working safely, said employee will be transported to their home by a supervising employee and not allowed to drive himself/herself home.

2190.6 Immediately prior to reporting for drug/alcohol testing, all employees shall complete a Consent and Release form to be kept on file in the Authority office which shall conform to the general format, as shown herein.

2190.7 Authority employees are required to notify the Executive Director or their designee in writing of any criminal drug statute of which they are convicted for a violation occurring in the workplace no later than five calendar days after such conviction.

POLICY TITLE: Tobacco Use on Authority Property  
POLICY NUMBER: 2195

2195.1 Smoking, vaping or chewing of tobacco products or similar substances shall be banned completely within Authority buildings or confined spaces, properties or in Authority vehicles.

2195.2 All Authority employees will be responsible for advising members of the public who are observed smoking or vaping products on Authority property of the Authority's policy on the matter. Said individuals shall be asked by staff to refrain from smoking.

2195.3 Authority employees who violate this policy will be subject to disciplinary action in accordance with Policy #2260.

Commented [JD13]: Double check this when the document is restructured.

POLICY TITLE: Pre-Employment Physical Examinations  
POLICY NUMBER: 2200

HWMA POLICY HANDBOOK, REV 9/6/20199/5/2019  
ORIGINAL APPROVED 2009

2200.1 All individuals who are offered Regular employment may be required to submit to a physician's examination and/or controlled substance test at Authority expense. The examining physician will be provided a description of the job involved (including physical requirements of typical tasks) to assist in a determination of the individual's fitness to work.

2200.1.1 The Executive Director may authorize the hiring of an individual in advance of these certifications if they believes waiting may jeopardize the Authority's opportunity to secure an appropriately qualified candidate or in emergency situations. However, such pre-certification offers of employment shall clearly specify that they are conditional upon a negative controlled-substance test result and/or the physician's fitness-for-work certification, and that employment will be terminated if controlled-substance test results in a positive outcome or if the physician does not certify the employee as fit to perform the type of work required for the position.

2200.1.2 Employment will not occur if the individual refuses to cooperate in the examination and testing.

2200.2 Retesting of an individual who was previously employed on a Regular or Temporary, basis may be required if more than three months have elapsed since the individual's last day of work for the Authority.

2200.3 Appointments with the medical facility providing the examination and controlled substance testing shall be made at least one day prior to testing if possible, with the individual to be tested provided minimal advance notice (no more than one day, if practical).

2200.4 When the individual to be tested reports to the medical facility for the scheduled examination and controlled substance testing, they must provide proof of identification, such as a drivers license photo or a state-issued photo identification card.

2200.5 All test results shall be kept confidential. The applicant may be told they failed to pass the test, but only the Executive Director, and/or Division Director who has a legitimate need to know the results shall have access to the actual test results.

2200.6 Authority employment application forms shall contain a notice to applicants as follows:

*The Authority has a policy of requiring a physician's physical fitness exam, together with urine drug testing of persons who have been offered employment. Individuals who are determined by the physician not to be physically fit for duty, or who test positive for controlled substances, will not be employed. If you have reason to believe that you will not pass a physician's physical examination, or will test positive for the presence of controlled substances, or if you are unwilling to consent to such an examination or test if offered employment, it is recommended that you not submit an application.*

POLICY TITLE: "HIPAA" Compliance  
POLICY NUMBER: 2205

2205.1 Authorization as required under the Health Insurance Portability and Accountability Act (HIPAA) for disclosure of protected health information (PHI) will be a condition of employment or continued employment with the Agency to the fullest extent allowed by law. This is applicable to pre-employment physicals, drug testing, leave-of-absence requests, fitness-for-duty physicals, and any other lawful need for medical information. Refusal to authorize release of PHI in any of the above instances will be grounds for discipline up to and including termination.

**POLICY TITLE:** ~~Sexual Harassment~~  
**POLICY NUMBER:** ~~2210~~

**Commented [JD14]:** Remove and replace Policy 2210 & 2215 with consolidated revised Policy 2210 "Harassment, Discrimination, and Retaliation Prevention Policy and Compliant Procedures"

~~2210.1 Acts of sexual harassment by employees, supervisors, or , are prohibited employment practices and are subject to sanctions and disciplinary measures.~~

~~2210.2 Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:~~

~~2210.2.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.~~

~~2210.2.2 Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.~~

~~2210.2.3 Such conduct has the purpose or effect of substantially interfering with a person's work performance or creating an intimidating, hostile or offensive work environment.~~

~~2210.3 Prohibited acts of sexual harassment can take a variety of forms ranging from subtle pressure for sexual activity to physical assault. Examples of the kinds of conduct included in the definition of sexual harassment are:~~

~~2210.3.1 Direct or indirect threats or suggestions of sexual relations or sexual contact which is not freely or mutually agreeable to both parties.~~

~~2210.3.2 Continual or repeated verbal abuses of a sexual nature including graphic commentaries on the person's body; sexually suggestive objects or pictures placed in the work area that may embarrass or offend the person; sexually degrading words to describe the person, or propositions of a sexual nature.~~

~~2210.4 Policy Publicizing. All employees shall be informed of the Authority's sexual harassment policy and complaint process prior to their need to know, and again when any complaint is filed. Also, said policy and complaint process shall be readily available to all employees and members of the general public utilizing the Authority's facilities and services.~~

~~2210.4.1 All new employees shall be given a copy of the sexual harassment policy at the time of hiring and said policy's contents shall be discussed with said employee at that time by the supervisor within whose department they will be working.~~

**2210.5** — Within three working days after any complaint has been filed in accordance with this policy, a bulletin shall be prepared and distributed to all employees informing them of the Authority's sexual harassment policy.

**2210.6** — Complaint Process. — Any employee who believes they are the victim of sexual harassment may file a formal or informal confidential complaint without fear of reprisal or embarrassment.

———— **2210.6.1** — An informal complaint is made verbally by the employee to their immediate supervisor. Although filing the complaint with the immediate supervisor is preferred, the employee is free to file their complaint with any supervisory employee.

———— **2210.6.2** — A formal complaint is made in writing, and should be submitted by the employee to their immediate supervisor. Although submitting the formal complaint with the immediate supervisor is preferred, the employee is free to submit their formal complaint with any supervisory employee or with the Chair of the Board of Directors if the employee's immediate supervisor is the Executive Director and the Executive Director is unavailable or personally involved in said complaint.

**2210.7** — Complaint Response Process. — Any supervisory employee who receives a formal or informal sexual harassment complaint shall at all times maintain the confidentiality of the and shall personally deliver said complaint immediately to the Executive Director

———— **2210.7.1** — Within 24 hours of the filing of a formal or informal complaint, even if it is withdrawn, an investigation shall be conducted by the Executive Director.

———— **2210.7.2** — A written record of any investigation of an alleged sexual harassment shall be maintained.

———— **2210.7.3** — All discussions resulting from said investigation shall be kept confidential by all informed of said investigation.

———— **2210.7.4** — The person initiating the complaint has the right to be accompanied by an advocate(s) when discussing alleged incidents. Said person shall be advised of this right prior to the commencement of such discussions.

**2210.8** — Disciplinary Procedures and Sanctions. — Upon conclusion of the investigation of an alleged sexual harassment, appropriate action shall be taken by the Executive Director against the harasser where sexual harassment is found. Whatever punishment is meted out to the harasser shall be made known to the victim of the harassment.

———— **2210.8.1** — Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment. Making the employee whole may involve reinstatement, back pay, promotion, etc.

———— **2210.8.2** — Action taken to remedy a sexual harassment situation shall be done in a manner so as to protect potential future victims.

———— **2210.8.3** — Employees complaining of sexual harassment shall be protected thereafter from any form of reprisal and/or retaliation.

