



POLICY COMMITTEE MEETING OF THE BOARD OF TRUSTEES

September 12, 2018

5:00 PM

AGENDA

The Policy Committee is not a decision-making body and only makes recommendations to the Board.

Policy Committee Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting; or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact District Manager Chindi Peavey at least five working days before the meeting at (650) 344-8592. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.

Public records that relate to any item on the open session agenda for a Policy Committee meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all Policy Committee members. The Policy Committee of the Board has designated the office of the San Mateo County Mosquito and Vector Control District, located at 1351 Rollins Road, Burlingame, for the purpose of making those public records available for inspection.

1. CALL TO ORDER.

2. PLEDGE OF ALLEGIANCE.

3. ROLL CALL.

- Chairperson Kati Martin will take roll call. _____
- Robert Riechel, City of San Bruno _____
- Ed Degliantoni, City of San Mateo _____
- Donna Rutherford, City of East Palo Alto _____
- Carolyn Parker, City of Brisbane _____
- Kat Lion, City of Redwood City _____



4. PUBLIC COMMENTS AND ANNOUNCEMENTS.

- This time is reserved for members of the public to address the Policy Committee of the Board relative to matters of the Committee not on the agenda. No action may be taken on non-agenda items unless authorized by law. Comments will be limited to five minutes per person (ten minutes where a translator is being used).

5. REGULAR AGENDA

District Policy Manual and Employee Manual

- A. District Policy 2070 Family Care and Medical Leave** *Consider updating and revisions to the following policies on Family Care and Medical Leave of Absences*
- 2070 Family Care and Medical Leave**

6. ADJOURNMENT



Agenda Item #7C

Review of Policies in the Employee Manual and District Policy Manual on Family Care and Medical Leave of Absence

BACKGROUND

The District currently has policies relating to Employee Leave of Absences in two different documents: The District Policy Manual and the Employee Manual. Chapter 2000 of the District Policy Manual contains policies that conform to legal requirements on Family and Medical Leave. The Employee Manual contains negotiated benefits which include sick leave, leave of absence and other kinds of Leave. The Human Resources consultant and the Labor Attorney for the District have suggested combining all of the policies that address personnel matters in one place, so that there is less confusion on where to look for specific policies relating to Human Resources. In addition, there have been a number of new laws regarding family care and medical leave, such that the policies need to be updated. This will be a complex and lengthy process and will not be completed in a single meeting. At this meeting, we will begin introducing the current policies on Family Care and Medical Leave in Chapter 2000 of the District Policy Manual and discuss some of the proposed changes that are needed to bring the policies up to date with current labor law. We will also discuss whether and how to place all policies regarding leave in one place where they are easy to find.

Attachments

1. District Policy 2070 Family Care and Medical Leave
 2. Draft District Policy 2070 Leave of Absence – sections 2070.1 through 2070.7 – track changes
 3. Leave of Absence Table
 4. District Policy Manual Table of Contents
 5. Employee Manual Table of Contents
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POLICIES AND PROCEDURES

TITLE: Family Care and Medical Leave

NUMBER: 2070

2070.10 The purpose of this policy is to consider the administration of the Family and Medical Leave in accordance with the State Family Care and Medical Leave Act and the Federal Family and Medical Leave Act of 1993.

2070.20 Because the District has less than fifty employees, however, no District employee is eligible to take the 12 weeks of unpaid FMLA/CFRA leave, and the District's obligations become limited to posting a notice of legal rights under the FMLA/CFRA on the employee bulletin board.

2070.30 If the District staff increases to over fifty employees the following requirements must be met to be eligible for FMLA/CFRA leave:

The employee must have been employed with the District for a total of 12 months;

The employee must have worked at least 1250 hours worked during the 12-month period immediately preceding the start of any FMLA/CFRA leave;

The employee must work at a site that has at least 50 employees within a 75-mile radius.

The size of the District's labor force automatically disqualifies any District employee from taking FMLA/CFRA leave.

Commented [DM1]: Let's discuss this policy. Requirements under FMLA/CFRA have changed since 2008. The district is still not subject to it but recent sick law legislation allows employees to use up to 50% of their mandated sick leave for the care of a family member. We should update.

