

CAMBRIA COMMUNITY SERVICES DISTRICT
PAYMENT AND COMPENSATION PLAN
SEIU AND MANAGEMENT AND CONFIDENTIAL EMPLOYEES



BEGINNING JULY 1, 2000

**PAYMENT AND COMPENSATION PLAN
SERVICE EMPLOYEES INTERANTIONAL UNION, LOCAL 620 AND
MANAGEMENT AND CONFIDENTIAL EMPLOYEES
BEGINNING JULY 1, 2000**

TABLE OF CONTENTS

<u>ARTICLE 1- DEFINITION</u>	1
<u>ARTICLE 2 – HOURS OF WORK</u>	1
2.1 Workday and Workweek	1
2.2 Work Schedule	1
2.3 Rest Periods	2
2.4 Emergency Response	2
<u>ARTICLE 3 – FRINGE BENEFITS</u>	2
3.1 Holidays	2
3.2 Vacation	3
3.3 Sick Leave	4
3.4 Administrative Leave	5
3.5 Health Insurance	7
3.6 Dental Insurance	7
3.7 Life Insurance	8
3.8 State Disability Insurance	8
3.9 Other Insurance Coverage	8
3.10 Retirement	8
3.11 Domestic Partner	8
<u>ARTICLE 4 – WAGES AND SALARIES</u>	9
4.1 Salary Ranges	9
4.2 Incentive Pay	9
4.3 Promotional Advances	10
4.4 Working Out of Position	10
4.5 Pay Period	10
4.6 Overtime	10
4.7 Compensatory Time	11
4.8 Standby	11
4.9 After Hours Call-back	11
4.10 Meal Provision During Emergencies	12
4.11 Other Allowances	12
4.12 Travel Allowances	12
<u>ARTICLE 5 – OTHER POLICIES/PROVISIONS</u>	12
5.1 Sexual Harassment Policy	12
5.2 Video Display Terminal (VDT) Use	12
5.3 Substance Abuse and Drug-Free Workplace Policy	12
<u>EXHIBITS</u>	
A Pay Rates Effective July 1, 2000	
B Pay Rates Effective January 1, 2001	
C Pay Rates Effective July 1, 2001	
D Pay Rates Effective July 1, 2002	
E Travel Policy	
F Sexual Harassment Policy	
G Substance Abuse and Drug-Free Workplace Policy	

**CAMBRIA COMMUNITY SERVICES DISTRICT
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SERVICES EMPLOYEES INTERNATIONAL UNION, LOCAL 620 AND
MANAGEMENT AND CONFIDENTIAL EMPLOYEES
BEGINNING JULY 1, 2000**

ARTICLE 1

DEFINITIONS

- 1.1 **Definitions:** Definitions shall be as provided in the District's Personnel Policies, Procedures and Rules.

ARTICLE 2

HOURS OF WORK

- 2.1 **Workday and Workweek:** Eight (8) consecutive hours except for the meal period shall constitute a normal workday. The workweek consists of forty (40) hours of work in five (5) consecutive days, normally Monday through Friday. For some employees the standard workweek may include Saturday and/or Sunday. For such employees their day or days off per week will be equivalent to a regular employee's Saturday and Sunday.
- 2.2 **Work Schedule:** Due to varying needs of the different departments of the District, work schedules in each department shall be as determined by each Department Head, but subject to the approval of the Manager. Until revised by such procedure the work schedules for full time employees in each department will be as follows:
- A. District Business Office. Monday through Friday, from 8 A.M. to 5 P.M. each day, with one (1) hour for lunch, staggered so that there is always an employee on duty to serve the public.
 - B. Water Department. Five (5) consecutive days of eight and one-half (8 1/2) hours per day (including 1/2 hours for meal period) Monday through Friday. Weekend and holiday operational coverage is rotated among the employees of the department. Such operational coverage is typically for periods of one-half (1/2) hour to one and one-half (1-1/2) hours each weekend day of holiday. Standby duty for nights, weekends and holidays is rotated among the employees of the Department.
 - C. Wastewater Department. Department Head, laboratory technician and operators work a 9/80 work schedule, Monday through Thursday for nine and one-half (9-1/2) hours (including 1/2 hours off for meal period) and eight and one-half (8-1/2) hours (including 1/2 hours off for meal period) on Friday with the following Friday off. One-half (1/2) of department employees are off each Friday within a given two (2) week pay period. An on-call operator from the

department is required to work four (4) hours on Saturday and four (4) hours on Sunday while on Standby duty. Standby duty for nights, weekends and holidays is rotated among operators of the Department.

- 2.3 **Rest Periods:** Each employee shall be entitled to two ten (10) minute rest periods per day; one before and one after the meal period at times scheduled by department supervision.
- 2.4 **Emergency Response:** In the event of a declared emergency, the General Manager or his/her designee shall have the authority to suspend all leave and cause all employees to return to duty.

ARTICLE 3
FRINGE BENEFITS

Full-time employees of the District are entitled to the fringe benefits set forth in this Article 3. Regular part-time employees shall receive fringe benefits as indicated by individual items. A temporary employee shall be entitled to such fringe benefits as approved by the Manager for his/her temporary employment.

3.1 **Holidays:** The following are paid holidays observed by this District:

New Years Day	Martin Luther King Day	Washington's Birthday
Memorial Day	Independence Day	Labor Day
Columbus Day	Veterans Day	Thanksgiving Day
Day After Thanksgiving	Christmas Day	

12 * 8 = 96

In lieu of Lincoln's Birthday, Admissions Day and the half day for Christmas Eve/New Year's Eve, twenty (20) hours of compensatory time shall be provided each employee employed by the District on July 1, of each year provided the employee was employed by the District on, or before the previous January 1.

Other holiday provisions are:

- A. No employee, except an employee on paid leave will be eligible for regular holiday pay unless he or she shall have worked the regularly scheduled shift preceding and following the designated holiday.
- B. Unless otherwise provided in this Article, when a holiday listed herein falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day listed, and when a holiday falls on a Saturday the preceding Friday shall be deemed to be the holiday in lieu of the day listed.

- C. Employees required to work on a holiday listed in this Article shall receive both the normal holiday pay plus straight time pay for the hours actually worked on the holiday. The exception to this is the case of an employee working on a rotating shift coverage who receives other scheduled time off in lieu of the hours worked on the holiday.
- D. Regular part-time employees shall receive holiday pay on a pro rata basis according to hours worked. This does not apply to temporary employees.

3.2 **Vacation:** The District's vacation policy is as follows:

- A. Every full-time employee shall earn paid vacation at the prescribed rate under Section 3.2 as part of his/her compensation. Employees shall also earn vacation credit during any paid leave. Regular, non temporary, part-time employees accrue vacation time on a pro rata basis according to the percentage of full-time work assigned the position. The amount of paid vacation is earned at the following rate:
 - ◆ 1 through 4 years (0 through 59 months); 0.83 work days per month (10 days per year)
 - ◆ 5 through 9 years (60 through 119 months); 1.25 work days per month (15 days per year)
 - ◆ 10 through 14 years (120 through 179 months); 1.67 work days per month (20 days per year)
 - ◆ 15 years or more (180 or more months); 2.08 work days per month (25 days per year)
- B. Vacation earned is accrued to the employee's account monthly.
- C. Employees designated as executive, administrative, managerial, supervisory or professional may be entitled to additional days of vacation as provided by specific Board action.
- D. During initial probationary period (not promotional probation) a full-time employee will accrue vacation time to his/her account at the rate of 0.83 work days per months, but may not make use of the accrued vacation time until probation has been satisfactorily completed. An exception to this limitation may be made by the Manager if he determines that it is warranted due to an employee's hardship need for use of the paid time off.
- E. On June 30 of each year an employee shall have on accrual no more than the number of vacation days he/she is entitled to earn in two years of employment. If an employee's accrued vacation time exceeds such accrual limitation on June 30, the employee shall promptly be paid cash

for the number of excess unused vacation days. An exception to the number of days carried over may be made at the discretion of the Manager.

- F. An employee's proposed vacation schedule must be recommended by the employee's Department Head and approved by the Manager in order to assure it does not unduly interfere with District operations.
- G. Vacation cannot be taken before it is earned.
- H. An employee who has accrued vacation time will be entitled to cash payment for unused vacation leave upon separation from District service. Payment will be at the employee's then current salary rate.

3.3 Sick Leave: The District's sick leave policy is as follows:

- A. Each full-time employee will earn sick leave from the date of employment, at the rate of one work day per month (12 days per year). Regular part-time employees shall receive sick leave pay on a pro rata basis according to hours worked. This does not apply to temporary employees. Unused sick leave may be accumulated without limit.
- B. Sick leave may be used for such things as: personal illness or injury; required attendance of an employee upon a sick or injured spouse, child or other immediate family member residing with the employee; medical or dental appointments.
- C. Upon termination of a full-time or regular part-time employee, he/she will be paid for 50% of accumulated but unused sick leave, up to a maximum of 90 accumulated days. Therefore, the maximum that will be paid is 50% of 90 = 45 days.
- D. Employees may voluntarily transfer up to forty (40) hours of unused sick leave per fiscal year in one (1) hour increments to a "sick leave bank" under the conditions established herein. The sick leave transfer shall be on an hour for hour basis and subject to the following conditions:
 - 1. The employee donating the sick leave must have a minimum of eighty (80) hours of accrued sick leave available after the donation. No transfers of sick leave shall be allowed when the donating employee is terminated, separated or retires from the District within nine (9) months after the donation. All transfers to the "sick leave bank" shall be non-reversible and donations shall be processed on the District's Personnel Action Form in the same manner as any other leave request.

2. Employees eligible to receive sick leave hours from the "sick leave bank" must have been employed by the District for a minimum of eighteen (18) months, have exhausted all paid leave and are suffering from a long term illness or injury that will result in the loss of work for a period of at least twenty consecutive (20) working days. These "sick leave bank" provisions shall extend to the required attendance of an employee for the care of a spouse, child or other immediate family member residing with the employee. The General Manager shall review, approve, modify or deny requests for use of the "sick leave bank" based on the employee request and the criteria established in this Section.
 3. Employees utilizing the "sick leave bank" may integrate these benefits with the provisions of Section 3.8 of this Payment and Compensation Plan for State Disability Insurance, as well as, Worker's Compensation, provided however, that the total compensation from these sources combined shall not exceed the employees base salary.
 4. The District reserves the right to request additional information on the nature of the injury or illness and/or require verification from a medical doctor regarding the diagnosis prior to making an eligibility determination.
 5. The maximum sick leave available for use by an eligible employee during any twelve (12) month period shall be the lesser of 1056 hours or the amount of sick leave available in the "sick leave bank". Allocation of hours from the "sick leave bank" shall commence on the date that all other leave of the requesting employee is exhausted. Subsequent eligibility by additional employees for use of the "sick leave bank" shall result in the concurrent use of available hours in the "sick leave bank".
- E. A sick leave incentive plan shall be established effective January 1, 1997 which will provide for the conversion of twenty four (24) hours of sick leave to vacation or pay if no sick leave is used by an employee during the calendar year. The employee must request the conversion during the month of January for the previous calendar year. Failure to request the conversion during January will result in ineligibility for conversion for the previous calendar year. All requests for conversion are non-reversible and shall require prior approval by the General Manager.