**POLICY TITLE:** ~~Harassment~~  
**POLICY NUMBER:** ~~2215~~

~~2215.1 – Humboldt Waste Management Authority is committed to providing a work environment for its employees that is free of harassment. The Authority prohibits sexual harassment (see Policy #2210) as well as harassment because of race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, genetic information, sexual orientation or any other basis protected by federal, state or local law, ordinance or regulation. This policy applies to all persons involved in the operation of the Authority and prohibits harassment by any employee of the Authority supervisors~~

~~2215.2 – Harassment because of race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, genetic information, sexual orientation or any other protected basis is prohibited, including, but not limited to the following behavior:~~

~~———— 2215.2.1 – Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;~~

~~———— 2215.2.2 – Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures;~~

~~———— 2215.2.3 – Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis; and,~~

~~———— 2215.2.4 – Retaliation for having reported or threatened to report harassment.~~

~~2215.3 – If any employee of the Authority believes that they have been harassed, they should provide a written complaint to their supervisor, a , or the Executive Director as soon as possible after the incident. Their complaint should include details of the incident(s), name(s) of the individual(s) involved, together with the name(s) of any witness (es).~~

~~———— 2215.3.1 – Staff receiving harassment complaints will refer them immediately to the Executive Director or the Chair of the Board of Directors, in the event the complaint involves the Executive Director, who will undertake an immediate, thorough and objective investigation of the harassment allegation.~~

~~2215.4 – If it is determined that harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined to be responsible for harassment will be subjected to appropriate disciplinary action, up to and including termination. Whatever action is taken against the harasser will be made known to the employee lodging the complaint, and appropriate action will be taken to remedy any loss to the employee resulting from the harassment. Retaliation by management or co-workers against anyone filing a complaint will not be permitted or tolerated.~~

~~2215.5 – Employees are encouraged to immediately report any incident of harassment so that complaints can be quickly and fairly resolved.~~

POLICY TITLE: Affirmative Action  
POLICY NUMBER: 2220

2220.1 It is the policy of Humboldt Waste Management Authority that there shall be no discrimination based upon race, national origin, religion, sex (including gender and pregnancy), gender-expression, gender identify, mental or physical condition, age, or sexual orientation in any personnel action, including recruitment, appointment, performance evaluation, promotion, the granting of leaves, and any disciplinary or grievance action.

2220.2 Allegations of wrongdoing, such as arbitrary and discriminatory action, should be made through the "Grievance Procedure", as described in Policy #2180, or complaints to regulatory agencies.

POLICY TITLE: Equal Opportunity  
POLICY NUMBER: 2225

2225.1 The Authority provides equal opportunity for all persons in all aspects of employment, including recruitment, selection, promotion, transfer, training, compensation, educational assistance, benefits, discipline, working conditions, reduction in force, reinstatement, and all other matters of employment. Such equality of opportunity shall be based solely on job related knowledge, skills, and job performance, and shall be without discrimination because of race, color, religion, national origin, sex, (including gender and pregnancy), gender-expression, gender identify, mental or physical condition, age, or sexual orientation, genetic information, handicap, veteran status, or any other factor unrelated to job performance.

POLICY TITLE: Nepotism  
POLICY NUMBER: 2230

2230.1 It is the policy of Humboldt Waste Management Authority to seek for its staff the best possible candidates through appropriate search procedures. There shall be no bars to appointment of individuals who have immediate family members in any staff category in the same or different divisions so long as the following standard is met:

2230.1.1 No employee shall make recommendations, or in any way participate in decisions about any personnel matter that may directly affect the selection, appointment, promotion, termination, other employment status, or interest of an immediate family members.

2230.1.1.1 For the purpose of this policy, "immediate family member" is defined as husband, wife, mother, father, son, daughter, sister, brother, father-in-law, mother-in-law, sister-in-law and brother-in-law.

2230.2 When an individual is considered for appointment in a division in which an immediate family member is already assigned, review of this fact shall be required at all appointing levels. The objective of this review shall be to assure equity to all members of the division.

2230.3 When an individual is considered for appointment in a division where an immediate family member has supervisory responsibility, the appointment shall not be granted.

Or

2230.4 When two Authority employees in the same division become husband and wife, the employment of one such employee shall be terminated provided, however, that the Executive Director using discretion may make a reasonable effort to transfer one of the employees to another division within the Authority.

2230.5 Immediate family members of the Executive Director or the Board of Directors may not be considered for employment.

POLICY TITLE: Outside Employment  
POLICY NUMBER: 2240

2240.1 No Authority employee shall be permitted to accept employment in addition to or outside of Authority service if:

2240.1.1 The additional or outside employment leads to a conflict, or potential conflict of interest for said employee; or,

2240.1.2 The nature of the additional or outside employment is such that it will reflect unfavorably on the Authority; or,

2240.1.3 The duties to be performed in the additional or outside employment are in conflict with the duties involved in Authority service.

2240.2 An employee who does have additional or outside employment shall not be permitted to use Authority records, materials, equipment, facilities, or other Authority resources in connection with said employment.

POLICY TITLE: Separation from Authority Employment  
POLICY NUMBER: 2250

2250.1 Resignation. To leave Authority service in good standing, an employee must file a written notice of Resignation with the Executive Director at least two weeks before the effective date. The Executive Director may, however, grant good standing with less notice if they determine the circumstances warrant. Resignations may not be withdrawn without the Executive Director's approval.

2250.2 Layoffs. Whenever, in the judgment of the Authority Board of Directors, it becomes necessary, due to the lack of work, lack of funds, or other economic reason, or because the necessity for a position no longer exists, the Board of Directors may abolish any position of employment, and the employee holding such position may be laid off or demoted.

2250.2.1 Employees to be laid off shall be given notice at least 14 calendar days in advance of the layoff date.



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2250.2.2 Except as otherwise provided, whenever there is a reduction in the work force, the Executive Director shall first demote to a vacancy, if any, in a lower position for which the employee who is the latest to be laid off is qualified.

2250.2.3 An employee affected by layoff may have retreat rights to displace an employee who has less seniority in a lower position that the employee has previously occupied or supervised. For the purpose of this document, seniority includes all periods of full-time service at or above the retreat position being considered.

2250.2.4 In order to retreat to a former or lower position, an employee must request displacement action in writing to the Executive Director within five working days of receipt of the layoff notice.

2250.2.4.1 Employees retreating to a lower position shall be placed at the salary step representing the least loss of pay. In no case shall the salary be increased above that received in the position from which the employee was laid off.

### 2250.3 Dismissal of Employees.

2250.3.1 A Regular or Temporary employee may be dismissed at any time by the Executive Director for cause, and after consulting with Authority Legal Counsel. The following shall constitute sufficient cause for dismissal:

2250.3.1.1 Conviction of a felony;

2250.3.1.2 Fraud in securing employment;

2250.3.1.3 Misappropriation of Authority funds or property;

2250.3.1.4 Intentional or gross misconduct; and,

2250.3.1.5 Failure to respond or improve regarding an item specified in, "Grounds for Discipline", of Policy No.2260, after an evaluation, previous discipline, or corrective action plan has failed to produce an improvement to performance.

2250.3.1.6 Following an interactive process and if accommodation presents an undue hardship, Incapacity due to mental or permanent physical disability rendering the employee unable to perform job duties.

2250.3.1.7 Refusal to authorize release of Public Health Information (PHI)

2250.3.2 A probationary employee may be dismissed at any time during a probationary period without right of appeal or hearing. In case of such dismissal, the Executive Director shall notify the dismissed probationary employee in writing that they are being separated from Authority service.

2250.4 Notice of Dismissal. All employees shall be provided with a notice of dismissal, with a copy placed into the employee's personnel file. This notice shall be prepared by the Executive Director after consultation with Authority Counsel and shall contain the following:

2250.4.1 A description of the proposed action and its effective date or dates;

2250.4.2 A statement of the acts or omissions upon which the action is based.

POLICY TITLE: Confidentiality Regarding Separation from Employment  
POLICY NUMBER: 2251

2251.1 To the extent permitted by law, Authority staff and Directors shall keep confidential the circumstances giving rise to an employee's resignation separation from employment with the Authority.