2070.40 The District already provides leave for the various situations that the FMLA and CFRA address.

2070.41 Policies and Procedures Employee Manual Number 5040 (Medical Leave of Absence), is available for an employee with a “personal illness or personal injury, including a pregnancy related disability.” The employee may be granted up to six months of unpaid leave – approximately twice the leave available under FMLA/CFRA for the employee’s own “serious health condition.”

2070.42 Also, where an employee’s immediate family member has an “illness” (which is less severe than the FMLA/CFRA definition of a “serious health condition”), California Labor Code section 233 compels the District to allow that employee to utilize up to half their annual leave to care for a spouse or domestic partner, minor child or the employee’s parents. Policies and Procedures Employee Manual Number 5100.121 (Sick or Accident Leave) further allows the use of paid leave for an employee to attend to a sick family member, including siblings, grandparents and parents-in-law.

2070.50 The only situation addressed by the FMLA/CFRA but not the District’s existing policy is leave to bond with a newborn baby or newly adopted child. The employee is free to use vacation leave or compensatory time off for such a purpose. The District will also take a case-by-case approach, giving the District Manager the discretion to grant unpaid leave for either the father or mother to care for a newborn.

Issued: February 12, 2003
Revised: June 25, 2008

POLICIES AND PROCEDURES

TITLE: ~~Family Care and Medical Leave~~ Leaves of Absence

NUMBER: 2070

2070.1 **PURPOSE:** ~~The purpose of this policy is to guide consistent administration by the District of the various leave provisions consider described herein, including California Labor Code 233, California New Parent Leave Act (NPL) of 2018, the District Medical Leave of Absence, the California Pregnancy Disability Leave (PDL), the administration of the Family and Medical Leave in accordance with the State Family Care and Medical Leave Act and the Federal Family and Medical Leave Act of 1993, the federal Americans with Disabilities Act (ADA) of 1990, and the state Fair Employment and Housing Act (FEHA), and other related regulations and policies.~~

~~This policy provides general leave provisions, eligibility and qualifying requirements, notification and communication requirements during the leave, and guidelines to administer designated leave(s).~~

~~The District is committed to promoting the lawful and non-discriminatory administration of all applicable family, medical and other leave laws and regulations.~~

2070.2 **FAMILY AND MEDICAL LEAVE:** Because the District has ~~less-fewer~~ than fifty employees, ~~however,~~ no District employee is eligible to take the 12 weeks of unpaid FMLA/CFRA leave, and the District's legal obligations become limited to posting a notice of legal rights under the FMLA/CFRA on the employee bulletin board.

2070.2.1 ~~Therefore, due to the current size of the District's labor force, any District employee is automatically disqualified from taking FMLA/CFRA leave.~~ If the District staff increases to over fifty employees the following requirements must be met to be eligible for FMLA/CFRA leave:

- The employee must have been employed with the District for a total of 12 months;
- The employee must have worked at least 1250 hours ~~worked~~ during the 12-month period immediately preceding the start of any FMLA/CFRA leave;
- The employee must work at a site that has at least 50 employees within a 75-mile radius.

2070.2.2 Nevertheless, where an employee's immediate family member has an "illness" (which is less severe than the FMLA/CFRA definition of a "serious health condition"), California Labor Code section 233 compels the District to allow that employee to utilize in any calendar year the employee's accrued and available sick leave entitlement, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement to care for a spouse or domestic partner, minor child or the employee's parents. Further, section 2070.7.12 of this policy (Sick or Accident Leave) allows the use of sick leave for up to six regularly scheduled working days for an employee to attend to a sick family member, including siblings, grandparents and parents-in-law.

~~The current size of the District's labor force automatically disqualifies any District employee from taking FMLA/CFRA leave.~~

~~2070.40~~ The District already provides leave for the various situations that the FMLA and CFRA address.

~~2070.41~~ Policies and Procedures Employee Manual Number 5040 (Medical Leave of Absence), is available for an employee with a "personal illness or personal injury, including a pregnancy related disability." The employee may be granted up to six months of unpaid leave—approximately twice the leave available under FMLA/CFRA for the employee's own "serious health condition." Job or benefits protection?