3.4 Administrative Leave: District Administrative Leave Policy is as follows:

- A. Each employee shall be eligible for a temporary leave of absence without loss of salary, upon the death of any member of the immediate family.

Such leave will be no longer than five (5) days. "Member(s) of Immediate Family" as used for Bereavement Leave only shall mean mother, father, husband, wife, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, guardian with whom employee has lived. The definition includes "In-Law" relationships in each case, and "Step" relationships in the case of parents and children.

- B. Unpaid maternity leave is available to full-time tenured employees in conformance with federal and state law.
- C. Unpaid leave for illness or injury is available to full-time tenured employees for periods beyond that covered by an employee's accumulated sick leave. Such unpaid leave shall not exceed six (6) months.
- D. For full-time tenured employees the Manager may authorize up to ninety (90) calendar days of unpaid leave of absence upon determination that special circumstances warrant approval of such leave.
- E. During such authorized unpaid leave of absence as provided for in this Section 3.4 the employee's insurance benefits may be continued provided that the employee makes written commitment to return to active service with the District by the end of the authorized leave of absence and the employee makes prior payment of all insurance premiums due during the leave of absence.
- F. If an employee does not return to active duty with the District by the end of the authorized unpaid leave of absence then the employee will be considered as terminated from employment with the District.
- G. Effective July 1, 2000 each Office Unit Employee with at least one (1) year of service with the District shall be credited with sixteen (16) hours of Administrative Leave annually. Administrative Leave shall be credited in July of each year.
- H. Five (5) days of Administrative Leave shall be provided each Management and Confidential Employee annually. Unused Administrative Leave shall be paid off in June of each year.
- I. Other provisions of Administrative Leave policies are delineated in Article 15 of the District's Personnel Policies, Procedures and Rules.

3.5 Health Insurance:

- A. For all regular employees working half time or more the District pays 100% of the premium for each employee's health insurance and 80% of the premium for each employee's dependents health insurance. This does not apply to temporary employees. Currently the health insurance is provided through the Public Employees Retirement System (P.E.R.S.) by P.E.R.S. Care Health Plan or by a P.E.R.S. HMO Plan selected by an employee. As provided by P.E.R.S. regulations, the same District premium payments apply to retirees and their dependents as applies to active employees and their dependents.
- B. In the event that legislation is passed allowing for local P.E.R.S. agencies to reduce contributions for retiree health insurance coverage, all employees retiring after the effective date of such legislation shall be provided health insurance coverage at the same ratio as current employees. Employees retiring prior to such legislation shall have insurance coverage as currently provided.
- C. Permanent employees after completion of their probationary period shall be eligible for the Health Care Reimbursement Program. Management and Confidential Employees shall receive a credit of \$450 for eligible costs incurred beginning January 1st of each calendar year. Eligible employees shall receive a credit of \$300 for eligible costs. Such credit can be used for the following health care related reimbursements for employee and/or dependents: eye examinations, eye glasses, counseling, health insurance co-payments, physical exams, approved physical fitness programs, approved smoking cessation programs and other health care related programs approved by the General Manager. Specific uses ineligible for reimbursement include: dependent premium payments, and cost associated with non-covered services under the District's Health Plan, except as provided above.

Employees incurring eligible cost must submit a claim for payment to the Administrative Services Manager by December 31st of the year the eligible costs were incurred. No portion of the credit can be carried over from one year to the next.

- 3.6 Dental Insurance: Dental Insurance policy will be provided for all regular employees working half time or more and his/her dependents, with District paying up \$40.00 per month. Any balance of premium due will be paid by the employee, by payroll deduction.

- 3.7 **Life Insurance:** A Group Life Insurance Plan will be provided for all regular employees working half time or more with a \$25,000 life insurance policy for each full time employee, a \$1000 policy for each employee's spouse, and a \$1000 policy for each employee dependent under the age of 21. The District will pay the full monthly premium for each unit member, spouse and dependent children.
- 3.8 **State Disability Insurance:** The District shall provide for the integration of S.D.I. benefits with sick leave or vacation time on a pro rata basis. This procedure shall not allow the employee to receive more than he/she would have received if the employee were on duty, but shall allow the employee to receive a full salary for as long as his/her sick leave/vacation reserves allow through integration.
- 3.9 **Other Insurance Coverage:** The District currently allows an insurance company (Colonial Life and Accident Insurance Company) to provide varieties of supplemental insurance coverage to District employees at the option of each employee, with 100% of the premium paid by the employee (no premiums paid by the District). The District cooperates with this program by making payroll deduction for payment of employee premiums to the insurance company at the request of each employee. The District reserves the right to continue to cooperate or not with such voluntary employee-insurance company supplemental insurance program.
- 3.10 **Retirement:** The District provides a Retirement Program for all permanent employees working half-time or more. The Retirement Program may be provided through contract with the California Public Employees Retirement System (P.E.R.S.), as is currently provided and may be integrated with Federal Social Security Program, as is currently provided. The District pays both the District's share and 100% of the employee's share of regular payments into P.E.R.S. Effective January 1, 1997 the current P.E.R.S. Retirement Plan shall be modified per Section 21354 to provide the 2% at 55 modified formula for all other employees. Effective July 1, 2000, the current PERS Retirement Plan shall be modified per Section 21024 to provide employees the opportunity to purchase (at the sole cost of the employees) Military Service Credit. The employee's Social Security contribution is paid 100% by the employee, by payroll deduction, and the employer's contribution is paid 100% by the District.
- 3.11 **Domestic Partner:** Effective July 1, 2000, domestic partners (as defined by Family Code Section 297 and registered with the State of California) shall be included as dependents and eligible for the specific benefits described in Sections 3.4 (A), 3.5, 3.6 and 3.7.

By extending to an employee the specific benefits defined in this Article, the District does not intend to confer or imply any other unspecified benefits to such employee, or to the employee's domestic partner.

ARTICLE 4
WAGES AND SALARIES

- 4.1 **Salary Ranges:** Except for the Manager, whose salary is separately determined by the Board under terms of his contract, all full-time employees are placed upon a five-step salary range. The salary range as set forth for each position is divided into five (5) steps which shall be applied as follows. The ranges usually reflect approximately 5% between steps in the range. A schedule of salary ranges, effective July 1, 2000 through June 30, 2003, is attached hereto, and is hereby adopted as part of this Payment and Compensation Plan. Management and confidential employee salary adjustments are subject to satisfactory performance as determined by the General Manager.
- A. Normally a newly appointed employee is placed upon the "A" step (bottom step) of his/her salary range. However, upon determination of the Manager that the needs of the District service and the qualifications of the newly appointed employee warrant such placement, the employee may be started on any step of the salary range.
1. Step increases. Progression from one step of the salary range to the next shall be based upon a satisfactory written employee evaluation of the employee's performance by his/her Department Head, who shall make such recommendation to the Manager for concurrence. Progression from "A" step to "B" step will normally be at the satisfactory completion of the 6 month probationary period. If the probationary period is extended the initial step increase from "A" to "B" step will not be granted until the satisfactory completion of the extended probationary period. All other step increases ("B" to "C" step, and above) will be at one year intervals between steps, but only upon satisfactory performance review and merit increase recommendation by the employee's Department Head to the Manager, and the Manager's concurrence. (Note that a probationer who was initially appointed above the "A" step may satisfactorily complete probation in 6 months, but will not be eligible for merit step increase until one year from initial employment unless the General Manager determines that outstanding performance during probation warrants a merit increase at the completion of probation.)
 2. Positions are assigned to ranges provided as Exhibits "A", "B", "C" and "D" attached.
- 4.2 **Incentive Pay:** The Board, upon recommendation of the Manager, may approve incentive payments of up to 7.5% in excess of current salary paid to an employee. This payment is subject to the following:

- A. The employee continues in the salary range and step assignments as regularly provided for his/her position, with the approved incentive pay being added.
- B. The approved incentive pay shall not be effective for longer than one year without additional Board review and approval.
- C. To be eligible for this consideration an employee must have worked at least 2 years for the District.
- D. The incentive payments may be anything less than or equal to the maximum 7.5% increase.
- E. It is understood that this incentive payment is for continued exceptional service to the District and will not be conferred lightly.

4.3 **Promotional Advances:** Whenever a full-time employee is promoted to a higher position in the District's service he/she will be placed on a step in the salary range of the new position which will approximately result in at least a 5% increase in compared to the employee's existing pay range. If the top of the new position's salary range ("E" step) does not allow such 5% improvement, then the promotion shall be made to the "E" step of the promotional position's range.

4.4 **Working Out of Position:** Employees directed by their supervisor and assigned to work in a higher salary range position for twenty-four (24) consecutive work hours, or more in any pay period shall be paid for the entire pay period they are required to work out of classification at step "A" on the salary range of the classification worked, or on that step which will give them a one step increment increase over their regular rate of pay, whichever is greater.

4.5 **Pay Period:** Paydays shall be bi-weekly on alternate Fridays. If a payday falls on a holiday, checks will be issued the last workday prior to the normal payday.

4.6 **Overtime:** In addition to their regular time bi-weekly paycheck, which may include holiday, administrative leave, sick leave and/or vacation pay, non-exempt employees will receive pay for overtime at the rate of one and one-half (1-1/2) times the regular hourly rate. Overtime is defined as time worked in excess of eight (8) hours per day or forty (40) hours per week, except when the normal daily shift time for an employee working on a shift schedule exceeds eight (8) hours per day but is considered the equivalent to a forty (40) hour work week. Work on special call-back, after normal work scheduled hours or on Saturdays, Sundays or holidays, is not considered as time-and-one-half overtime unless it results in excess of forty (40) hours in a work week (or equivalent shift schedule). Holidays, sick leave, administrative leave, vacation, CTO, jury duty and bereavement leave shall be considered time worked in determining overtime.

If an employee works on a holiday, without exceeding the normal forty (40) hour work week or equivalent shift schedule, he/she will be paid both the holiday pay, plus straight time for the number of hours actually worked.

Authorization for overtime work must be given, in advance, by the Department Head, if the need for such overtime work can be anticipated during normal working hours. During evenings and weekends, the employee on stand-by duty is authorized to perform essential emergency work and to approve the overtime hours of one additional employee to assist when necessary. If more than one additional employee is needed to assist, the approval must be obtained from a supervisor or manager.

4.7 **Compensatory Time:** All compensatory time earned shall be paid off in June of each year unless State or Federal regulations indicate differently, or the General Manager authorizes a carry-over amount not to exceed forty (40) hours upon request of an employee.