2251.1.1 This policy is itself a public record which the Authority must release upon request.

POLICY TITLE: Letters of Recommendation  
POLICY NUMBER: 2255

2255.1 The Board of Directors recognizes that the Authority faces exposure to significant liability through the provision of letters of recommendation by and for Authority employees. The Board finds that it is, therefore, in the best interests of the Authority that narrative letters of recommendation not be issued by individuals in their capacity as Authority employees, or which could be reasonably interpreted as written in the individual's capacity as an Authority employee. The Authority's Executive Director, or their designee, may provide confirmation of dates worked and positions held by a requesting employee.

POLICY TITLE: Disciplinary Action  
POLICY NUMBER: 2260

2260.1 Disciplinary action may consist of an oral warning or reprimand, written warning or reprimand, suspension with or without pay, dismissal, demotion, or reduction in pay. Oral reprimands or written warnings will identify the behavior and necessary corrective actions. The Executive Director may discipline any employee for cause and may impose any level of discipline they deems appropriate following a course of progressive discipline. Disciplinary action may be initiated by the Executive Director on their own initiative or upon written recommendation of the employee's supervisor.

2260.2 Grounds for Discipline include but are not limited to.

2260.2.1 Discourteous treatment of the public or fellow employees.

2260.2.2 Drinking of intoxicating beverages or use of illegal or non-prescribed drugs on the job, or arriving on the job under the influence of such beverages or drugs.

2260.2.3 Habitual absence or tardiness.

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- 2260.2.4 Abuse of sick leave.
- 2260.2.5 Disorderly conduct.
- 2260.2.6 Incompetence or inefficiency.
- 2260.2.7 Being wasteful of material, property, or working time.
- 2260.2.8 Violation of any lawful or reasonable regulation or order made and given by an employee's supervisor; insubordination.
- 2260.2.9 Neglect of duty.
- 2260.2.10 Dishonesty.
- 2260.2.11 Misuse of Authority property.
- 2260.2.12 Willful disobedience.
- 2260.2.13 Conduct unbecoming an Authority employee.
- 2260.2.14 Job abandonment, for example, walking off the job, unapproved absences or tardiness.
- 2260.2.14 Violation of the Harassment Policy #XXXX.
- 2260.2.15 Violation of any safety requirement, protocol, rule, policy, direction, order, or good practice.
- 2260.2.16 Any conduct identified in Policy 2253.1

2260.4 All negative evaluations or letters of warning shall remain part of the employee's personnel file. Negative evaluations shall not be used by the Executive Director in decisions to dismiss if the performance has improved or the action which merited a warning has not recurred for a period of at least one year.

2260.5 Any disciplinary action which may result in suspension without pay, demotion, or dismissal, shall be set forth in writing to the employee at least five working days before the proposed effective date or dates. This notice shall be prepared by the Executive Director after consultation with the Authority Legal Counsel and shall contain the following:

- 2260.5.1 A description of the proposed action and its effective date or dates, and the ordinance, regulation, policy, or rule violated;
- 2260.5.2 A statement of the acts or omissions upon which the action is based;
- 2260.5.3 A statement that a copy of the materials upon which the action is based is attached or available for inspection upon request;

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ORIGINAL APPROVED 2009

2260.5.4 A statement advising the employee of the right to request an administrative hearing with the Executive Director to provide evidence or explanation, either orally or in writing, responding to the proposed action prior to the effective date of the disciplinary action:

2260.5.5 A date by which time the employee must respond in writing if they wish to contest the action in lieu of having an administrative hearing with the Executive Director.

2260.6 All notices of proposed action shall be personally served or mailed by certified mail, return receipt requested, to the last known address of the employee.

POLICY TITLE: Internet, E-mail, and Electronics Communication Ethics, Usage and Security  
POLICY NUMBER: 2270

~~2270.1—Humboldt Waste Management Authority believes that employee access to and use of the Internet, e-mail, and other electronic communications resources benefits the Authority and makes it a more profitable and successful local public agency. However, the misuses of these resources have the potential to harm the Authority's short and long term success.~~

~~2270.2—The Authority has established this ethics, usage, and security policy to ensure that all Authority employees use the computer resources, which the Authority has provided its employees, such as the Internet and e-mail, in an ethical, legal, and appropriate manner. This policy defines acceptable and unacceptable use of the Internet, e-mail, and other electronic communications.~~

~~2270.3—This policy also establishes the steps the Authority may take for inappropriate use of the Internet and e-mail. All employees must read and adhere to the guidelines and policies established herein. Failure to follow this policy may lead to discipline, up to and including immediate termination.~~

~~2270.3.1—Employees shall not use the Internet or e-mail in an inappropriate manner. Inappropriate use of the internet and e-mail includes, but is not limited to:~~

~~2270.3.1.1—Accessing internet sites that contain pornography, exploits children, or sites that would generally be regarded in the community as offensive, or for which there is no official business purpose to access.~~

~~2270.3.1.2—Participating in any profane, defamatory, harassing, illegal, discriminatory, or offensive activity or any activity that is inconsistent in any way with the Authority's policies (i.e. policy on sexual harassment).~~

~~2270.3.1.3—Exploiting security weaknesses of the Authority's computing resources and/or other networks or computers outside the Authority.~~

~~2270.3.1.4—Internet access is to be used for Authority business purposes only. Use of the Internet should not interfere with the timely and efficient performance of job duties. Access~~

to the Internet and e-mail is not a benefit of employment with the Authority. Personal use of the Internet, e-mail, and other electronic communications is strictly prohibited.

~~2270.3.2~~ Employees do not have any right to privacy in any Authority computer resources, including e-mail messages produced, sent, or received by Authority computers or transmitted via the Authority's servers and network. Employee access to the Internet and e-mail may be controlled by use of a password. The existence of a password does not mean that employees should have any expectation of privacy. Employees must disclose their passwords to the Authority upon request, and the Authority will maintain a file of all passwords currently in use. The Authority may monitor the contents of all e-mail messages to promote the administration of the Authority, its business, and policies.

~~2270.3.3~~ Employees access to and use of the Internet, e-mail, and other electronic communications will be monitored. Failure to follow the policy may lead to discipline, up to and including immediate termination. Disciplinary action may include the removal of Internet and e-mail access from their computer or termination of employment with the Authority.

~~2270.3.4~~ The Internet and e-mail provide means by which employees of the Authority may communicate with its customers. Messages to or from customers through the Authority's e-mail system may be considered part of the Authority's business records and should be treated as such. State law defines public records to include electronic communications, which are subject to public disclosure.

~~2270.3.5~~ E-mail and any attachments are subject to the same ethical and legal concerns and standards of good conduct as memos, letters, and other paper-based documents. E-mail can be forwarded to others, printed on paper, and is subject to possible discovery during lawsuits in which the Authority may be involved. Employees are admonished not to send anything in an electronic communication that does not comport fully with the Authority's professional standards.

~~2270.3.6~~ Currently all Authority e-mail being sent is not encrypted. Unencrypted electronic mail is not a secure way of exchanging information or files. Due to the way Internet data is routed, all messages are subject to "cavesdropping." Messages may be "stolen" as they temporarily reside on host machines waiting to be routed to their destination, or they may be purposefully intercepted from the Internet during transfer to the recipient. It is possible for someone other than the intended recipient to capture, store, read, alter or re-distribute your message. Do not transmit information in an electronic mail message that should not be written in a letter, memorandum, or document available to the public.

~~2270.3.7~~ E-mail, once transmitted, can be printed, forwarded, and disclosed by the receiving party without the consent of the sender. Use caution in addressing messages to ensure that messages are not inadvertently sent to the wrong person.