~~2070.2.2~~2070.2.3 The only situation addressed by the FMLA/CFRA but not the District's existing policy is leave to bond with a newborn baby or newly adopted child. Effective January 1, 2018, the District is subject to the provisions of the California New Parent Leave Act (NPL) of 2018. NPL requires employers with at least 20 employees to provide employees with 12 weeks of unpaid, job-protected parental bonding leave. Accordingly, the District provides eligible employees the ability to take up to 12 weeks per year of unpaid job-protected NPL parental bonding leave.

2070.2.4 In accordance with the NPL, an employee may take up to 12 weeks of parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement. The employee shall be entitled to utilize accrued vacation pay, paid sick time, other accrued paid time off, or other paid or unpaid time off during the period of parental leave, as consistent with the terms set out in the California Government Code Section 12945.6.

~~2070.2.3~~2070.2.5 NPL applies to private, state and municipal employers that directly employ 20 to 49 employees within 75 miles of each other. To be eligible, employees must have more than 12 months of service and at least 1,250 hours of service with the covered employer during the 12-month period prior to commencing leave.

~~2070.2.4~~2070.2.6 The act does not apply to employees who are covered by both the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), both of which already provide 12 weeks of unpaid, protected leave for baby bonding purposes to eligible employees of employers with at least 50 employees.

2070.2.7 If both parents entitled to leave under NPL are employed by the District, they are entitled to a combined total of 12 weeks of unpaid parental leave. The District may, but is not required to, grant simultaneous leave to both employees.

~~2070.2.5~~2070.2.8 The qualifying employee is free to use vacation leave, sick leave, or compensatory time off ~~for such a purpose~~ during the period of approved NPL taken.

Commented [C1]: Added sick leave to the kinds of leave that can be taken

The District will also take a case-by-case approach, giving the District Manager the discretion to grant unpaid leave for either the father or mother to care for a newborn.

2070.3 **MEDICAL LEAVE OF ABSENCE:** The District also provides leave for the various situations that the FMLA, CFRA and California's Pregnancy Disability Leave (PDL) address. Regular full-time employees who are temporarily unable to perform their usual and customary work due to a personal illness or personal injury, including a pregnancy-related disability, may be granted an unpaid medical leave of absence for a period not to exceed six (6) months. Intermittent and reduced schedule leaves of absences are permitted as required by law or with advance notice and manager/supervisor approval.

Commented [PA2]: Under FMLA/CFRA, the employee has the ability to take intermittent or reduced schedule leave. Is this a benefit we want to provide to District employees?

Employees disabled by pregnancy are entitled to four (4) months of unpaid medical leave as provided by PDL. Pursuant to state law, this benefit is also available to regular part-time and probationary employees with a pregnancy-related disability. Employees disabled by pregnancy may be granted an additional two (2) months of unpaid medical leave of absence for a medical leave of absence period not to exceed a total of six (6) months.

Medical leave may be granted on a basis of the employee's and/or employer's physician written statement that an employee is no longer able to work due to a medical disability. While on medical leave, an employee must use accrued sick leave until it is exhausted. An employee may use accrued vacation during a medical leave. Once available paid leave accruals are exhausted, the remaining portion of the medical leave will be unpaid. Employees will not continue to accrue vacation, sick leave, or other benefits during any unpaid portion of a medical leave of absence. Additionally, time on unpaid medical leave will not be credited towards the completion of a probationary period.

2070.3.1 An employee who plans to take a medical leave must provide the District reasonable notice of when the leave will commence, the estimated duration of the leave, and the date on which it is expected the employee will be able to return to work. When an unplanned medical situation or emergency occurs that does not allow the employee to provide advance notification of the need for a medical leave, the employee must notify the employer of this situation within three (3) working days of an absence. If an employee is absent more than three (3) working days without notifying the employer, the employee will be considered to have voluntarily resigned, excluding extenuating circumstances.

2070.3.2 Employees returning to work after any disability leave must have a written release from the employee's and/or employer's physician verifying that they are able to return to work and safely perform their duties.