4.8 **Standby:** Certain employees will be required to be on standby for rapid response to District operational problems or emergencies after hours, weekends or holidays. Such standby duty will normally be rotated among employees in a department, as determined by the Department Head. Standby duty for the Maintenance & Operations Unit is normally assigned for one week at a time, thus requiring standby outside of duty hours on five (5) weekdays plus standby on two (2) weekend days. For each day's standby assignment an employee in this Unit will be paid \$25.00 per day or \$175.00 per week of standby status. This is in addition to the employee's pay for regular duty work schedule and is also in addition to any overtime actually worked. Thus, if an employee on standby must respond to a problem which results in time actually worked in excess of a forty (40) hour week, the standby employee will be paid for the time actually worked at one and one-half the times the regular rate.

An employee on standby status will not be covered by the two (2) hours minimum provisions of Section 4.9; After-Hours-Call-Back. However, employees in the Fire Service Unit shall be paid a minimum of one (1) hour.

An employee on standby duty will be required to wear a pager and remain in the local area where the pager is active. The standby employee may pursue any personal activity which leaves him/her available to promptly respond to paged calls for response to operational problems or emergencies.

4.9 **After Hours Call-Back:** Each non-exempt employee, except an employee on standby duty, who responds to a call-back after leaving from normal work schedule, shall be compensated for a minimum of two (2) hours for each response. If the time worked on call back qualifies as overtime, then the hours worked will be compensated at one-and-one-half times the regular rate. This call-back section applies to call-back on regular work days or on weekends and holidays.

4.10 **Meal Provision During Emergencies:** Whenever a major emergency results in employees being required to remain at an emergency work site for a long extended period of time, the District will normally provide appropriate meals and beverage (coffee, etc.) at the work site. If this is not possible, then the District will reimburse the employees effected the following meal allowance rates: Breakfast \$6.00, Lunch \$8.00, and Dinner \$14.00.

4.11 **Other Allowances:**

A. **Operations and Maintenance Unit**

1. The District shall provide employees in the Operations and Maintenance Unit a boot or safety shoe allowance \$125 per year. This allowance shall be paid in single payment in July of each year upon presentation of receipt for boots or safety shoes.
2. Employees in the Operations and Maintenance Unit shall receive an clothing allowance of \$250 payable in July.

4.12 **Travel Allowances:** The Travel Policy attached as Exhibit "E" shall be the official policy of the District.

ARTICLE 5

OTHER POLICIES/PROVISIONS

5.1 **Sexual Harassment Policy:** The Sexual Harassment Policy provided as Exhibit "F" shall be the policy of the District effective July 1, 1996.

5.2 **Video Display Terminal (VDT) Use:**

District shall provide special equipment, including special eyeglasses, training on the health hazards of VDT use and such other materials and equipment upon request of an employee in the Office Unit and approval by the General Manager. The cost of such equipment and other materials may be apportioned if it is used both on and off the job. Office Unit employees shall be allowed periodic breaks as approved by their supervisor when working continuously on a VDT. The District will make a concerted effort to reduce or eliminate noise from office equipment within office space and budget limitations.

5.3 **Substance Abuse and Drug-Free Workplace Policy:** The Substance Abuse Policy with Rehabilitation for Safety-Sensitive Positions and Drug-Free Workplace Policy provided as Exhibit "G" shall be the policy of the District.

EXHIBIT "A"
CAMBRIA COMMUNITY SERVICES DISTRICT
REGULAR EMPLOYEES
EFFECTIVE JULY 1, 2000

POSITION TITLE	A	B	C	D	E
ACCOUNT TECHNICIAN	2,393	2,513	2,639	2,771	2,909
BOOKKEEPER	2,274	2,388	2,508	2,633	2,765
ACCT CLERK-BILLING	2,166	2,274	2,388	2,507	2,633
CLERICAL ASST	1,917	2,013	2,113	2,219	2,330
SR CLERICAL ASST	2,116	2,221	2,332	2,449	2,572
WATER TREATMENT OPER I	2,176	2,285	2,399	2,519	2,645
WATER TREATMENT OPER II	2,465	2,588	2,717	2,853	2,996
RESOURCE CONSER OFFICER	2,465	2,588	2,717	2,853	2,996
WASTEWATER OPER I	2,417	2,538	2,664	2,798	2,938
WASTEWATER OPER II	2,666	2,799	2,939	3,086	3,241
LAB TECHNICIAN	2,666	2,799	2,939	3,086	3,241
MAINT GROUNDSKEEPER	1,870	1,963	2,061	2,164	2,273
SR MAINT GROUNDSKEEPER	2,063	2,166	2,275	2,389	2,508
COLLECTION SYS SUPV	2,802	2,942	3,089	3,243	3,406
COLLECTION SYS WORKER	2,187	2,296	2,411	2,532	2,658
SR WASTEWATER OPER	2,944	3,091	3,245	3,408	3,578
OPER IN TRAINING	2,073	2,177	2,286	2,400	2,520
SR WATER TREATMENT OPER	2,788	2,928	3,074	3,228	3,389
SR DESAL PLANT OPERATOR	2,855	2,998	3,148	3,305	3,470

MANAGEMENT & CONFIDENTIAL
EFFECTIVE JULY 1, 2000

POSITION TITLE	A	B	C	D	E
GENERAL MANAGER	DETERMINED BY BOARD OF DIRECTORS				
DISTRICT ENGINEER	5,270	5,534	5,810	6,101	6,406
FIRE CHIEF	5,150	5,408	5,678	5,962	6,260
ADMIN SERVICES MGR	4,326	4,542	4,769	5,007	5,258
UTILITIES MANAGER	4,326	4,542	4,769	5,007	5,258
WASTEWATER SUPER	3,766	3,955	4,152	4,360	4,578
WATER SUPERINTENDENT	3,482	3,657	3,839	4,031	4,233
EXEC ASST/DIST CLERK	3,218	3,379	3,548	3,725	3,911

EXHIBIT "B"
CAMBRIA COMMUNITY SERVICES DISTRICT
REGULAR EMPLOYEES
EFFECTIVE JANUARY 1, 2001

POSITION TITLE	A	B	C	D	E
ACCOUNT TECHNICIAN	2,453	2,576	2,705	2,840	2,982
BOOKKEEPER	2,331	2,448	2,570	2,699	2,834
ACCT CLERK-BILLING	2,220	2,331	2,448	2,570	2,698
CLERICAL ASST	1,965	2,063	2,166	2,274	2,388
SR CLERICAL ASST	2,168	2,277	2,391	2,510	2,636
WATER TREATMENT OPER I	2,242	2,354	2,471	2,595	2,725
WATER TREATMENT OPER II	2,539	2,666	2,799	2,939	3,086
RESOURCE CONSER OFFICER	2,539	2,666	2,799	2,939	3,086
WASTEWATER OPER I	2,501	2,626	2,758	2,896	3,040
WASTEWATER OPER II	2,759	2,897	3,042	3,194	3,354
LAB TECHNICIAN	2,759	2,897	3,042	3,194	3,354
MAINT GROUNDSKEEPER	1,916	2,012	2,113	2,218	2,329
SR MAINT GROUNDSKEEPER	2,115	2,221	2,332	2,448	2,571
COLLECTION SYS SUPV	2,900	3,045	3,197	3,357	3,525
COLLECTION SYS WORKER	2,263	2,377	2,496	2,620	2,751
SR WASTEWATER OPER	3,047	3,199	3,359	3,527	3,703
OPER IN TRAINING	2,136	2,242	2,354	2,472	2,596
SR WATER TREATMENT OPER	2,872	3,015	3,166	3,325	3,491
SR DESAL PLANT OPERATOR	2,941	3,088	3,242	3,404	3,575

MANAGEMENT & CONFIDENTIAL
EFFECTIVE JANUARY 1, 2001

POSITION TITLE	A	B	C	D	E
GENERAL MANAGER	DETERMINED BY BOARD OF DIRECTORS				
DISTRICT ENGINEER	5,270	5,534	5,810	6,101	6,406
FIRE CHIEF	5,150	5,408	5,678	5,962	6,260
ADMIN SERVICES MGR	4,434	4,655	4,888	5,132	5,389
UTILITIES MANAGER	4,434	4,655	4,888	5,132	5,389
WASTEWATER SUPER	3,898	4,093	4,298	4,513	4,738
WATER SUPERINTENDENT	3,587	3,766	3,955	4,152	4,360
EXEC ASST/DIST CLERK	3,218	3,379	3,548	3,725	3,911

EXHIBIT "C"
CAMBRIA COMMUNITY SERVICES DISTRICT
REGULAR EMPLOYEES
EFFECTIVE JULY 1, 2001

POSITION TITLE	A	B	C	D	E
ACCOUNT TECHNICIAN	2,527	2,653	2,786	2,925	3,071
BOOKKEEPER	2,401	2,521	2,647	2,780	2,919
ACCT CLERK-BILLING	2,287	2,401	2,521	2,647	2,779
CLERICAL ASST	2,024	2,125	2,231	2,343	2,460
SR CLERICAL ASST	2,234	2,345	2,462	2,586	2,715
WATER TREATMENT OPER I	2,309	2,424	2,546	2,673	2,807
WATER TREATMENT OPER II	2,615	2,746	2,883	3,027	3,178
RESOURCE CONSER OFFICER	2,615	2,746	2,883	3,027	3,178
WASTEWATER OPER I	2,576	2,705	2,840	2,982	3,132
WASTEWATER OPER II	2,842	2,984	3,134	3,290	3,455
LAB TECHNICIAN	2,842	2,984	3,134	3,290	3,455
MAINT GROUNDSKEEPER	1,974	2,073	2,176	2,285	2,399
SR MAINT GROUNDSKEEPER	2,178	2,287	2,402	2,522	2,648
COLLECTION SYS SUPV	2,987	3,136	3,293	3,458	3,630
COLLECTION SYS WORKER	2,331	2,448	2,570	2,699	2,834
SR WASTEWATER OPER	3,138	3,295	3,460	3,633	3,814
OPER IN TRAINING	2,200	2,310	2,425	2,546	2,674
SR WATER TREATMENT OPER	2,958	3,106	3,261	3,424	3,595
SR DESAL PLANT OPERATOR	3,029	3,180	3,340	3,506	3,682

MANAGEMENT & CONFIDENTIAL
EFFECTIVE JULY 1, 2001

POSITION TITLE	A	B	C	D	E
GENERAL MANAGER	DETERMINED BY BOARD OF DIRECTORS				
DISTRICT ENGINEER	5,428	5,700	5,984	6,284	6,598
FIRE CHIEF	5,305	5,570	5,848	6,141	6,448
ADMIN SERVICES MGR	4,567	4,795	5,035	5,286	5,551
UTILITIES MANAGER	4,567	4,795	5,035	5,286	5,551
WASTEWATER SUPER	4,015	4,216	4,427	4,648	4,880
WATER SUPERINTENDENT	3,695	3,879	4,073	4,277	4,491
EXEC ASST/DIST CLERK	3,315	3,480	3,654	3,837	4,029