~~2270.3.8~~ Use of electronic mail or the Internet to distribute copyrighted materials is prohibited.

~~2270.3.9~~ Each user should take the necessary steps to prevent unauthorized disclosure of confidential or privileged information. State law defined whether a particular public record may be treated as confidential or privileged are therefore not subject to public disclosure.

~~2270.3.10 Use of electronic mail or the Internet to send offensive messages of any kind is prohibited.~~

~~2270.3.11 Use of electronic mail or the Internet for inappropriate or unauthorized advertising and promotion of the Authority is prohibited.~~

~~2270.3.12 When Authority employees communicate using electronic mail or other features of the Internet, the employee must be extremely mindful of the image being portrayed of the Authority.~~

~~2270.3.13 Computer viruses can become attached to executable files and program files. Receiving and/or downloading executable files and programs via electronic mail or the Internet without express permission of the Systems Administrator is prohibited. This includes, but is not limited to, software programs and software upgrades. This does not include e-mail and/or documents received via e-mail and the Internet. All downloaded files must be scanned for viruses.~~

~~2270.3.14 Use of another user's name/account, without express permission of the Systems Administrator, to access the Internet is strictly prohibited.~~

~~2270.3.15 Personal use of the Authority's computer resources for personal commercial activity or any type of illegal activity is strictly prohibited.~~

~~2270.3.16 It is advisable for all employees of the Authority to remind customers/clients/contractors of these security issues when sending confidential electronic mail and/or documents to the Authority via electronic mail. If applicable, our customer/clients/contracts should be reminded to implement a security policy and make sure their employees understand the ramifications of sending privileged information via electronic mail.~~

~~2270.3.18 E-mail that users need to retrieve from their personal Internet account must be retrieved via that User's personal Internet account. Authority users shall not access such personal e-mail account using the Authority's network system, telephone system, modem pool, or communication server.~~

~~2270.3.19 Employees will only access the Internet through the Authority's network. Internet access through other methods will not be allowed, unless specifically authorized by the Systems Administrator.~~

~~2270.3.20 Employees will only access the Internet using the approved Internet browser. Any other browser being used on a workstation will be promptly removed.~~

~~2270.3.21 Employees will respect all copyright and license agreements regarding software or publication they access or download from the Internet. The Authority will not condone violations of copyright laws and licenses and the employee will be personally liable for any fines or sanctions caused by the license or copyright infringement. Any software or publication, which is downloaded onto Authority computer resources, becomes the sole property of the Authority.~~

~~2270.3.22 Employees will only download information and/or publications for official business purposes.~~

~~2270.3.23 Employees are to scan all downloaded materials before using or opening them on their computers to prevent the introduction of computer viruses.~~

~~2270.3.24 All list subscriptions should be for business purposes only. The employee will make sure List Servers are notified when the employee leaves the Authority.~~

~~2270.4 Under no circumstances are files to be installed or downloaded onto Authority computers that are not necessary for Authority functions. This includes specialty screen savers or drivers that are not necessary for general computer use.~~

~~2270.5 Computer games are not to be played on the Authority computers, nor may movies or shows be streamed.~~

~~2270.6 Persons who are not Authority staff are not to use Authority computers.~~

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POLICY TITLE: Personal Cellular Telephone Usage  
POLICY NUMBER: 2275

2275.1 Personal cellular telephones may be used by employees during hours of work in designated areas for essential personal calls.

2275.1.1 Essential personal calls are defined as calls of minimal duration and frequency that are urgent in nature and cannot be made at another time or from a different telephone.

2275.1.2 To the extent possible, personal cellular telephone usage should be confined to rest and lunch breaks, and in locations such that the conversation is not disrupting to other employees or Authority business.

2275.2 Personal and Authority-owned cellular telephone usage will not be permitted by employees who are engaged in a continuous operation, such as a member on a utility crew engaged in the construction or repair of Authority facilities.

2275.3 Personal and Authority-owned cellular telephones will be turned off or set to vibration mode during meetings, training sessions or during work hours if the employee's work station is in close proximity to others.

2275.4 Employees are expected to operate Authority vehicles and equipment in a safe and prudent manner. Therefore, if use of a cellular telephone is necessary while driving Authority vehicles or operating potentially hazardous equipment, employees will wait until the opportunity arises to fully stop their vehicle or vacate their equipment before placing or taking any cellular telephone call. At no time should employees use a cellular telephone while driving a vehicle or operating equipment.

2275.5 Camera phones shall not be used in situations where any individual may have an expectation of privacy. This includes but is not limited to restrooms, locker rooms and training rooms.

2275.6 Text messaging devices shall not be used by employees to communicate with each other during working hours unless specifically authorized for Authority purposes by a supervisor. Writing, reading, or sending a text message while operating any motorized vehicle is prohibited by California law.

**POLICY TITLE: Driver Training and Record Review**  
**POLICY NUMBER: 2280**

2280.1 The purpose of this policy is to reduce the frequency and severity of vehicle-related accidents and losses by: (a) applying uniform criteria in evaluating the acceptability of driver-record information of individuals driving Authority vehicles or while on Authority business; (b) establishing disciplinary procedures for different types of driving violations.

2280.2 This policy applies to all regular, part-time, and temporary Authority employees and volunteers who drive on behalf of the Authority.

2280.3 Humboldt Waste Management Authority shall participate in the Department of Motor Vehicles (DMV) Employer Pull Notice Program (a.k.a.: "Pull Program"). Records for anyone operating vehicles on Authority business shall be requested from DMV: (a) annually; and, (b) immediately in the event of new activity (e.g., moving violation, accident, address change, etc.). Employees who have terminated employment will be deleted from the program.

2280.4 Information that will be generated during the record review will include: (a) type of license; (b) expiration date; (c) endorsements; (d) DMV action suspensions, revocations, and penal code violations; and, (d) Vehicle Code violations.

2280.6 Disciplinary Procedures.

2280.6.1 A driver will immediately attend a qualified defensive driver training course (State of California Defensive Driver Training, National Safety Council Defensive Driver Training, etc.) if:

- (a) they earn two points within 36 months of report date; or,
- (b) they receive any moving violation in a Authority vehicle within 36 months of report date; or,
- (c) they are involved in an accident within 36 months of report date.

2280.6.2 A driver will be placed on a 12-month driving probation if they earn three to five points within 36 months of report date. Additional point violations within this probation period will affect a 120-day suspension of Authority driving privileges. If their job routinely involves driving a vehicle and if having driving privileges suspended would impose a hardship on normal Authority operations, they will be terminated from employment.

2280.6.3 A driver will be suspended from Authority driving privileges for 120 days if:

- (a) they earn four or more points within 24 months of report date; or,
- (b) they earn six or more points within 36 months of report date; or,



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(c) they receive a citation for DUI, reckless driving, or speed contest on personal time within 36 months of report date; or,  
(d) if they are involved in two chargeable (resulting in a point violation) accidents within 24 months of report date. If their job routinely involves driving a vehicle and if having driving privileges suspended would impose a hardship on normal Authority operations, they will be terminated from employment.

2280.6.4 A driver will be permanently suspended of Authority driving privileges if:

(a) they receive a citation for DUI, reckless driving, or speed contest during Authority business within 36 months of report date; or,  
(b) they receive two citations for DUI, two citations for reckless driving, or two citations for speed contest on personal time within 12 months of report date. If their job routinely involves driving a vehicle and if having driving privileges suspended would impose a hardship on normal Authority operations, permanent suspension of driving privileges will result in termination of employment.

2280.6.5 Occasionally, it may be brought to the Authority's attention that an employee is exposing it to undue liability through poor driving techniques and habits. All such complaints will be investigated and acted upon accordingly.

2280.7 Defensive Driver Training. All drivers are encouraged to attend an approved defensive driver-training course at least once every four years or more often as specified in Disciplinary Procedures, above.