2070.3.3 Except as provided for by law, Employees granted unpaid medical leave are responsible for benefits paid by the District for group insurance programs including, medical, dental, vision, and long-term disability. In accordance with the law,

the District will maintain and pay for an eligible employee's coverage under a group health plan for the duration of PDL, not to exceed four months over the course of a 12-month period, at the level and under the conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of the leave. The District may, but is not required to, maintain and pay for the employee's health coverage beyond four months if it so chooses.

2070.4 DISTRICT DISABILITY LEAVE PLAN: The following District Disability Leave Plan is provided only for regular full-time employees in the event of work connected disability.

2070.4.1 Disability Leave: After forty-five (45) days of continuous disability, and upon written verification from attending physician and Self-Insurance Fund that the disability continues to an unspecified date, employee is then eligible to enter the District Disability Leave Plan and is provided job security for a maximum period of one (1) year from first day of disability.

~~2070.4.1~~**2070.4.2** Employee may return to work any time during the disability leave provided the following documentation is submitted:

- Medical release by attending physician and/or District medical adviser.
- Medical release by Self-Insurance Fund agency.

2070.4.3 If California Workers' Compensation Advisory Board grants permanent disability, employee becomes eligible to apply for disability retirement through the San Mateo County Employees Retirement Association, if qualified, and subsequently enter Guarantee Mutual Life Company's long-term disability program when eligible.

2070.4.4 Disability Leave Payments: Under the District Disability Leave Plan, employee is eligible to receive full salary for up to ninety (90) calendar days, not ninety (90) working days.

2070.4.5 No extension of this time period shall be allowed for any reason.

2070.4.6 All payments received from Self-Insurance Fund representing the ninety (90) calendar days above, shall be reimbursed to the District.

2070.4.7 Employees receiving full salary during the ninety (90) calendar days above, shall not accumulate sick or accident leave time or vacation time, but will retain all seniority rights.

2070.4.8 If the California Workers' Compensation Advisory Board (WCAB) determines disability is permanent during this ninety (90) calendar day period of time, employee will discontinue receiving District Disability Leave Plan payments upon date of permanent disability classification.

2070.4.9 After Expiration of Disability Leave Payments

~~2070.4.1~~2070.4.9.1 At option of employee, accumulated sick or accident leave time and vacation time may be used in order to provide full salary for a longer period, with continuing Self-Insurance Fund payments reimbursed to the District.

2070.5 STATE DISABILITY INSURANCE (SDI): Administered by the State of California, this insurance provides tax-free weekly income when employee cannot work because of non-job related illness or injury. Provisions of this insurance may be found in current pamphlet “State Disability Insurance Provisions” available to all employees. Employee pays cost of insurance in full through payroll deductions.

2070.6 **GROUP LONG TERM DISABILITY:** This insurance program provides employee with a monthly income when unable to work due to extended illness or injury. Entry into plan requires satisfactory completion of the required probationary period. The benefit payment eligibility requires compliance with all requirements of insurance carrier which includes 1) a one hundred and eighty (180) day elimination period, (first one hundred and eighty (180) calendar days of each period of total disability, and 2) employee shall exhaust all accumulated sick or accident leave time. Disabled employee may then be eligible to receive payments totaling sixty (67) percent of first \$7,000 basic monthly earnings, reduced by any deductible benefits. Insurance certificate is available to all employees. The District pays cost of insurance in full.✚

2070.7 **SICK OR ACCIDENT LEAVE:** Current paid sick or accident leave is earned at the rate of one (1) day per each month worked for full-time benefited employees.

2070.7.1 California state law provides paid sick leave entitlements to all employees. This is a separate entitlement defined by law; for full-time benefited employees who receive the District’s sick leave benefit program, California paid sick leave requirements are met. For part-time, seasonal and other employees who do not participate in the District’s sick leave benefits program, some paid sick leave is provided as required by law. California Paid Sick Leave must be used for leaves of absences which qualify under qualifying PDL leaves. However, the accrual and use of California Paid Sick Leave is not necessarily PDL-related; such sick leave can be used for non-PDL medical and other purposes.

Effective July 1, 2015, full time, part time and seasonal employees may be entitled to California Paid Sick Leave pursuant to California law. To be eligible for California Paid Sick Leave, employees must work in California for 30 or more days within a year of their hire date. Employees are provided with a minimum of one (1) hour of paid sick leave sick leave for every 30 hours worked. All employees may use accrued paid sick days beginning on the 90th day of employment.