EXHIBIT "D"
CAMBRIA COMMUNITY SERVICES DISTRICT
REGULAR EMPLOYEES
EFFECTIVE JULY 1, 2002

POSITION TITLE	A	B	C	D	E
ACCOUNT TECHNICIAN	2,603	2,733	2,869	3,013	3,163
BOOKKEEPER	2,473	2,597	2,727	2,863	3,006
ACCT CLERK-BILLING	2,355	2,473	2,597	2,726	2,863
CLERICAL ASST	2,084	2,189	2,298	2,413	2,534
SR CLERICAL ASST	2,301	2,416	2,536	2,663	2,796
WATER TREATMENT OPER I	2,378	2,497	2,622	2,753	2,891
WATER TREATMENT OPER II	2,693	2,828	2,969	3,118	3,274
RESOURCE CONSER OFFICER	2,693	2,828	2,969	3,118	3,274
WASTEWATER OPER I	2,654	2,786	2,926	3,072	3,226
WASTEWATER OPER II	2,928	3,074	3,228	3,389	3,558
LAB TECHNICIAN	2,928	3,074	3,228	3,389	3,558
MAINT GROUNDSKEEPER	2,033	2,135	2,241	2,354	2,471
SR MAINT GROUNDSKEEPER	2,244	2,356	2,474	2,597	2,727
COLLECTION SYS SUPV	3,076	3,230	3,392	3,561	3,739
COLLECTION SYS WORKER	2,401	2,521	2,647	2,780	2,919
SR WASTEWATER OPER	3,232	3,394	3,563	3,742	3,929
OPER IN TRAINING	2,266	2,379	2,498	2,623	2,754
SR WATER TREATMENT OPER	3,047	3,199	3,359	3,527	3,703
SR DESAL PLANT OPERATOR	3,120	3,276	3,440	3,612	3,792

MANAGEMENT & CONFIDENTIAL
EFFECTIVE JULY 1, 2002

POSITION TITLE	A	B	C	D	E
GENERAL MANAGER	DETERMINED BY BOARD OF DIRECTORS				
DISTRICT ENGINEER	5,591	5,870	6,164	6,472	6,796
FIRE CHIEF	5,464	5,737	6,024	6,325	6,641
ADMIN SERVICES MGR	4,704	4,939	5,186	5,445	5,717
UTILITIES-MANAGER	4,704	4,939	5,186	5,445	5,717
WASTEWATER SUPER	4,136	4,342	4,559	4,787	5,027
WATER SUPERINTENDENT	3,805	3,996	4,195	4,405	4,625
EXEC ASST/DIST CLERK	3,414	3,585	3,764	3,952	4,150

In April of 2002, the CCSD Board of Directors approved changes in the management compensation plan for the existing positions of District Engineer, Fire Chief and Utilities Manager, and for the new positions of Assistant General Manager and Finance Officer. With the adoption of the FY 2002-03 budget, these changes became effective. The following summarizes the approved monthly base salary ranges for these positions.

Assistant General Manager:	5771 - 6075 - 6394 - 6730 - 7085
District Engineer:	5771 - 6075 - 6394 - 6730 - 7085
Fire Chief:	5430 - 5716 - 6017 - 6333 - 6777
Utilities Manager	5430 - 5716 - 6017 - 6333 - 6777

Please see that these monthly rates are applied to the affected individuals' salaries at the appropriate salary step effective July 1, 2002.

Need?
 Exec. Asst

**ADOPTED BY MINUTE ORDER, OCTOBER 26, 1992
CAMBRIA COMMUNITY SERVICES DISTRICT
TRAVEL POLICY
EXHIBIT "E"**

Statement of General Policy

- A. It is the policy of the Board of Directors to limit travel for only those purposes which enhance the efficient and effective operation of the District. Employees traveling on District business shall do so by the most economical means available.
- B. Authority to travel and reimbursements for incurred costs of travel including meals, transportation, registration, lodging, parking and other such direct costs shall be in accordance with policies and procedures contained in this policy.

Travel Authorization

- A. A completed travel request form shall be submitted for all employee out-of-District travel requiring overnight accommodations. Department heads may authorize travel for their respective employees in cases involving in-County travel and out-of-County travel not requiring overnight accommodations.
- B. A completed travel request form shall be submitted to the General Manager as far in advance as possible of the anticipated date of travel, but in no case less than ten (10) days prior to the anticipated travel. All travel requests shall be approved by the employee's department head or other authorized personnel.
- C. The General Manager may approve, deny or modify the proposed travel request.
- D. If an emergency condition exists requiring the authorization of travel, a department head shall immediately notify the General Manager. If the General Manager or other authorized personnel is not available to authorize travel, the department head may authorize such travel provided notification is given to the General Manager on the next available workday.
- E. If a travel request is approved and for some reason the travel arrangements are canceled, the Department Head should state the reason on the approved travel request and return one copy to the General Manager and one copy to the Finance Officer.

Travel Reimbursement

- A. Unless otherwise specifically stated or provided by law, mileage reimbursement for authorized travel where an employee uses his or her own vehicle shall be at the rate of thirty-one cents (\$0.31) per mile, or current IRS rate whichever is higher.
- B. Out-of-District travel involving overnight lodging shall be reimbursed at actual lodging costs. To be eligible for the lodging reimbursement, the employee must be authorized to travel to the designated area and must furnish a commercial lodging receipt for the day(s) of travel which indicated the location of the lodging.
- C. Meal reimbursement shall be for actual and reasonable costs provided detailed receipts are submitted, or at the following rates:
 - 1. Breakfast, six dollars (\$6.00);
 - 2. Lunch, eight dollars (\$8.00);
 - 3. Dinner, fourteen dollars (\$14.00);
 - 4. Daily rate, twenty-eight dollars (\$28.00).

In order to be eligible for breakfast reimbursement on the first day of travel, an employee must leave at least two hours before their regular work time. In order to be eligible for dinner reimbursement on the last day of travel, an employee must arrive at their work site or home at least two hours after their regular work time. Meals included as part of the conference registration, lodging accommodations, or otherwise provided by a third party are not reimbursable.

- D. The following items shall not be eligible for Travel Reimbursement:
 - 1. Alcohol that is not a part of a meal.
 - 2. In-room services not covered under general room rate (i.e. laundry & dry cleaning services, liquor bar, snacks, video and premium television services, etc.).
 - 3. Sport/fitness facilities fees not covered by room rate.
 - 4. Such other costs as determined by the General Manager not directly relating to the purpose of the travel.

Travel Advance

- A. Employees requesting an advance for travel shall fill in and sign the appropriate sections of the travel request form. Employees requesting a travel advance must submit the travel request form and the request for travel advance at least ten (10) days prior to the anticipated travel.

- B. Travel advance requests may include advance payment for registration, lodging, meals, and/or transportation and shall not be less than fifty dollars (\$50.00).
- C. Employees requesting a travel advance may be reimbursed up to one hundred percent (100%) of the allowable costs associated with the travel as approved by the General Manager. However, employees requesting a travel advance must file a claim reconciling the actual travel expenses with the Finance Officer within fifteen (15) days of their return from the trip. Failure by an employee to submit a claim for travel in a timely manner shall result in the District deducting the amount of the advance from the employee's next payroll check.

Reimbursement for Authorized Courses

- A. Employees enrolled in accredited classes or courses which are of benefit to the employees' position with the District may be entitled to reimbursement of the cost of tuition and instructional materials.
- B. An employee must make a written request to the General Manager which includes the following: A course outline or description; an itemized listing of costs, including receipts; and proof of successful completion of the class, or course.
- C. The General Manager may approve, deny or modify the request based on the information provided.
- D. No reimbursement shall be made under this section for employee salary and benefits, travel time or transportation costs, meals and any other costs not identified in item "A" above.

EMPLOYEE TRAVEL REQUEST

All requests for travel shall be submitted to the General Manager's Office as far in advance of the intended travel date as possible. Such requests shall be at least ten (10) days in advance of the trip, unless an emergency exists.

Name of Department _____ Date _____

Request for travel on official business is hereby made for [name(s) and title(s)]: _____

Describe purpose of trip (attach program description if applicable): _____

Travel time will start at _____ a.m./p.m. on _____ and end at _____ a.m./p.m. on _____

Destination _____

Justification for trip _____

Transportation & Travel Expenses (Check all appropriate boxes and indicate cost for each category)

Vehicle Travel: <input type="checkbox"/> District Vehicle <input type="checkbox"/> Private Vehicle _____ miles Employees will be taking separate vehicles <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA		_____ Total Cost
Public Carrier: <input type="checkbox"/> Airplane <input type="checkbox"/> Bus <input type="checkbox"/> Train		_____ Total Cost
Lodging*: Name of Hotel/Motel _____ # of Nights Lodging _____ # People in Rm _____		_____ Total Cost
Meal Expenses: <input type="checkbox"/> Per Diem <input type="checkbox"/> Estimated Actual Cost _____ # of Meals _____		_____ Total Cost
Registration*: Payable to and Deadline Date _____		_____ Total Cost
Other Costs (i.e. cab fare, tolls, etc.) _____ (Specify)		_____ Total Cost
GRAND TOTAL		_____

I hereby request a Travel Advance of \$ _____
 _____ Employee Signature
 \$ _____
 _____ Employee Signature

I hereby recommend approval of the Travel Request and certify that there is an unexpended budget appropriation of \$ _____ to cover the cost of this trip and that the travel will be a benefit to the District.

Signature (Dept. Head or Authorized Personnel) _____ Title _____ Date _____

GENERAL MANAGER
 Approved as requested Approved, but modified as follows: _____
 _____ Disapproved for the following reason(s): _____

Signature _____ Date _____

* Include Registration Form, Address & Deadline Date, if applicable
 White-Administration Yellow-Employee Pink-Originating Department

ADOPTED BY RESOLUTION 24-96, JUNE 24, 1996

EXHIBIT "F"

CAMBRIA COMMUNITY SERVICES DISTRICT
SEXUAL HARASSMENT POLICY

Purpose. It is legally mandated by State and Federal laws that employees have a right to work in an environment that is free from all forms of discrimination, including sexual harassment. Sexual harassment is a form of discrimination that is prohibited by Title VII of the Civil Rights Act of 1964 and California Government Code Section 12940. Sexual harassment is a costly form of discrimination that can result in expensive litigation that may result in back pay or punitive damage awards, withdrawal of Federal support funds and/or other adverse actions. District employees have a grave responsibility for maintaining high standards of honesty, integrity, impartiality and conduct to assure proper performance of the District's business and the maintenance of confidence of the people it serves. It is, therefore, the policy of the Cambria Community Services District that sexual harassment is unacceptable and will not be tolerated.