POLICY TITLE: Authority Vehicle Usage  
POLICY NUMBER: 2290

2290.1 This policy applies to employees who may drive Authority vehicles

2290.1.1 During working hours, trips for personal purposes will be avoided. Occasionally, stopping at a store en route to a business destination, or going to a restaurant (within close proximity of your work location) for lunch is permitted

2290.1.2 Other than the foregoing uses, Authority vehicles will not be used for any other personal purposes.

POLICY TITLE: Employee Request for Personnel Records  
POLICY NUMBER: 2300

2300.1 The Authority maintains confidential employment records for each employee. In order to maintain an accurate, readily accessible file system, Authority employees who wish to access payroll records held by the Finance Department must make a request of the Director of Finance and Administrative Services or Administrative Services staff. Staff will retrieve the record and make a copy for employee's use.

2300.2 In the event Finance Staff are not on hand, finance files will be inaccessible. Requests for information should be made in such a way that Finance Staff will be able to fill those requests in a timely

HWMA POLICY HANDBOOK, REV 9/6/2019/5/2019  
ORIGINAL APPROVED 2009

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10/31/2018  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

manner, at such time as they can perform the required research and duplication of the files requested.

2300.3 Employees may review non-payroll records in their personnel files by request made to the Director of Finance and Administrative Services.

## SERIES 3000 FINANCIAL POLICY

Commented [JD16]: No proposed revision to Series 3000

POLICY TITLE: Policy Regulation  
POLICY NUMBER: 3000

3000.1 These finance policies were adopted by the Humboldt Waste Management Authority Board on July 25, 2001. Section 3020.3 was added in the January 29, 2004 meeting. This Financial Policy was incorporated into the HWMA Policy Handbook on May 14, 2009 and future revisions will be made as part of that policy.

3000.2 Finances and bidding for construction projects shall be managed according to *Cost Accounting Policies and Procedures Manual of the California Uniform Public Construction Cost Accounting Commission*, revised 1/2000, or as may be subsequently amended.

POLICY TITLE: Purchasing Policy  
POLICY NUMBER: 3010

3010.1 Purchasing for HWMA operations shall be done according to the purchasing policies adopted by the Authority Board of Directors, and as detailed in Series 4000, "Purchasing Policy".

POLICY TITLE: Annual Budget  
POLICY NUMBER: 3020

3020.1 In accordance with the *Humboldt Waste Management Authority Joint Exercise of Powers Agreement*, Section 7.2, the Board shall adopt a budget for each fiscal year's operation.

3020.1.1 The fiscal year shall be from July 1 through June 30.

3020.2 Funds for operation of the Authority shall be derived from fees charged for Authority services. Such fees shall be set according to Section 7.3 of the Authority JPA and in accordance with applicable law. The Executive Director shall manage the operation of the Authority according to the adopted budget.

3020.2.1 The Executive Director is allowed to make budget transfers within the budget categories as long as the transfer does not increase the total budget for that category. This applies to the following budget categories:

- (a) Payroll
- (b) Operations
- (c) Capital
- (d) Landfill

3020.2.2 Transfer from one category to another, substituting an un-budgeted capital item for a budgeted capital item, or increasing the budget of any category shall require prior approval of the Board.

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10312018  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

3020.3 Assets of \$5000 or greater will be capitalized and depreciated. The depreciation amounts of all assets will be covered by user fees and should be factored into budget expenditures. This policy was amended on February 7, 2007 during a regular meeting of the Board of Directors.

3020.4 Budget amounts for Countywide Program Fee pass through fees are set on a per ton basis and shall be paid on a per ton basis.

POLICY TITLE: Financial Reports  
POLICY NUMBER: 3025

3025.1 On a monthly basis, the following financial reports will be provided to the Board:

- (a) Activity and Expense Reports
- (b) Disbursements
- (c) Balance Sheet
- (d) Department and Authority-wide Income Summary Reports

3025.2 On a quarterly basis, in addition to the above reports, the Board shall also be provided detailed income information for all departments and Authority-wide financial activities.

3025.3 Digital copies of all financial information will be sent to the Board on a monthly basis.

POLICY TITLE: Reserve Policy  
POLICY NUMBER: 3030

To provide adequate funds for the uninterrupted provision of services to the Authority's Member Agencies and ratepayers, and to proactively reduce potential significant financial impacts to the Waste Management Fee for both anticipated projects and unpredicted expenditures, the Humboldt Waste Management Authority Board of Directors establishes the following reserve accounts:

**3030.1 Operating Reserve Account:** An undesignated reserve with a minimum base level of funding equal to fifteen percent (15%) of operating expenses. This reserve is intended for unanticipated expenditures and projects for which an annual budget cannot sufficiently manage without requiring an increase in Waste Management Fees.

**3030.2 Rate Stabilization Reserve Account:** A designated reserve with a minimum base level of funding equal to \$400,000. This reserve is intended to stabilize the effects of unanticipated increases in contract costs (e.g., fuel rates increases, CalRecycle pass-through fees imposed on landfill-disposed solid waste).

**3030.3 Personnel Stabilization Reserve Account:** A designated reserve with a minimum base level of funding equal to \$150,000. This reserve is intended to offset unanticipated increases in the Authority's self-insurance benefits policies and full encumbrance of non-exempt employee pay grades. Additionally, this reserve may also be used to assist in funding unanticipated increases to personnel costs from State and Federal mandates, such as changes to the minimum wage or limits to cost-sharing from employee pay.

HWMA POLICY HANDBOOK, REV 9/6/2019/5/2019  
ORIGINAL APPROVED 2009

**3030.4 Capital Improvement Reserve Account:** A designated reserve, with initial funding of \$400,000. This reserve is intended to fund expenditures contained in the Authority Capital Improvement Plan. Total funds in the Capital Improvement Reserve Account may fluctuate annually depending on authorized expenditures made within any specific Fiscal Year.

**3030.5** Reserve account balances will be reviewed annually. Shortfalls in any of the approved reserve accounts created in Section 3030 may be recovered through increases in Solid Waste Management Fees collected in the following Fiscal Year(s).

**3030.6** Reserve funds and idle cash may be invested through government sponsored Pooled Money Investment Accounts (PMIAs) including the Local Agency Investment Fund (LAIF) through the State Treasurer's office and the County of Humboldt Pooled Investment Fund through the County Treasurer's Office.

**3030.7** Funds in the Authority checking account may be used as a temporary investment for "Sweep Account" (or similar\*) funds. Sweep account investment shall be only through money market accounts that are authorized to invest public funds. (\*See Board meeting 6/26/02).

**3030.8** Trust funds that are established for landfill financial assurances with a state agency listed as beneficiary shall be managed in accordance with regulations and policies of that state agency.

**POLICY TITLE:** Customer Delinquencies  
**POLICY NUMBER:** 3040

**3040.1** In the event that an account customer is past due more than 90 days and has not provided a plan for updating their payments, staff may freeze the account and not allow additional charges to the account.

**3040.2** In the event a customer has insufficient funds or lacks the proper methods of payment (cash/check), the scale attendant should ask to see the customer's driver's license and write down the name, address, driver's license number, phone number, description of vehicle and driver, date, amount owed, and date of the incident.

**3040.2.1** If the customer is unwilling to provide their driver's license, the scale attendant should call police dispatch at 441-4044 and report the incident as a theft. Staff should not attempt to detain a person against their will.

**3040.3** In the event that a check has been returned from the bank due to not-sufficient-funds, staff may reject payment by check from that individual or business until the necessary payment has been made.

**POLICY TITLE:** Miscellaneous Fees, Limits  
**POLICY NUMBER:** 3050

**3050.1** The Authority ordinances, resolutions, and approved budget are established to set fees for ongoing operation. However, miscellaneous or occasional fees may be necessary from time to time for services that are

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10312018  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

not listed in the ordinances, resolutions, or budget. These fees may be set by the Executive Director such that the fees cover the cost of the service.