2070.7.1.1 California Paid Sick Leave may be taken for the following prescribed purposes:

- The diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee’s family member; or
- To attend legal proceedings, or to obtain medical treatment, counseling or other victims’ services for domestic violence, sexual assault, or stalking.

A “family member” for these purposes is defined as a child (a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis), a parent (a biological, adoptive or foster parent, step-parent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child), a spouse or registered domestic partner, a grandparent, grandchild and sibling. Additionally, California Paid Sick Leave may be used for an employee who is a victim of domestic violence, sexual assault or stalking.

2070.7.1.2 Upon separation of employment from the District (voluntary termination, involuntary termination, etc.) employees are not entitled to be compensated for unused California Paid Sick Leave. However, previously accrued and unused paid sick days must be reinstated if an employee separates from employment and then is rehired within one year.

2070.7.1.3 Employees may use California Paid Sick Leave in one-hour increments. In general terms, California Paid Sick Leave requires employers to provide and allow eligible employees to use at least 24 hours or three days of paid sick leave per year.

2070.7.1.4 To the extent possible, employees must provide reasonable advance notice of their need for California Paid Sick Leave under this policy. If the need for leave is not foreseeable, an employee must provide notice as soon as practicable.

2070.7.1.5 California Paid Sick Leave under this policy will not constitute a break in the employee’s continuous service for the purpose of benefits and seniority.

2070.7.1.6 Upon expiration of California Paid Sick Leave, an employee will generally be reinstated to his or her position with equivalent seniority, benefits, pay and other terms and conditions of employment.

2070.7.2 Not more than 120 days of sick or accident leave may be accrued.

2070.7.3 No sick or accident leave time will be credited to full-time benefited employees until satisfactory completion of required probationary period, at which time sick or accident leave days will then be credited retroactively to date of hire.

2070.7.4 If probationary period is not completed, accrued sick leave time will be forfeited.

2070.7.5 Paid sick or accident leave time cannot be converted to vacation time.

2070.7.6 Accrued sick or accident leave time cannot be converted to vacation time.

2070.7.7 Sick or accident leave is designed to allow employees time off for occasional personal illness. It is not a severance pay plan. Upon separation from the District, an employee will not be paid for accumulated sick leave. Only those employees

described in **Employee Policy 5110**, may convert accrued sick or accident leave to monetary payment. Said conversion plan is not intended to discourage the prudent use of sick or accident leave.

Commented [PA3]: Will need to update once both policies are combined.

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Commented [PA4]: Differs from California Sick Leave law, which provides for taking leave in one-hour increments.

2070.7.8 Sick or Accident leave may be taken in increments down to the quarter hour.

2070.7.9 Sick leave pay may not be granted unless the District Manager or immediate supervisor is notified prior to the beginning of the workday of such absence.

2070.7.10 Evidence, in the form of a physician's treatment verification statement may be required for any absence during the time for which sick or accident leave was requested.

2070.7.11 Sick leave time may be used for employee medical and dental appointments during working hours.

2070.7.12 The District Manager or immediate supervisor may authorize an employee to be absent on sick leave for a period of time not to exceed six (6) regularly scheduled working days for any one instance for such reasons as:

2070.7.12.1 To attend to the critical illness of a member of the immediate family where death appears imminent or a sick family member.

2070.7.12.2 Arranging for or attending a funeral of a member of the immediate family.

2070.7.13 For purposes of this section, immediate family shall mean Father, Mother, husband, wife, child, (including adopted child or step child), brother, sister, grandparents, Father-in-law or Mother-in-law.

2070.7.14 Overdrawn sick or accident time will be first charged against accrued vacation time; after vacation time has been expended, any extension of sick leave or accident leave will be without pay.

2070.7.15 District holidays, Saturdays and Sundays shall not be counted as any part of sick or accident leave time.

2070.7.16 Sick or accident leave credits for a partial month worked shall be approved according to the following schedule:

2070.7.16.1 Worked less than 5 days (accident leave credited), no sick leave credited.

2070.7.16.2 Worked 5 or more days but less than ½ the total number of working days in that month, the employee is credited ½ the normal sick or accident leave.