Definition. Sexual harassment is generally defined as unsolicited and unwelcomed sexual advances of a severe and/or pervasive nature, be they written, verbal, physical and/or visual, that usually occur when:

1. Submission to that conduct or communication is made either explicitly or implicitly a term or condition of employment;
2. Submission to or rejection of that conduct or communication by an employee is used as a basis for employment decisions affecting the employee; or,
3. Such conduct or communication has the potential to affect an employee's work performance negatively and/or create an intimidating, hostile or otherwise offensive work environment.
4. Such conduct, whether blatant or subtle, that discriminates against a person solely because of that person's sex.

Definition Examples. Sexual harassment manifests itself in many forms. The following are a few examples of sexual harassment:

1. Written: sexually suggestive or obscene letters, notes or invitations.
2. Verbal: sexually derogatory comments, slurs, jokes, remarks or epithets.
3. Visual: leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons or posters.
4. Physical: assault, attempted rape, impeding or blocking movement, or touching.

5. Other:

- a. Sexual advances which are unwanted (this may include situations which began as reciprocal attractions, but later ceased to be reciprocal).
- b. Persons in nontraditional work environments who are subjected to hazing (this may include being dared or asked to perform unsafe work practices, having tools and equipment stolen, etc.) if requests for sexual favors are not met.
- c. Employment benefits affected in exchange for sexual favors (may include situations where an individual is treated less favorably because others have acquiesced to sexual advances).
- d. Implying or actually withholding support for appointment, promotion, transfer or change of assignment; or initiating a rejection on probation or adverse action; or suggesting that a poor performance report will be prepared if requests for sexual favors are not met.
- e. Reprisals or threats after negative response to sexual advances.

Policy Publicizing. All employees shall be informed of the District'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 District's facilities and services.

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 their Department Head or Supervisor.
2. An annual bulletin shall be prepared and distributed to all employees reinforcing them of the District's sexual harassment policy. Said bulletin shall also include summaries of cases involving sexual harassment, including examples of back pay, punitive damages and personal financial liability of supervisors.
3. Within three (3) working days after any complaint has been filed in accordance with this policy, a bulletin shall be prepared and distributed to all employees reinforcing them of the District's sexual harassment policy.

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.

1. An informal complaint is made verbally by the employee to his/her immediate supervisor. Although filing the complaint with said immediate supervisor is preferred, the employee is free to file his/her complaint with any supervisory employee.

2. A formal complaint is made in writing, using the "Employee Grievance Form," attached hereto as Exhibit "A", and made a part hereof. Said form should be submitted by the employee to his/her immediate supervisor. Although submitting the formal complaint with said immediate supervisor is preferred, the employee is free to submit his/her formal complaint with any supervisory employee, or with the President of the Board of Directors if the employee's immediate supervisor is the General Manager and the General Manager is unavailable or personally involved in said complaint.

Complaint Response Process. Any supervisory employee who receives a formal or informal sexual harassment complaint shall at all times maintain the confidentiality of the plaintiff and shall personally deliver said complaint immediately and directly to the General Manager.

1. Within twenty-four (24) hours of the filing of a formal or informal complaint, even if it is withdrawn, an investigation shall be conducted by the General Manager.
2. A written record of any investigation of an alleged sexual harassment shall be maintained. Findings shall be kept by the General Manager.
3. All discussions resulting from said investigation shall be kept confidential.
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.

Disciplinary Procedures and Sanctions. Upon conclusion of the investigation of an alleged sexual harassment, appropriate action shall be taken by the General Manager 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.

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.
2. Action taken to remedy a sexual harassment situation shall be done in a manner so as to protect potential future victims.
3. Employees complaining of sexual harassment shall be protected thereafter from any form of reprisal and/or retaliation:

Exhibit "A"

EMPLOYEE GRIEVANCE FORM
[Cambria Community Services District]

Employee's Name: _____ Date: _____

Statement of grievance, including specific reference to any law, policy, rule, regulation and/or instruction deemed to be violated, misapplied or misinterpreted:

Circumstances involved:

Decision rendered by the informal conference:

Specific remedy sought:

ADOPTED BY RESOLUTION 7-2000, APRIL 10, 2000

EXHIBIT "G"

CAMBRIA COMMUNITY SERVICES DISTRICT

Safety-Sensitive Position

**Substance Abuse Policy
with Rehabilitation**

Effective April 10, 2000

INTRODUCTION

The purpose of this policy is to assure worker fitness for duty and to protect our employees and the public from risks posed by the use of alcohol and controlled substances. This policy is also intended to comply with all applicable federal regulations governing workplace anti-drug programs in the transportation industry. Congress enacted "The Drug-Free Workplace Act of 1988" (41 U.S.C. Section 701-707), which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the Department of Transportation. The Federal Highway Administration (FHWA) of the Department of Transportation has enacted 49 CFR Part 382 that mandates urine drug testing and Breathalyzer Alcohol Testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The Department of Transportation has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens. This policy incorporates those requirements to safety-sensitive employees and others when so noted. The District's Drug Free Workplace Policy is attached as ATTACHMENT C.

Cambria Community Services District recognizes that the use of alcohol and/or controlled substances in the workplace is not conducive to safe working conditions. In order to promote a safe, healthy, and productive work environment for all employees, it is the objective of the District to have a work force that is free from the influence of alcohol and controlled substances.

If you are an employee covered by these regulations, you should familiarize yourself with the entire provisions of this policy, especially for interpretation purposes, as well as the attached Drug Free Workplace Policy BECAUSE COMPLIANCE WITH BOTH OF THESE POLICIES IS A CONDITION OF YOUR EMPLOYMENT. All employees covered by these policies have been provided with a copy of the District's Drug Free Workplace Statement and have signed an acknowledgement that they have read these policies and have agreed to comply with them.

The Cambria Community Services District reserves the right to change the provisions of this policy as the regulations that govern it changes. The District will meet and confer with the Union on any changes made to this policy that effect the conditions of employment.

APPLICABILITY

This policy applies to all safety-sensitive employees and contractors when they are on District property or when performing any District related business. It applies to off-site lunch periods and breaks when a safety-sensitive employee is scheduled to return to work. Visitors, vendors, and contracted employees are governed by this policy while on District premises, and they will not be permitted to conduct business if found to be in violation of this policy.

A safety-sensitive position is defined as any position requiring the use of a Class "A" or Class "B" commercial driver's license. A safety-sensitive function is any duty requiring

the use of a commercial driver's license. A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

Members of the Cambria Professional Firefighters Association and the Cambria Volunteer Firefighters Association are exempt from this policy pursuant to state and federal law, as may be amended from time to time.

PROHIBITED SUBSTANCES

"Prohibited substances" addressed by this policy include the following:

Drugs (Controlled Substances)

Marijuana, amphetamines, opiates phenevelidine (PCP) and cocaine.

Alcohol

"Alcohol" is defined as the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol, including methyl or isopropyl alcohol.

PROHIBITED CONDUCT

Manufacture, Trafficking, Possession, and Use

Any safety-sensitive employee engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol on District premises, in District vehicles or while conducting District business off the premises is absolutely prohibited. Violation will result in removal from safety-sensitive job duties and be required to undergo a reasonable suspicion controlled substance or alcohol test. Employees failing to pass this reasonable suspicion controlled substance or alcohol test shall remain off duty and be referred to a Substance Abuse Professional (SAP).

Impaired/Not Fit for Duty

Any safety-sensitive employee who is reasonably suspected of being impaired, under the influence of a prohibited substance, or not fit for duty, which will be determined by a trained supervisor, shall be removed from safety-sensitive job duties and be required to undergo a reasonable suspicion controlled substance or alcohol test. Employees failing to pass this reasonable suspicion controlled substance or alcohol test shall remain off duty and be referred to a Substance Abuse Professional (SAP). A controlled substance or alcohol test is considered positive (failed) if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in the Department of Transportation guidelines.

Alcohol Use

No safety-sensitive employee may report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol or when his/her breath alcohol concentration is 0.04 or greater. No safety-sensitive employee shall use alcohol while on duty or while performing safety-sensitive functions. No safety-sensitive employee shall use alcohol within four hours of reporting either for duty or during hours that he/she is on call. Violation of this provision is prohibited and will subject the employee to be removed from safety-sensitive duty and referred to a Substance Abuse Professional (SAP).

Compliance with Testing Requirements

All safety-sensitive employees are subject to controlled substance testing and breath alcohol testing in accordance with 49 CFR Part 40. Any safety-sensitive employee who refuses to comply with a request for testing, who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately and be referred to a Substance Abuse Professional (SAP). Refusal to submit to a test can include an inability to provide a urine specimen or breath sample without a valid medical explanation, as well as verbal declaration, obstructive behavior or physical absence resulting in the inability to conduct the test.

An employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.04 or greater on an alcohol test or tested positively on a controlled substance test.

Treatment/Rehabilitation Program

An employee with a controlled substance and/or alcohol problem will be afforded an opportunity for treatment in accordance with the following provisions:

Positive Controlled Substance and/or Alcohol Test: A Rehabilitation Program is available on a one-time basis only for safety-sensitive employees who have tested positive for a prohibited substance. Accordingly, a safety-sensitive employee will not be terminated following his/her first verified positive test for prohibited substances, provided that (a) the employee has not engaged in any other conduct which would be cause for discipline and/or termination (including Section V.A. of the Drug-Free Workplace Policy), and (b) the employee agrees to participate in the Rehabilitation Program recommended by the Substance Abuse Professional (SAP), participation and completion of the rehabilitation program is mandatory. Failure of a safety-sensitive employee to attend and/or complete a prescribed program will result in termination from employment. Prior to return-to-duty testing, an employee must follow the Rehabilitation Program recommended by the SAP and agree to and sign a Return-To-Duty Agreement. The SAP will determine the duration and frequency of follow-up testing. However, there shall be at least 6 tests during the first 12 months and the duration of follow-up testing shall not be longer than 60 months, following return to duty from the participation in a rehabilitation program.

Voluntary Admittance: All employees who feel they have a problem with controlled substances and/or alcohol may request voluntary admission to a Rehabilitation Program. Requests must be submitted to the General Manager or his/her designee for review. Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the safety-sensitive employee; however the employee may utilize their benefits and coverage available to them with respect to substance abuse treatment under their current health plan provided by the District. The District is willing to assist employees who voluntarily enter into Rehabilitation Programs in applying for any benefits available under our group health insurance plans. An employee failing to complete the program will be subject to termination from employment. An employee completing a Rehabilitation Program must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and may be subject to unannounced follow-up testing. The SAP will determine the duration and frequency of follow-up testing. However, there shall be at least 6 tests during the first 12 months and the duration of follow-up testing shall not be longer than 36 months, following return to duty from the participation in a Rehabilitation Program. A positive result on the return-to-duty test or on the unannounced follow-up tests within a 36-month period will result in termination of employment.

Employees may use accumulated sick leave, vacation, floating holiday, if any, or may take a personal leave without pay to participate in the prescribed Rehabilitation Program.

NOTIFYING THE DISTRICT OF CRIMINAL DRUG CONVICTION

Pursuant to the "Drug Free Workplace Act of 1988," any safety-sensitive employee who fails to immediately notify the District of any criminal controlled substance statute conviction shall be subject to disciplinary action up to and including termination of employment.