3050.2 Finance staff shall charge 75 cents per copy for researching and replacing lost weight tickets for charge customers. This policy was amended by approval of the Board of Directors through Ordinance 2007-01.

3050.3 On new applications for a charge account through the Humboldt Waste Management Authority, staff may set up an initial limit of \$500. After six months, the applicant can request a higher limit or the Authority Accounts Clerk can decide to increase their credit limit. In either case, increasing the credit limit can only be done if the customer has been diligent in making payments on their account.

## **SERIES 4000 PURCHASING POLICIES**

**POLICY TITLE:** Policy Regulation  
**POLICY NUMBER:** 4000

4000.1 These purchasing policies and procedures were adopted by the Humboldt Waste Management Authority Board of Directors on July 25, 2001; and were revised by the Board on May 11, 2006. These Purchasing Policies were incorporated into the HWMA Policy Handbook on May 14, 2009 and future revisions will be made as part of that policy.

**POLICY TITLE:** Recycled Products  
**POLICY NUMBER:** 4010

4010.1 Staff may purchase recycled-content products whenever such products are available. Purchasing guidelines for recycling-content products can be found in Section 5020, "Recycled Content Products".

**POLICY TITLE:** Local Vendor Preference  
**POLICY NUMBER:** 4020

4020.1 Local vendors, if products or services are similar in quality, usability, and availability, should receive preference over non-local vendors. Local, for this purpose, means based in a member agency.

**POLICY TITLE:** Petty Cash  
**POLICY NUMBER:** 4030

4030.1 The HWMA Accounts Payable staff is responsible for and will be the custodian of petty cash.

4030.2 Petty cash purchases and advances are limited to \$100.00. One-time purchases of items costing up to and including \$100.00 may be made through petty cash.

4030.3 Purchases in excess of \$100.00 will be done by Authority credit card or through the Accounts Payable system.

4030.4 The petty cash process shall be used for incidental supplies, not those that are usually stocked or purchased in bulk.

4030.4.1 Petty cash advances or reimbursements are made upon submittal of a completed form which is to include:

- (a) the name of the employee to receive the cash;
- (b) the amount of cash;
- (c) the account to which the expenditure is to be charged;
- (d) the signature of the approval authority.

**4030.4.2** The receipt and any remaining cash from an advance should be returned to petty cash within 24 hours.

**POLICY TITLE:** Purchasing  
**POLICY NUMBER:** 4040

**4040.1** The Executive Director may authorize all purchases of materials, supplies, services, and equipment up to \$20,000. When practical, two comparables should be gathered before making the purchase.

**4040.2** Purchases of new supplies, materials, equipment, and services of an estimated cost of \$20,000 or more are required to be put out to bid. Bidding shall not be required during emergencies, or for the purchase of used supplies, materials, or equipment.

**4040.2.1** Notices inviting bids shall include a general description of the articles to be purchased, where the bid document and specifications may be obtained, and the time and place for the bid opening.

**4040.2.2** Notices shall be published at least ten (10) days before the date of opening.

**4040.2.3** Notices shall be published at least once in a newspaper of general circulation or if there is none, it shall be posted in at least three public places in the County.

**4040.2.4** Following the award of a bid, an agreement may be executed as necessary, with Board approval.

**4040.3** When purchasing used supplies, materials or equipment with a cost greater than \$20,000, a comparison must be made with two similar sources. Board approval is required.

**POLICY TITLE:** Selection of Professional Services  
**POLICY NUMBER:** 4050

**4050.1** Professional consultants for projects requiring special expertise may be retained from the private sector. Consultant services may include studies, design, reports, legal, or engineering.

**4050.2** This procedure is intended to be consistent with Section 4526 of the State of California Government Code, which states in part:

“Notwithstanding any other provision of law, selection by a state or local agency head for professional services of private architectural, engineering, land surveying, environmental, or construction project management firms, shall be on the basis of demonstrated competence and on the professional qualifications necessary of the satisfactory performance of the services required.”



DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10312018  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

4050.3 Where the estimated fee is less than \$20,000, the Executive Director may negotiate with a qualified firm to perform the necessary services.

4050.3.1 In cases where the estimated fee is greater than \$20,000, a Request for Proposals (RFP) is required, through the following process:

- (a) the Board will approve distribution of the RFP and draft agreement;
- (b) an evaluation team chosen by the Executive Director will review proposals, conduct interviews and make a recommendation to the Board;
- (c) the Board will review the recommendation and authorize the Executive Director to execute an appropriate agreement.

POLICY TITLE: **Services Agreements**  
POLICY NUMBER: **4060**

4060.1 Service agreements are initiated upon receipt of a requisition detailing services to be provided. The Executive Director will contact the vendor for completion of a service agreement to include the necessary insurance. Insurance shall be documented by proper endorsements.

POLICY TITLE: **Credit Cards**  
POLICY NUMBER: **4080**

4080.1 The Board may authorize the issuance of bank credit cards to HWMA employees for the purpose of making small purchases or covering travel expenses. Employees may not charge personal items to HWMA bank cards.

4080.1.1 Within seven days of receipt of the statement, receipts with appropriate account numbers are to be submitted to Accounts Payable staff.

POLICY TITLE: **Surplus Sales**  
POLICY NUMBER: **4090**

4090.1 The sale of HWMA equipment or materials requires that the item be declared government surplus by the Board. The Executive Director is authorized to dispose of surplus property.

4090.2 This provision does not apply to the market of recyclable materials.

## **SERIES 5000 ENVIRONMENTAL PURCHASING POLICIES**

**POLICY TITLE:** General Policy Statements  
**POLICY NUMBER:** 5000

**5000.1** Statement of Policy. It is the policy of Humboldt Waste Management Authority to:

- (a) institute practices that reduce waste by increasing product efficiency and effectiveness;
- (b) purchase products that minimize environmental impacts, toxic pollution and safety hazards to our employees and surrounding community;
- (c) purchase products that include recycled content, are durable, conserve energy and water, reduce greenhouse gas emission, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainable harvested forests.

**5000.2** Purpose. This policy is adopted in order to:

- (a) reduce materials that are landfilled,
- (b) conserve natural resources,
- (c) minimize environmental impacts such as pollution and use of water and energy,
- (d) eliminate or reduce toxics that create hazards to employees and our community,
- (e) support strong recycling markets,
- (f) increase the use and availability of environmentally preferable products and distribution systems,
- (g) reward manufacturers and vendors that reduce environmental impacts in their production and distribution systems or services,
- (h) create a successful purchasing model for environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

**POLICY TITLE:** Source Reduction  
**POLICY NUMBER:** 5010

**5010.1** Humboldt Waste Management Authority shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or workplace quality.

**5010.2** Humboldt Waste Management Authority shall purchase remanufactured products such as laser toner cartridges, tires, furniture, equipment and automotive parts.

**5010.3** Products that are durable, long lasting, reusable or refillable are preferred whenever feasible.

**5010.4** Humboldt Waste Management Authority will request that vendors eliminate packaging or use the minimum amount necessary for product protection and provide packaging that is reusable, recyclable or compostable.

**5010.5** All print jobs will be printed double-sided when the document is two or more pages. Drafts, documents to file, internal memos and the like may be printed on reused paper.

**POLICY TITLE: Recycled Content Products**  
**POLICY NUMBER: 5020**

5020.1 All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycling content standard guidelines, such as those for printing paper, office paper, janitorial paper, and non-paper office products, shall contain the highest recycled content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines. All printing paper and office paper will contain 100% recycled content.

5020.2 Copiers and printers brought shall be compatible with the use of recycled content products.

5020.3 In accordance with California Public Contract Code, Sec. 10409 Humboldt Waste Management Authority shall purchase re-refined lubricating and industrial oil for use in its vehicles and other equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment.