2070.7.16.3 Worked ½ or more of the total working days in that month, normal sick or accident leave credited.

2070.7.17 Accrued sick or accident leave time may be used for a job related injury until disability has been established.

2070.7.18 No sick or accident leave will be credited for periods of absence when on District Disability Leave, State Disability, leave of absence or non-approved time off.

2070.7.19 Supervisors are responsible for controlling abuse of sick or accident leave privileges - according to the guidelines under "Disciplinary Action", Series 7000.

Commented [PA5]: Will need to update once both policies are combined.

Issued: February 12, 2003

Revised: June 25, 2008

Revisions proposed September 18, 2018

Leave of Absence Table

Leave of Absence	Policy Section	Duration and/or Maximum	Purpose	Medical Certification	Health Insurance Protection	Job Protection	Paid vs. Unpaid	District Policy or Law
Absence without Pay	2070.10	120 working days	General	No	No	No	Unpaid	Policy
California Paid Sick Leave	2070.7	24 hours or three days of paid sick leave per year	Non-industrial Illness or Injury	No	No	No	Paid	Law
District Disability Leave	2070.4	Maximum period of one (1) year from first day of disability.	Industrial Illness or Injury	Yes	No	Yes	Paid	Policy
District Medical Leave of Absence	2070.3	Maximum six (6) months	Personal Illness or Injury	Yes	No	No	Unpaid	Policy
Group Long Term Disability	2070.6	180 calendar day elimination period	Income Replacement	Yes	No	No	Paid	Policy
Holidays	2070.8	13.5 days per year	Vacation	No	No	No	Paid	Policy
Jury Duty	2070.9	Three (3) weeks	Jury Duty	No	No	No	Paid	Policy
Kin Care Leave (Labor Code 233)	2070.2.2	The employee's accrued and available sick leave entitlement, in an amount not less than the sick leave that would be accrued during six months at the employee's current rate of entitlement	To care for spouse, domestic partner, minor child or employee's parents. Section 2070.8.12 of policy allows use of sick leave for up to six regularly scheduled working days for employee to attend to sick family member, including siblings, grandparents and parents-in-law.	No	No	No	Paid	Both
Leave as a Reasonable Accommodation	2070.13	Will vary	Accommodation for disability	Yes	No	Yes	Unpaid	Law
Military Leave	2070.11	Will vary	Military Leave	No	Yes	Yes	Unpaid	Law
New Parent Leave Act	2070.2.3	Up to 12 weeks	Baby Bonding	Yes	Yes	Yes	Unpaid	Law
Personal Leave	2070.12	16 hours per calendar year	Personal leave	No	No	No	Paid	Policy
Pregnancy Disability Leave	2070.3	4 months per PDL; additional 2 months per policy	Pregnancy-related disability	Yes	Yes	Yes	Unpaid	Both
Sick Leave	2070.7	Not more than 120 days of sick or accident leave may be accrued	Personal Illness or Injury	No	No	No	Paid	Policy
State Disability Insurance	2070.5	Will vary	Qualifying Disability	Yes	No	No	Paid	Law

DISTRICT POLICY MANUAL

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APPENDICES

1110	Vector Control Joint Powers Agency Claim and Release of Claims Forms
2030	Personal Vehicle Use Permission Form and Annual Compliance Statement
2100	Positions Descriptions: District Manager; Assistant Manager; Laboratory Director; Finance Director, Operations Supervisor, Accountant, Vector Ecologist, Public Health Education and Outreach Officer Mechanic Specialist Technician Vector Control Technician, Office Administrator, Facilities Maintenance Coordinator Seasonal Laboratory Assistant Seasonal Vector Control Aide I/II

POLICIES AND PROCEDURES
EMPLOYEE MANUAL

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San Mateo County
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POLICIES AND PROCEDURES
EMPLOYEE MANUAL

TITLE: MEDICAL LEAVE OF ABSENCE

NUMBER: 5040

5040.10 Regular full-time employees who are temporarily unable to perform their usual and customary work due to a personal illness or personal injury, including a pregnancy related disability, may be granted an unpaid medical leave of absence for a period not to exceed six (6) months. Pursuant to state law, this benefit is also available to regular part-time and probationary employees with a pregnancy related disability. Medical leave may be granted on a basis of the employee and/or employer physician's written statement that an employee is no longer able to work due to a medical disability. While on medical leave, an employee must use accrued sick leave until it is exhausted. An employee may use accrued vacation during a medical leave. Once available paid leave accruals are exhausted, the remaining portion of the medical leave will be unpaid. Employees will not continue to accrue vacation, sick leave, or other benefits during any unpaid portion of a medical leave of absence. Additionally, time on unpaid medical leave will not be credited towards the completion of a probationary period.