PROPER APPLICATION OF THE POLICY

The District is dedicated to assuring fair and equitable application of this Substance Abuse Policy. Therefore, supervisors are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy with respect to his/her subordinates shall be subject to disciplinary action up to and including termination of employment.

TESTING FOR PROHIBITED SUBSTANCES

Analytical urine controlled substance testing and breath testing for alcohol will be conducted as required under Department of Transportation guidelines. All safety-sensitive employees shall be subject to testing prior to employment, for reasonable suspicion, randomly, and following an accident as defined in the Department of Transportation guidelines. In addition, all safety-sensitive employees will be tested prior to returning to duty after failing a controlled substance and/or alcohol test. Employees who have returned to duty will be subject to unannounced follow-up tests for up to five

years as determined by a Substance Abuse Professional (SAP). Safety-sensitive employees who perform safety-sensitive functions as defined in the Department of Transportation guidelines shall also be subject to testing on randomly selected unannounced basis.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities, which have been approved by the Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in the Department of Transportation guidelines.

The controlled substances that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). An initial controlled substance screen will be conducted on each specimen. For those specimens that are positive, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the controlled substance levels present are above the minimum thresholds established in the Department of Transportation guidelines.

A trained Breath Alcohol Technician (BAT) will conduct tests for alcohol concentration utilizing an approved Evidential Breath Testing device (EBT). If the initial test indicated an alcohol concentration of 0.02 or greater, a confirmation test will be performed to confirm the result of the initial test. An employee who has a confirmed alcohol concentration of 0.02 but less than 0.04 will be removed from his/her position for at least twenty-four hours unless a retest results in an alcohol concentration less than 0.02. (For the 24 hour absence, employees may use accumulated sick leave, vacation, floating holiday, if any, or may take a personal leave without pay.) An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of Department of Transportation guidelines and this policy.

Any safety-sensitive employee who has a confirmed positive controlled substance or alcohol-test will be removed from his/her position, informed of educational and rehabilitation programs available, and evaluated by a Substance Abuse Professional (SAP). Employees may use accumulated sick leave, vacation, floating holiday, if any, or may take a personal leave without pay to participate in the prescribed Rehabilitation Program.

The District affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process.

Employees in safety-sensitive positions may be tested under any of the following circumstances:

Pre-employment Testing

All applicants for safety-sensitive classifications shall undergo urine controlled substance testing prior to employment. Receipt of a satisfactory test result is required prior to employment and failure of a controlled substance test will disqualify the applicant from further consideration for employment. Pre-employment testing

requirements will be conducted in compliance with current law. Until the FHA mandates otherwise, pre-employment alcohol testing will not be conducted.

Reasonable Suspicion Testing

All safety-sensitive employees will be subject to urine and/or breath testing when there is a reason to believe that controlled substances or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances, which are consistent with the effects of substance abuse. Examples of reasonable suspicion include, but are not limited to the following:

1. Contemporaneous observations of the safety-sensitive employee's on-the-job behavior.
2. Physical signs and symptoms consistent with prohibited substance use.
3. Occurrence of a serious or potentially serious accident that may have been caused by human error.
4. Fights (to mean physical contact), assaults and flagrant disregard or violations of established safety, security, or other operation procedures.

Reasonable suspicion determinations will be made by a supervisor who is trained to detect the signs and symptoms of controlled substance and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to the use of a prohibited substance. The supervisor may not rely on long-term signs, such as absenteeism or tardiness, to support the need for a reasonable suspicion test.

Post-Accident Testing

As soon as practicable following an accident involving a District commercial motor vehicle, the District shall test for alcohol and controlled substances for each surviving driver:

1. Who was performing a safety-sensitive function with respect to the vehicle, if the accident involved the loss of human life; or
2. Who receives a citation under state or local law for a moving traffic violation arising from the accident, if the accident involved:
 - a. Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - b. One or more motor vehicles incur disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

The District shall test any other covered employee whose performance could have contributed to the accident, even if they were not driving the commercial vehicle, as determined by the employer using the best information available at the time of the decision.

Post-accident alcohol tests shall be administered within two hours following an accident and no test may be administered after eight hours. A post-accident drug test shall be conducted within 32 hours following the accident.

Any employee who leaves the scene of the accident without appropriate authorization prior to submission to controlled substance and alcohol testing will be considered to have refused the test and subject to termination.

An employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.04 or greater on alcohol test or tested positively on a controlled substance test.

Random Testing

Employees working in safety-sensitive classifications will be subject to randomly selected unannounced drug and alcohol testing. The random selection will be by a scientifically valid method. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. Some employees may be tested more than once in a year, while others are not tested at all depending on the results of random selection. Safety-sensitive employees will be tested either just before departure, or during duty, or just after the safety-sensitive employee has ceased performing his/her duty.

Return-to-Duty Testing

All safety-sensitive employees who previously tested positive on a controlled substance or alcohol test must be tested negative and be evaluated and released to duty by the Substance Abuse Professional (SAP) before returning to duty. Employees will be required to undergo unannounced follow-up controlled substance and/or alcohol breath testing following return to duty. The SAP will determine the duration and frequency of follow-up testing. However, there shall be at least 6 tests during the first 12 months and the duration of follow-up testing shall not be longer than 60 months, following return to duty from the participation in a Rehabilitation Program.

Any safety-sensitive employee who questions the result of a required controlled substance test under Department of Transportation guidelines may request that an additional test be conducted. This additional test may be conducted at the same laboratory or at a different DHHS certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are to be paid by the employee unless the second test invalidated the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the Department of Transportation guidelines.

The safety-sensitive employee's request for a retest must be made to the Medical Review Officer (MRO) within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

EMPLOYEE ASSESSMENT

Any safety-sensitive employee who tests positive for the presence of controlled substances or whose breath alcohol concentration is above the minimum thresholds set forth in the Department of Transportation guidelines will be assessed by a Substance Abuse Professional (SAP). The SAP is a licensed physician (Medical Doctor or Doctor of Osteopathy), a licensed or certified psychologist, or a social worker (with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders - the license alone does not authorize this.) The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with the use of a prohibited substance.

If a safety-sensitive employee is returned to duty following rehabilitation he/she must first agree to sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and be subject to unannounced follow-up tests for a period of one to five years, as determined by the SAP. **All Rehabilitation Program costs are to be paid by the safety-sensitive employee. The privilege to go to a Rehabilitation Program is on a one-time basis only during his/her employment with the District. Employee will be immediately terminated on the occurrence of a second verified positive test result.** An employee may utilize their benefits and coverage available to them with respect to substance abuse treatment under their current health plan provided by the District. Employees may use accumulated sick leave, vacation, floating holiday, if any, or may take a personal leave without pay to participate in the prescribed Rehabilitation Program.

CONTACT PERSON

If employees have any questions regarding this policy, he/she may contact:

District Manager or District Secretary
Cambria Community Services District
P.O. Box 65
Cambria, CA 93428
(805) 927-6223

RECORDKEEPING

Records will be maintained in accordance with the requirements of 49 CFR 40 Part 382 *et seq.* as set forth in ATTACHMENT A.

CONFIDENTIALITY

The confidentiality of records shall be maintained in accordance with 49 CFR Parts 382 and 40 as set forth in ATTACHMENT B.

DEFINITIONS

ACCIDENT - means an unintended happening or mishap where there is loss of human life (regardless of fault), bodily injury or property damage.

ALCOHOL - means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

ALCOHOL CONCENTRATION - means the alcohol in a volume of breath expressed in terms of grains of alcohol per 210 liters of breath as indicated by an evidential breath test under this regulation. For example, 0.02 means 0.02 grams of alcohol in 210 liters of expired deep lung air.

ALCOHOL USE - means consumption of any beverage, mixture, or preparation, including any medication containing ethyl alcohol. Since ingestion of a given amount of alcohol produces the same alcohol concentration in an individual whether the alcohol comes from a mixed drink or cough syrup, the Department of Transportation prohibits the use of any substance containing alcohol, such as prescription or over-the-counter medication or liquor-filled chocolates. Prescription medications containing alcohol may have a greater impairing affect due to the presence of other elements (e.g. antihistamines).

BREATH ALCOHOL TECHNICIAN (BAT) - means a person trained to proficiency in the operation of the Evidential Breath Testing (EBT) device that the technician is using in the alcohol testing procedures. BATs are the only qualified personnel to administer the EBT tests.

CHAIN OF CUSTODY - means the procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of collection to final disposition.

COLLECTION SITE - means a place designated by the District where individuals present themselves for the purpose of providing a specimen of either urine and/or breath.

COMMERCIAL MOTOR VEHICLE - here means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds, or (2) has a gross vehicle weight rating of 26,001 or more pounds; or (3) is designed to transport 16 or more passengers, including the driver; or (4) is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations.

CONFIRMATION TEST - for alcohol testing means a second test, following a screening test with a result of 0.02 or greater that provides quantitative data of alcohol concentration. For controlled substance testing this means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry (CG/MS) is the only authorized confirmation method of cocaine, marijuana, opiates, amphetamines, and phencyclidine.)

CONTROLLED SUBSTANCE (DRUG) - includes marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

CONTROLLED SUBSTANCE (DRUG) TEST - a method of detecting and measuring the presence of alcohol and other controlled substances, whether legal or illegal, in a person's body. A controlled substance test may be either an initial test or confirmation test. An initial controlled substance test is designed to identify specimens having concentrations of a particular class of drug above a specified concentration level. It eliminates negative specimens from further consideration.

Controlled substances will be tested under the Department of Health and Human Services guidelines. **THE PRIMARY (INITIAL OR SCREENING) CONTROLLED SUBSTANCE TEST THRESHOLDS FOR A VERIFIED POSITIVE RESULT ARE THOSE THAT ARE EQUAL TO OR GREATER THAN:**

Marijuana Metabolites	50 ng/ml
Cocaine Metabolites	300 ng/ml
Phencyclidine (PCP)	25 ng/ml
Opiates Metabolites	300 ng/ml
Amphetamines	1000 ng/ml

A confirmation drug testing is a second analytical procedure to detect the presence of a specific drug or its metabolite. The confirmation procedure is conducted independent of the initial test and uses a different technique and chemical principle in order to confirm reliability and accuracy. **THE CONFIRMATORY CONTROLLED SUBSTANCE TEST THRESHOLDS FOR A VERIFIED POSITIVE TEST RESULT ARE THOSE THAT ARE EQUAL TO OR GREATER THAN:**

Marijuana Metabolites (THQ) (1)	15 ng/ml
Cocaine Metabolites (2)	150 ng/ml
Phencyclidine (PCP)	25 ng/ml
Opiates Metabolites	
Morphine	300 ng/ml
Codeine	300 ng/ml
Amphetamines	
Amphetamine	500 ng/ml
Methamphetamine (3)	500 ng/ml

- (1) Delta-9-tetrahydrocannabinol-9-carboxylic acid
- (2) Benzoyllecgonine
- (3) Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/ml

COVERED EMPLOYEE - all full time, part time, temporary employees, all applicants for positions within the District, all volunteers, and all contractors, who operate a commercial motor vehicle, as defined in this document, and who performs a safety-sensitive function for the District.