5020.4 When specifying asphalt concrete, aggregate base or portland cement concrete for construction projects, Humboldt Waste Management Authority shall use recycled, reusable or reground materials when practicable.

5020.5 All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper is a least 30% recycled content.

**POLICY TITLE: Energy and Water Savings**  
**POLICY NUMBER: 5030**

5030.1 Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space and water heating systems and high efficiency space cooling equipment.

5030.2 Humboldt Waste Management Authority shall replace inefficient lighting with energy-efficient equipment.

5030.3 All products purchased by Humboldt Waste management Authority and for which the U.S. EPA Energy Star certification is available shall meet Energy Star certification. When Energy Star labels are not available, energy-efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program will be chosen.

**POLICY TITLE: Toxics and Pollution**  
**POLICY NUMBER: 5040**

5040.1 To the extent practicable, no cleaning or disinfecting products (i.e. for janitorial or automotive use) shall contain ingredients that are carcinogens, mutagens, or teratogens. These include chemicals listed by the U.S. EPA or the National Institute for Occupational Safety and Health on the Toxics Release Inventory and those listed under Proposition 65 by the California Office of Environmental Health Hazard Assessment.

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10312018)  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

5040.2 The use of chlorofluorocarbon-containing refrigerants, solvents and other products shall be phased out and new purchases shall not contain them.

5040.3 When maintaining buildings and landscapes, Humboldt Waste Management Authority shall manage pest problems through prevention and physical, mechanical and biological controls.

5040.3.1 Humboldt Waste Management Authority may either adopt and implement an organic pest management policy and practices or adopt and implement an Integrated Pest Management (IPM) policy and practices using the least toxic pest control as a last resort.

5040.4 When maintaining buildings, the Humboldt Waste Management Authority shall use products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde when purchasing materials such as paint, carpeting, adhesives, furniture and casework.

5040.5 Humboldt Waste Management Authority shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- (a) Purchasing paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever possible.
- (b) Prohibiting purchase of products that use polyvinyl chloride (PVC) such as, but not limited to, office binders, furniture, flooring, and medical supplies whenever practicable.

5040.6 When replacing vehicles, Humboldt Waste Management Authority shall consider less-polluting alternatives to diesel and petroleum such as biodiesel, compressed natural gas, hybrids, electric batteries, and fuel cells.

**POLICY TITLE: Forest Conservation**  
**POLICY NUMBER: 5050**

5050.1 To the greatest extent practicable, Humboldt Waste Management Authority shall procure wood products such as lumber and paper that originate from forests harvested in an environmentally sustainable manner. When possible, Humboldt Waste Management Authority shall give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council certification.

**POLICY TITLE: Agricultural Bio-Based Products**  
**POLICY NUMBER: 5060**

5060.1 Vehicle fuels made from non-wood, plant-based contents such as vegetable oils are encouraged whenever practicable.

HWMA POLICY HANDBOOK, REV 9/6/2019/5/2019  
ORIGINAL APPROVED 2009

**POLICY TITLE: Priorities**  
**POLICY NUMBER: 5070**

5070.1 The health and safety of our employees and citizens is of utmost importance and takes precedence over all other policies.

5070.2 Humboldt Waste Management Authority has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system.

5070.2.1 To the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.

5070.3 Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

5070.4 Nothing contained in this policy shall be construed as requiring Humboldt Waste Management Authority to take any action that conflicts with local, state or federal requirements.

**POLICY TITLE: Implementation**  
**POLICY NUMBER: 5080**

5080.1 Collaboratively, the Integrated Waste Management Program personnel, the Controller and the Facilities Manager shall implement this policy.

5080.2 Successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with State law, vendors shall be required to specify the minimum or actual percentage of recovered and post-consumer material in their products, even when such percentages are zero.

5080.3 Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria for this policy.

**POLICY TITLE: Program Evaluation**  
**POLICY NUMBER: 5090**

5090.1 Collaboratively, the Controller and the Integrated Waste Management Program personnel shall periodically evaluate the success of this policy's implementation.

**POLICY TITLE: Definitions**  
**POLICY NUMBER: 5100**

5100.1 "Buyer" means anyone authorized to purchase or contract for purchases on behalf of this jurisdiction or its subdivisions.

- 5100.2 “Chlorine free” means products processed without chlorine or chlorine derivatives.
- 5100.3 “Dioxins and furans” are a group of chemical compounds that are classified as persistent, bioaccumulative, and toxic by the Environmental Protection Agency.
- 5100.4 “Energy Star” means the U.S. EPA’s energy efficiency product labeling program.
- 5100.5 “Energy Efficient Product” means a product that is the upper 25% of energy efficiency for all similar products, or that is a least 10% more efficient than the minimum level that meets Federal standards.
- 5100.6 “Federal Energy Management Program” is a program of the Department of Energy that issues a series of Product Energy Efficiency Recommendations that identify recommended efficiency levels for energy-using products.
- 5100.7 The “Forest Stewardship Council” is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.
- 5100.8 “Integrated Pest Management (IPM)” is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.
- 5100.9 “Organic Pest Management” prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those products on the approved list of California Certified Organic Foods (CCOF).
- 5100.10 “Post-consumer Material” means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.
- 5100.11 “Practical” and “Practicable” mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.
- 5100.12 “Pre-consumer Material” means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Pre-consumer material does not include mill and manufacturing trim, scrap, or broke which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.
- 5100.13 “Proposition 65” means a list of chemicals that are known to the State of California to cause cancer, birth defects or other reproductive harm.

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10312018  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

**5100.14** “Recovered Material” means fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes pre-consumer and post-consumer material but does not include excess resources of the manufacturing process.

**5100.15** “Recycled Content” means the percentage of recovered material, including pre-consumer and post-consumer materials, in a product.

**5100.16** “Recycled Content Standard” means the minimum level of recovered material and/or post-consumer material necessary for products to qualify as “recycled products.”

**5100.17** “Recycled Product” means a product that meets [jurisdiction’s] recycled content policy objectives for post-consumer and recovered material.

**5100.18** “Remanufactured Product” means any product diverted from the supply of discarded materials by refurbishing and market said product without substantial change to its original form.

**5100.19** “Reused Product” means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.

**5100.20** “Source Reduction” refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no, or reduced, toxic constituents; and products marketed with no, or reduced, packaging.

**5100.21** The “Toxics Release Inventory” (TRI) is a publicly available U.S. EPA database that contains information on toxic chemical releases and other waste management activities reported annually by certain covered industry groups as well as federal facilities.

**5100.22** “U.S. EPA Guidelines” means the Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002 and any subsequent version adopted.

**5100.23** “Water-Saving Products” are those that are in the upper 25% of water conservation for all similar products, or at least 10% more water-conserving than the minimum level that meets the Federal standards.

**POLICY TITLE:** Effective Dates

**POLICY NUMBER:** 5110

**5110.1** This policy shall take effect as of the approval by the Humboldt Waste Management Authority Board of Directors on January 11, 2007. These Environmental Purchasing Policies were incorporated into the HWMA Policy Handbook on May 14, 2009 and future revisions will be made as part of that policy.

## **SERIES 6000 OPERATIONS POLICIES**

**POLICY TITLE:** Policy Regulation  
**POLICY NUMBER:** 6000

**6000.1** These operation policies and procedures were adopted by the Humboldt Waste Management Authority Board on July 25, 2001. These Operating Policies were incorporated into the HWMA Policy Handbook on May 14, 2009 and future revisions will be made as part of that policy. The following policies are adopted for facilitating operation of the Authority solid waste facilities and for serving the public.

**POLICY TITLE:** Labor Charges  
**POLICY NUMBER:** 6010

**6010.1** Some special wastes will require more than normal labor in handling the waste. Wastes that require special handling include large pieces of metal such as trailer frames or sections of automotive frames, motor homes, campers or camper trailers, large blocks of concrete, large dead animals, etc.