5040.20 An employee who plans to take a medical leave must provide the District reasonable notice of when the leave will commence, the estimated duration of the leave, and the date on which it is expected the employee will be able to return to work. When an unplanned medical situation or emergency occurs that does not allow the employee to provide advance notification of the need for a medical leave, the employee must notify the employer of this situation within three (3) working days of an absence. If an employee is absent more than three (3) working days without notifying the employer, the employee will be considered to have voluntarily resigned, excluding extenuating circumstances.

5040.30 Employees returning to work after any disability leave must have a written release from the employee's and/or employer's physician verifying that they are able to return to work and safely perform their duties.

5040.40 Employee's granted unpaid medical leave are responsible for benefits paid by the District for group insurance programs including, medical, dental, vision, and long term disability. See Employee Manual Policy 5140.

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POLICIES AND PROCEDURES
EMPLOYEE MANUAL

TITLE: DISTRICT DISABILITY LEAVE PLAN

NUMBER: 5050

5050.10 The following District Disability Leave Plan is provided only for regular full-time employees in the event of work connected disability.

5050.20 Disability Leave: After forty-five (45) days of continuous disability, and upon written verification from attending physician and Self-Insurance Fund that the disability continues to an unspecified date, employee is then eligible to enter the District Disability Leave Plan and is provided job security for a maximum period of one (1) year from first day of disability.

5050.30 Employee may return to work any time during the disability leave provided the following documentation is submitted:

5050.31 Medical release by attending physician and/or District medical adviser.

5050.32 Medical release by Self-Insurance Fund agency.

5050.40 If California Workers' Compensation Advisory Board grants permanent disability, employee becomes eligible to apply for disability retirement through the San Mateo County Employees Retirement Association, if qualified, and subsequently enter Guarantee Mutual Life Company's long-term disability program when eligible.

5050.50 Disability Leave Payments: Under the District Disability Leave Plan, employee is eligible to receive full salary up to ninety (90) calendar days, not ninety (90) working days.

5050.60 No extension of this time period shall be allowed for any reason.

5050.70 All payments received from Self-Insurance Fund representing the ninety (90) calendar days above, shall be reimbursed to the District.

5050.80 Employees receiving full salary during the ninety (90) calendar days above, shall not accumulate sick or accident leave time or vacation time, but will retain all seniority rights.

5050.90 If California Workers' Compensation Advisory Board determines disability is permanent during this ninety (90) calendar day period of time, employee will discontinue receiving District Disability Leave Plan payments upon date of permanent disability classification.

5050.100 After Expiration of Disability Leave Payments

5050.110 At option of employee, accumulated sick or accident leave time and vacation time may be used in order to provide full salary for a longer period, with continuing Self-Insurance Fund payments reimbursed to the District.

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POLICIES AND PROCEDURES
EMPLOYEE MANUAL

TITLE: STATE DISABILITY INSURANCE (SDI)

NUMBER: 5060

5060.10 Administered by the State of California, this insurance provides tax-free weekly income when employee cannot work because of non-job related illness or injury. Provisions of this insurance may be found in current pamphlet "State Disability Insurance Provisions" available to all employees. Employee pays cost of insurance in full through payroll deductions.