DEPARTMENT OF TRANSPORTATION GUIDELINES - means the controlled substance and alcohol testing rules (49 CFR Part 199 (RSPA - Pipeline), Part 219 (FRA - Railroad), Part 382 (FHWA - Commercial Motor Vehicle) 654 (FTA - Mass Transit) and 14 CFR 61 (FAA - Aviation) *et seq.*) setting forth the procedures for controlled substance and alcohol testing (49 CFR Part 40) in all the transportation industries.

DISTRICT - means CAMBRIA COMMUNITY SERVICES DISTRICT.

DRIVER - means any person who operates a commercial motor vehicle. This includes full time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer. For the purposes of pre-employment/pre-duty testing only, the term driver includes a person applying to an employer to drive a commercial motor vehicle.

DRUG (CONTROLLED SUBSTANCE) METABOLITE - means the specific substance produced when the human body metabolizes (changes) a given drug (controlled substance) as it passes through the body and is excreted in urine.

EVIDENTIAL BREATH TESTING DEVICE (EBT) - means the device to be used for breath alcohol testing.

MEDICAL REVIEW OFFICER (MRO) - means a licensed physician responsible for analyzing laboratory results generated by an employer's controlled substance (drug) testing program. The MRO is knowledgeable about substance abuse disorders and has appropriate medical training to interpret and evaluate positive test results.

PERFORMING A SAFETY SENSITIVE FUNCTION - means a safety-sensitive employee is considered to be performing a safety sensitive function and includes any period in which the safety-sensitive employee is actually performing, ready to perform, or immediately available to perform such functions.

POST-ACCIDENT ALCOHOL AND/OR CONTROLLED SUBSTANCE TESTING - conducted after accidents on employees whose performance could have contributed to the accident. For drivers this is determined by a citation for a moving traffic violation

and for all fatal accidents even if the driver is not cited for a moving traffic violation. (See Accident, above.)

PRE-EMPLOYMENT CONTROLLED SUBSTANCE TESTING - conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first time. Also required when employees transfer to a safety sensitive-position.

RANDOM ALCOHOL AND/OR CONTROLLED SUBSTANCE TESTING - conducted on a random unannounced basis just before, during or just after performance of safety-sensitive functions.

REASONABLE SUSPICION ALCOHOL AND/OR CONTROLLED SUBSTANCE TESTING - conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse or controlled substance abuse.

REFUSE TO SUBMIT (TO AN ALCOHOL AND/OR CONTROLLED SUBSTANCE TEST) - means that a safety-sensitive employee fails to provide an adequate breath or urine sample for testing without a valid medical explanation after that safety-sensitive employee received notice of the requirement to be tested, or engages in conduct that clearly obstructs the testing process (i.e., verbal declarations, obstructive behavior or physical absence resulting in the inability to conduct the test.)

REHABILITATION - The process of restoring an employee to satisfactory work performance through constructive confrontation, referral to the SAP and participation in SAP recommendations such as education, treatment and/or support groups to resolve personal, physical or emotional/mental problems which contributed to job performance problems.

RETURN-TO-DUTY AND FOLLOW-UP ALCOHOL AND/OR CONTROLLED SUBSTANCE TESTING - conducted when an individual who has violated the alcohol or controlled substance conduct standards returns to performing safety sensitive-duties. Follow-up tests are unannounced and at least 6 tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return to duty upon the SAP recommendation.

RETURN-TO-DUTY AGREEMENT - means a document agreed to and signed by the employer, safety-sensitive employee and the Substance Abuse Professional that outlines the terms and conditions under which the safety-sensitive employee may return to duty after having had a verified positive controlled substance test result or an alcohol concentration of 0.04 or greater on an alcohol test.

SAFETY-SENSITIVE FUNCTION - means the period from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

1. All time at a District or shipper plant, terminal, facility, or other property, or on any public property waiting to be dispatched, unless the driver has been relieved from duty by the District;
2. All time inspecting, servicing or conditioning a commercial motor vehicle;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon a commercial motor vehicle, except time spent resting in a sleeper berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

SCREENING (INITIAL) TEST - In alcohol testing, it means an analytical procedure to determine whether a safety-sensitive employee may have a prohibited concentration of alcohol in their system. In controlled substance testing, it means an immunoassay screen to eliminate negative urine specimens from further consideration.

SUBSTANCE ABUSE PROFESSIONAL (SAP) - means a licensed physician (Medical Doctor or Doctor of Osteopathy), a licensed or certified psychologist, social worker (with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders - the license alone does not authorize this), Certified Employee Assistance Professional (CEAP), or addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

SUPERVISOR - means a person in authority who has had at least one hour of training on the signs and symptoms of alcohol abuse and an additional hour of training on the signs and symptoms of controlled substance abuse.

VEHICLE - means a bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel used for mass transportation.

ATTACHMENT A**RECORDKEEPING AND RECORDING PROCEDURES**

Records will be maintained in accordance with the requirements of 49 CFR 382.401-409, *et seq* as outlined below:

A) RETENTION PERIOD The employer will keep the following records for the periods specified. These records will be maintained in a secure location with controlled access:

- 1) Five Year Retention Period:
 - a) Records of driver alcohol test results with results indicating an alcohol concentration of 0.02 or greater
 - b) Records of driver verified positive drug test results
 - c) Documentation of refusals to take alcohol/drug tests
 - d) Calibration of Evidential Breath Testing (EBT) devices documentation
 - e) Driver evaluation and referrals
 - f) Copy of each annual calendar year summary required by 49 CFR 382.403.
 - g) Substance abuse professionals (SAP) evaluations and referrals will be kept a minimum of 5 years
- 2) Two Year Retention Period:
 - a) Records related to the alcohol and drug test collection process (except calibration of EBT devices).
 - b) Records of supervisory training.
- 3) One Year Retention Period:
 - a) Records of negative and canceled drug test results.
 - b) Records of test results indicating a breath alcohol concentration less than 0.02.
 - c) Records relating to the collection process (except calibration) and required testing will be kept a minimum of two years.

B) TYPES OF RECORDS MAINTAINED

- 1) Records relating to the collection process include:
 - a) Collection logbooks
 - b) Documents related to the random selection process
 - c) Calibration documentation for EBTs
 - d) Documentation of BAT training
 - e) Documentation of reasonable suspicion testing
 - f) Documentation of reasoning for post-accident testing
 - h) Documentation verifying a medical explanation for the inability to provide adequate breath or urine for testing
 - i) Consolidated annual calendar year summaries

- 2) Records relating to drivers' test results including:
 - a) Employer's copy of alcohol test form including results of test
 - b) Employer's copy of drug test chain of custody and control form
 - c) Documents received from MRO to employer
 - d) Documents relating to refusal to test
 - e) Documents presented by a driver to dispute the result of an alcohol or drug
- 3) Records related to other violations of DOT/FHWA
- 4) Records related to evaluations as follows:
 - a) SAP determination of driver's need for assistance
 - b) Records concerning driver's compliance with SAP recommendations
- 5) Records related to education and training as follows:
 - a) Materials on awareness for alcohol misuse and controlled substance use including a copy of employer's policy
 - b) Driver's signed receipt of education materials and policy
 - c) Documentation of supervisor training for alcohol and drug testing based on reasonable suspicion
 - d) Certification of training for supervisors
- 6) Records relating to drug testing as follows:
 - a) Agreements with collection site, laboratory, and MRO
 - b) Names and positions of officials and role in employer's testing program(s)
 - c) Monthly laboratory statistical summaries of urinalysis required by 49 CFR 40.29(g)(6)
 - d) Employer's drug testing policy and procedures
 - e) Location of all records

C) Reporting for Management Information System (49 CFR 382.403)

- 1) Annual summaries of alcohol and drug testing results shall be completed for the calendar year by March 15 of the following year in the form required by DOT/FHWA. The annual summary shall include the following:
 - a) The number of drivers subject to Part 382.
 - b) Drivers subject to testing under alcohol or drug use rules of more than one DOT agency, identified by agency
 - c) Number of urine specimens collected by type (random, pre-employment, follow-up, etc)
 - d) Number of positive verified by MRO by type of test
 - e) Number of negative verified by MRO by type of test
 - f) Number of drivers denied position following pre-employment positive drug or alcohol test of 0.04 or greater

- g) Number of drivers with tests verified positive by MRO for multiple drugs
 - h) Number of drivers who refused to take alcohol and/or drug test
 - i) Number of supervisors receiving alcohol reasonable suspicion training
 - j) Number of supervisors receiving controlled substance reasonable suspicion training
 - k) Number of screening alcohol tests by type of test
 - l) Number of confirmation alcohol tests by type of test
 - m) Number of confirmation alcohol tests indicating an alcohol concentration of 0.02 or greater but less than 0.04 by type of test
 - n) Number of confirmation alcohol tests indicating an alcohol concentration of 0.04 or greater by type of test
 - o) Number of driver's in this reporting period who were returned to duty (having complied with SAP recommendations) who previously: 1) had a verified positive drug test, or 2) engaged in prohibited alcohol misuse
 - p) Number of driver's administered a drug and alcohol test at the same time with a verified positive drug test and an alcohol concentration of 0.04 or greater
- 2) Each driver shall be identified who is subject to more than one DOT agency alcohol or drug rule. The identification will be by the total number of covered functions. Prior to testing, the employer shall identify which DOT agency authorizes or requires the test, and test result information shall be directed to the appropriate DOT agency.

ATTACHMENT B
CONFIDENTIALITY PROCEDURES

Confidentiality (pursuant to 49 CFR Parts 382 and 40)

- A) Each individual's record of testing and results under this policy will be maintained private and confidential. With the exception of the testing laboratory, MRO, employee, designated departmental manager, DOT or upon request of FHWA or State agency officials as part of an accident investigation, the results of individual drug tests will not be released to anyone without the expressed written authorization of the individual tested. Prior to testing, the individual will be informed about whom will receive test data (e.g. testing laboratory, MRO, departmental manager).
- B) All written records will be stored in locked containers or in a secure location with access available only by the individuals listed above or as otherwise necessary or required by law for the implementation of the DOT program.
- C) Unless an employee gives his or her written consent, the employee's drug testing and/or EAP records will not be released to a subsequent employer.
- D) An employer may disclose information required to be maintained under Part 382 pertaining to a driver, the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol and/or controlled substance test administered under this Part, or from the employer's determination that the driver engaged in conduct prohibited by Part 382 (including but not limited to a worker's compensation, unemployment compensation, or other proceeding related to a benefit sought by the driver) as set forth in 49 CFR 382.405(g).
- E) A driver subject to DOT/FHWA testing may obtain copies of any employer records pertaining to the driver's use of alcohol or drugs and test results upon written request to the employer pursuant to 49 CFR 382.405(b).