**6010.1.1** If the scale attendant notices such waste when the load comes in, the attendant should tell the customer in advance. Otherwise, Tip Floor staff should report the special waste as it comes into the transfer building, inform the customer of the extra charges, and notify the scale attendant to add the amount to the bill.

**6010.2** When there is special handling, it will be billed to the customer at the rate per hour that is established by the rate ordinance.

**6010.2.1** Estimates of time required for special handling shall be rounded to the nearest half hour.

**6010.3** If it is a cash transaction, Tip Floor staff should make an estimate of time required. Add the amount to the customer's bill; if it is a charge account, add the amount to the bill and have the customer sign the ticket.

**POLICY TITLE:** Non-Acceptance of Gratuities  
**POLICY NUMBER:** 6020

**6020.1** Authority staff may not accept gratuities. The Authority has provided extra services and should continue to provide (such as returning purses found in the waste); however, staff cannot accept a material gratuity for such actions. This non-gratuity policy does not apply to foods that are typically brought in during the holiday season and made available to all Authority employees.

**POLICY TITLE:** Retrieval of Lost Items  
**POLICY NUMBER:** 6030

**6030.1** Occasionally members of the public will accidentally discard an item, and then call the transfer station to try to retrieve it. Searching for lost items in the waste stream is not allowed. Unless the customer realizes their



mistake in a relatively short amount of time, it is very difficult to determine when the item may have come to the transfer station and in most cases, retrieval would require digging in the waste pile.

**6030.1.1** Customers are not allowed to inspect the waste pile or dig in it. Generally, the potential liability of digging through the waste is much greater than the value of the item.

**6030.1.2** In rare instances, Tip Floor staff may weigh the severity of the request and perform a cursory search of the waste. The customer may be present during the search and assist Authority staff by remaining observant; however, they must not aid in the search in any other way, for the reasons provided above.

**6030.1.3** An exception would be made if a law enforcement agency needs to search the waste as part of an investigation. In such a case, staff should cooperate fully with any such request from law enforcement.

**POLICY TITLE:** Interaction with the Press  
**POLICY NUMBER:** 6040

**6040.1** Staff should not represent the Authority by issuing a press release or by going on camera or providing a quote to the press regarding Authority policies, procedures, or status of an incident without authorization from the Executive Director. This policy is intended to limit an individual's access to representing the Authority and is not intended to restrict an individual's right to free speech.

**POLICY TITLE:** Customer Questions, Accuracy of Charges  
**POLICY NUMBER:** 6050

**6050.1** The scales are certified by the Humboldt County Department of Agriculture. If customers have questions about the scale weight system or the computerized cost calculation, staff should attempt to answer the question or direct the question to the Executive Director.

**6050.1.1** If customers feel that the scale is not providing an accurate reading, they are welcome to contact County Weights and Measures staff, Senior Inspector, at 707-445-7223. The office is located at 5630 South Broadway, just off the Humboldt Hill Exit. Staff should provide this contact information to the customer.

**6050.2** If there is an apparent inaccuracy due to attendant error, the error should be corrected immediately by the attendant. If the alleged error is not apparent, the attendant should provide the customer with a "Comment Form". The customer should fill out the form and submit it to the Executive Director. The Executive Director will make a judgment regarding the resolution of the situation.

**6050.2.1** A record should be kept of such incidents.

**POLICY TITLE: Unusual Situations**  
**POLICY NUMBER: 6060**

6060.1 Staff should keep a log book and make notes about unusual situations. Unusual situations include:

- (a) any threat to a staff member or Authority property that is voiced or implied in person or by phone or by mail;
- (b) any situation in which you believe a customer may resort to illegal dumping; and
- (c) any situation in which staff or law enforcement may later need detailed information, such as vehicle accidents on site.

6060.2 Staff should get as much information about the incident as possible, including license number of the vehicle, time and date, description of the person, description of the accident, etc. (A digital camera is available in the main office for making photographic records, if necessary).

**POLICY TITLE: Discontinuing Right to Use Facility for Abuse of Service**  
**POLICY NUMBER: 6070**

6070.1 A customer may be barred from using the facility for up to six months if they:

- (a) Carelessly or maliciously risk the safety of staff, other customers, or property; or
- (b) Violate safety rules at the facility; or
- (c) Commit repeated violations of attempting to dispose of hazardous waste on the tipping floor; or
- (d) Repeatedly contaminate recyclable materials; or
- (e) Provide misinformation to staff regarding type of material being dropped off; or
- (f) Attempt to charge the cost of the service to an account for which they are not authorized; or
- (g) Leave the facility without paying for service.

**SERIES 7000 ~~DOCUMENT RETENTION, DISPOSAL AND STORAGE POLICIES~~ RECORDS  
RETENTION POLICIES**

Commented [JD17]: Replace entire "Records Retention Policies" section with proposed policies.

Commented [JD18]: Strike and Replace entire section

POLICY TITLE: Policy Guidelines  
POLICY NUMBER: 7000

~~7000.1~~ — The guidelines as enclosed have been endorsed by resolution of the Board of Directors of the Humboldt Waste Management Authority. They reflect the needs of the Authority as best as possible. They should be considered fluid, and are subject to additions and updates as deemed necessary by Authority staff and as mandated by local and state law. These Records Retention Policies were incorporated into the HWMA Policy Handbook on May 14, 2009 and future revisions will be made as part of that policy.

~~7000.2~~ — Reference to retention periods, unless otherwise stated, is in years. This includes the current year in which the item is created. Therefore, a retention period of "3" for any item means that only the 2008, 2007, and 2006 versions of the item should still be on file with the Authority. Unless otherwise stated, files without a "permanent" retention period are to be destroyed at disposition.

~~7000.3~~ — As noted in the Retention Schedule, backup tapes are for emergency restoration of data only, and as such are not readily accessible.

~~POLICY TITLE: — References~~  
~~POLICY NUMBER: — 7010~~

~~7010.1~~ — The following is a list of general citations and should also serve as a legend for specific citations found within remarks to certain schedule items. Where noted, these special citations take precedence.

- ~~(a) — GC 6250 et. Seq.; 12946; 34090 — Government Code~~
- ~~(b) — 24, 29, 40 CFR, various sections — Code of Federal Regulations~~
- ~~(c) — 29 USC, various sections — United States Code~~
- ~~(d) — OMB 102; 110; 124; 128 — Office of Management and Budget Circulars~~
- ~~(e) — CCP 337; 343 — Code of Civil Procedure~~
- ~~(f) — H & S 19850 — Health & Safety~~

~~7010.2~~ — The following legend is used for reference to the items detailed in the Retention Schedule. Where specific items contradict the legend, the specific rules of the item shall take precedence:

- ~~— (a) Au — Audit (Retention of item begins after audit for year it pertains to)~~
- ~~— (b) Cl — Closure/Completion (Item is assumed to be classified as "sts" until it has no remaining use at Facility)~~
- ~~— (c) lts — Long term Storage (to be filed at Landfill)~~
- ~~— (d) lts at X yrs — Item is assumed to be classified as "sts" until X; then archived at Facility~~
- ~~— (e) P — Permanent~~
- ~~— (f) S — Superseded (includes any revision requiring Board Actions, eliciting notice of change from controlling agency, or any other form of extensive update of facts or information)~~
- ~~— (g) sts — Short term Storage (to be file at Facility; unless otherwise stated in schedule, item is to be destroyed at end of retention)~~

DRAFT HWMA POLICY HANDBOOK (ALL POLICIES FOR REVISION – 10/31/2018)  
BASE DOCUMENT WAS APPROVED IN 2009  
PERIODIC AMENDMENTS APPROVED AFTER 2009 BY BOARD WILL HAVE A COMMENT/DATE REFLECTED

(h) Termination (of any contract, employment agreement, or other long term binding document)