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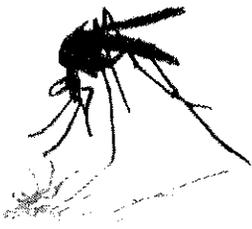
POLICIES AND PROCEDURES
EMPLOYEE MANUAL

TITLE: GROUP LONG TERM DISABILITY

NUMBER: 5070

5070.10 This insurance program provides employee with a monthly income when unable to work due to extended illness or injury. Entry into plan requires satisfactory completion of the required probationary period. The benefit payment eligibility requires compliance with all requirements of insurance carrier which includes 1) a one hundred and eighty (180) day elimination period, (first one hundred and eighty (180) calendar days of each period of total disability, and 2) employee shall exhaust all accumulated sick or accident leave time. Disabled employee may then be eligible to receive payments totaling sixty (67) percent of first \$7,000 basic monthly earnings, reduced by any deductible benefits. Insurance certificate is available to all employees. The District pays cost of insurance in full.

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San Mateo County
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POLICIES AND PROCEDURES
EMPLOYEE MANUAL

TITLE: SICK OR ACCIDENT LEAVE

NUMBER: 5100

5100.10 Current paid sick or accident leave is earned at the rate of one (1) day per each month worked.

5100.20 Not more than 120 days of sick or accident leave may be accrued.

5100.30 No sick or accident leave time will be credited to employee until satisfactory completion of required probationary period, at which time sick or accident leave days will then be credited retroactively to date of hire.

5100.40 If probationary period is not completed, accrued sick leave time will be forfeited.

5100.50 Paid sick or accident leave time cannot be converted to vacation time.

5100.60 Accrued sick or accident leave time cannot be converted to vacation time.

5100.70 Sick or accident leave is designed to allow employees time off for occasional personal illness. It is not a severance pay plan. Upon separation from the District, an employee will not be paid for accumulated sick leave. Only those employees described in Employee Policy 5110, may convert accrued sick or accident leave to monetary payment. Said conversion plan is not intended to discourage the prudent use of sick or accident leave.

5100.80 Sick or Accident leave may be taken in increments down to the quarter hour.

5100.90 Sick leave pay may not be granted unless the District Manager or immediate supervisor is notified prior to the beginning of the workday of such absence.

5100.100 Evidence, in the form of a physician's treatment verification statement may be required for any absence during the time for which sick or accident leave was requested.

5100.110 Sick leave time may be used for employee medical and dental appointments during working hours.

5100.120 The District Manager or immediate supervisor may authorize an employee to be absent on sick leave for a period of time not to exceed six- (6) regularly scheduled working days for any one instance for such reasons as:

5100.121 To attend to the critical illness of a member of the immediate family where death appears imminent or a sick family member.

5100.122 Arranging for or attending a funeral of a member of the immediate family.

5100.130 For purposes of this section, immediate family shall mean Father, Mother, husband, wife, child, (including adopted child or step child), brother, sister, grandparents, Father-in-law or Mother-in-law.

5100.140 Overdrawn sick or accident time will be first charged against accrued vacation time; after vacation time has been expended, any extension of sick leave or accident leave will be without pay.

5100.150 District holidays, Saturdays and Sundays shall not be counted as any part of sick or accident leave time.

5100.160 Sick or accident leave credits for a partial month worked shall be approved according to the following schedule:

5100.161 Worked less than 5 days (accident leave credited), no sick leave credited.

5100.162 Worked 5 or more days but less than ½ the total number of working days in that month, the employee is credited ½ the normal sick or accident leave.

5100.163 Worked ½ or more of the total working days in that month, normal sick or accident leave credited.

5100.170 Accrued sick or accident leave time may be used for a job related injury until disability has been established.

5100.180 No sick or accident leave will be credited for periods of absence when on District Disability Leave, State Disability, leave of absence or non-approved time off.

5100.190 Supervisors are responsible for controlling abuse of sick or accident leave privileges - according to the guidelines under "Disciplinary Action", Series 7000.

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POLICIES AND PROCEDURES
EMPLOYEE MANUAL

TITLE: ABSENCE WITHOUT PAY

NUMBER: 5140

5140.10 District Manager may authorize a leave of absence without pay for an employee for a period not less than ten (10) or more than one hundred twenty (120) working days, if satisfactory distribution of the work load can be arranged.

5140.20 Employee shall be responsible for making arrangements for continuance of insurance (medical, dental, and long term disability) since continuity of these programs may be affected by the leave of absence without pay. Retirement contributions will be held in abeyance, as payment cannot be made on an individual basis, and vacation, sick and accident leave cannot accrue when on leave of absence without pay.