ATTACHMENT C
CAMBRIA COMMUNITY SERVICES DISTRICT
Drug-Free Workplace Policy

I. Purpose of Policy

It is the intent of the District to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. The District has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency, and success at the District. Employees who are under the influence of a drug or alcohol on the job compromise the District's interests, and endanger their own health and safety and the health and safety of others. Substance abuse in the workplace can also cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, delays in the completion of jobs, inferior quality in products or service, and disruption of customer relations.

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, equipment, and operations, the District has established this Policy concerning the use of alcohol and drugs. As a condition of continued employment with the District, each employee must abide by this Policy.

II. Employee Cooperation

Early detection of substance-abuse problems benefits everyone. For example, it benefits the employee with the substance-abuse problem because it gives him or her the opportunity to correct the problem before it leads to serious harm to the employee or others; it benefits the employee's co-workers who otherwise might be exposed to serious injury or have to carry an extra burden by "covering" for the substance abuser, and it benefits the District by providing an opportunity to prevent accidents and avoid the performance problems and other losses associated with substance abuse. Accordingly, all employees should understand that co-workers with substance-abuse

problems should be encouraged to seek assistance from the Employee Assistance Program – see Paragraph X.

III. Definitions

For purposes of this Policy:

- (1) "Illegal drugs or other controlled substances" means any drug or substance that (a) is not legally obtainable; or (b) is legally obtainable but has not been legally obtained; or (c) has been legally obtained but is being sold or distributed unlawfully.
- (2) "Legal drug" means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.
- (3) "Abuse of any legal drug" means the use of any legal drug (a) for any purpose other than the purpose for which it was prescribed or manufactured; or (b) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.
- (4) "Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; involvement in a fatal or serious bodily injury accident or in an accident involving substantial property damage (*i.e.*, in excess of \$25,000); an arrest or conviction of a drug-related offense; or involvement in a physical altercation while on duty.
- (5) "Possession" means that an employee has the substance on his or her person or otherwise under his or her control.
- (6) "Safety sensitive positions" are defined as any position requiring the use of a Class "A" or Class "B" commercial driver's license. A safety-sensitive function is any duty requiring the use of a commercial driver's license.

IV. Prohibited Conduct

A. Scope

The prohibitions of this section apply whenever the interests of the District may be adversely affected, including any time the employee is:

- (1) On duty, *i.e.*, conducting or performing District business, regardless of location;
- (2) Operating or responsible for the operation, custody, or care of District equipment or other property; or
- (3) Responsible for the safety of others.

B. Alcohol

The following acts are prohibited and will subject an employee to disciplinary action:

- (1) The unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol; or
- (2) Being under the influence of alcohol.

C. Illegal Drugs

The following acts are prohibited and will subject an employee to disciplinary action:

- (1) The use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or
- (2) Being under the influence of any illegal drug or other controlled substance.

D. Legal Drugs

The following acts are prohibited and will subject an employee to disciplinary action:

- (1) The abuse of any legal drug;
- (2) The purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with law; or

- (3) Working while *impaired* by the use of a legal drug, *i.e.*, as indicated by observable phenomena such as an employee's behavior, speech and performance, whenever such impairment might:
 - (a) Endanger the safety of the employee or some other person;
 - (b) Pose a risk of significant damage to District property or equipment; or
 - (c) Substantially interfere with the employee's job performance or the efficient operation of the District's business or equipment.

V. Disciplinary Action

A. Discharge for Violation of Policy: A first violation of this Policy will result in *immediate relief of duty and discharge* in accordance with the District's Disciplinary Procedures (attached as Exhibit 1), whenever the prohibited conduct:

- (1) Caused injury to the employee or any other person, or, in the sole opinion of management, endangered the safety of the employee or any other person;
- (2) Resulted in significant damage to District property or equipment, or, in the sole opinion of management, posed a risk of significant damage;
- (3) Involved the sale or manufacture of illegal drugs or other controlled substances;
- (4) Involved the possession, distribution, or dispensation of illegal drugs or other controlled substances;
- (5) Involved an employee who had not completed the introductory period or was a casual, seasonal, or temporary employee; or
- (6) Involved the failure of an employee to report a criminal conviction, as required by Section VI C, below.

B. Discretion Not to Discharge: In circumstances other than those described in Paragraph A, above, the District, in the discretion of management, may choose not to discharge an employee for a first violation of this Policy if the employee satisfactorily

participates in and completes an approved drug or alcohol abuse assistance or rehabilitation program when recommended by the District.

C. Effect of Criminal Conviction: An employee who is convicted under a criminal drug statute for a violation occurring in the workplace or during any District-related activity or event will be deemed to have violated this Policy.

D. Written Warning: An employee who is not discharged for a first violation of this Policy will receive a final written warning [and immediate suspension without pay for a period of 14 calendar days.

E. Effect of Second Violation: A second violation of this Policy at any time will result in immediate discharge.

F. Effect of Discharge on Eligibility for Rehire: Employees who are discharged for a violation of this Policy will not be eligible for rehire by the District.

VI. Drug-Free Awareness Program

A. Employee Awareness: The District has established a Drug-Free Awareness Program that is designed to inform employees about the dangers of drug abuse in the workplace and to help assure that employees are familiar with this Policy. From time to time, employees will be requested to attend one of the sessions of the Drug-Free Awareness Program. During each such session, employees will be given current information about available programs offering counseling and rehabilitation.

B. Management Awareness: Managers and supervisors should be attentive to the performance and conduct of those who work with them and should not permit an employee to work in an impaired condition or to otherwise engage in conduct that violates this Policy. Managers and supervisors shall regularly participate in drug/alcohol abuse prevention, awareness and identification training.

When a manager or supervisor has reasonable suspicion to believe that an employee or employees are working in violation of this Policy, prompt action will be taken. When disciplinary action is based upon a reasonable suspicion that an employee or employees are impaired by the use of drugs or alcohol, this suspicion shall be confirmed by the administration of a drug or alcohol test conforming to the procedures

set forth at 49 CFR Part 40. This reasonable suspicion testing may be based upon, among other things:

- Involvement in a fatal or serious bodily injury accident or in an accident involving substantial property damage (*i.e.*, in excess of \$25,000); or
- An observable phenomena, such as direct observation of drug or alcohol use or the physical symptoms of being under the influence of a drug or alcohol; or
- An arrest or conviction of a drug-related offense; or
- Involvement in a physical altercation while on duty.

Although reasonable suspicion drug and alcohol testing does not require certainty, mere "hunches" are not sufficient to meet this standard.

C. Criminal Convictions: Employees must notify the District of any conviction under a criminal drug statute for a violation occurring in the workplace or during any District-related activity or event. Employees must notify the District within five days after any such conviction. When required by federal law, the District will notify any federal agency with which it has a contract of any employee who has been convicted under a criminal drug statute for a violation occurring in the workplace.

VII. Use of Legal Drugs

The District recognizes that employees may, from time to time, be prescribed legal drugs that, when taken as prescribed or according to the manufacturer's instructions, may result in impairment. Employees may not work while impaired by the use of legal drugs if the impairment might endanger the employee or someone else, pose a risk of significant damage to District property, or substantially interfere with the employee's job performance. If an employee is so impaired by the appropriate use of legal drugs, he or she may not report to work. To accommodate the absence, the employee may use accrued sick leave or vacation time. The employee may also contact the District Manager to determine whether or not he or she qualifies for an unpaid leave of absence, such as family care or medical leave. Nothing in this Policy is intended to sanction the use of accrued sick leave or vacation time to accommodate

absences due to the *abuse* of legal drugs. Further, nothing in this Policy is intended to diminish the District's commitment to employ and reasonably accommodate qualified disabled individuals. The District will reasonably accommodate qualified disabled employees who must take legal drugs because of their disability and who, because of their appropriate use of such drugs, cannot perform the essential functions of their positions adequately or safely.

VIII. Unregulated or Authorized Conduct

A. Customary Use of Over-the-Counter Drugs: Nothing in this Policy is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of over-the-counter drugs, so long as that activity does not violate any law or result in an employee being impaired by the use of such drugs in violation of this Policy.

B. Off-the-Job Conduct: Unless an employee is in a designated safety-sensitive position, this Policy is not intended to regulate off-the-job conduct, so long as the employee's off-the-job use of alcohol or drugs does not result in the employee being under the influence of or impaired by the use of alcohol or drugs in violation of this Policy. If an employee is in a designated safety-sensitive position, he or she will be subject to drug testing as described in Section XI of this policy.

IX. Confidentiality

Disclosures made by employees to the District Manager concerning their use of legal drugs will be treated confidentially and will not be revealed to the Board of Directors unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working. Disclosures made by employees to the District Manager concerning their participation in any drug or alcohol rehabilitation program will be treated confidentially.

X. Counseling/Employee Assistance

Employees who suspect they may have alcohol or drug problems, even in the early stages, are encouraged to voluntarily seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees who wish to

voluntarily enter and participate in an approved alcohol or drug rehabilitation program are encouraged to contact the District Manager, who will determine whether the District can accommodate the employee by providing unpaid leave for the time necessary to complete participation in the program. No disciplinary action will be taken against an employee solely on the grounds that he or she voluntarily enters and participates in an approved alcohol or drug rehabilitation program. Employees should be aware that participation in a rehabilitation program will not necessarily shield them from disciplinary action for a violation of this Policy, particularly if discipline is imposed for a violation occurring before the employee seeks assistance.

XI. Drug Testing of Applicants for Designated Safety-Sensitive Positions

As part of the District's employment screening process, any applicant for a safety-sensitive position, to whom an offer of employment is made must pass a test for controlled substances, under the procedures described in the Cambria Community Services District, Safety-Sensitive Position, Substance Abuse Policy with Rehabilitation. The offer of employment is conditioned on a negative test result. Applicants will be informed of the District's drug testing policy in the employment application.

CAMBRIA COMMUNITY SERVICES DISTRICT

Substance Abuse with Rehabilitation and Drug-Free Workplace Policies

Employee Acknowledgement Statement

The presence of drugs and alcohol on the job and the influence of these substances on employees during working hours jeopardize the safety of employees, the public, and the efficiency of District operations. The Cambria Community Services District, in its efforts to provide a drug and alcohol free environment, has adopted this Substance Abuse Policy with Rehabilitation and Drug-Free Workplace Policy. It is also the intent of the District, in adopting these policies, to meet the requirements of the Drug-Free Workplace Act of 1988 (41 U.S.C. Section 701-707), the California Drug-Free Workplace Act of 1990, and the drug and alcohol testing regulations adopted by the Federal Highway Administration (FHWA) of the U.S. Department of Transportation.

I have received a copy and have read and understand the Cambria Community Services District's Substance Abuse Policy with Rehabilitation and Drug-Free Workplace Policy.

Employee's Signature

Date

Original to: Personnel File
Copy to: Employee

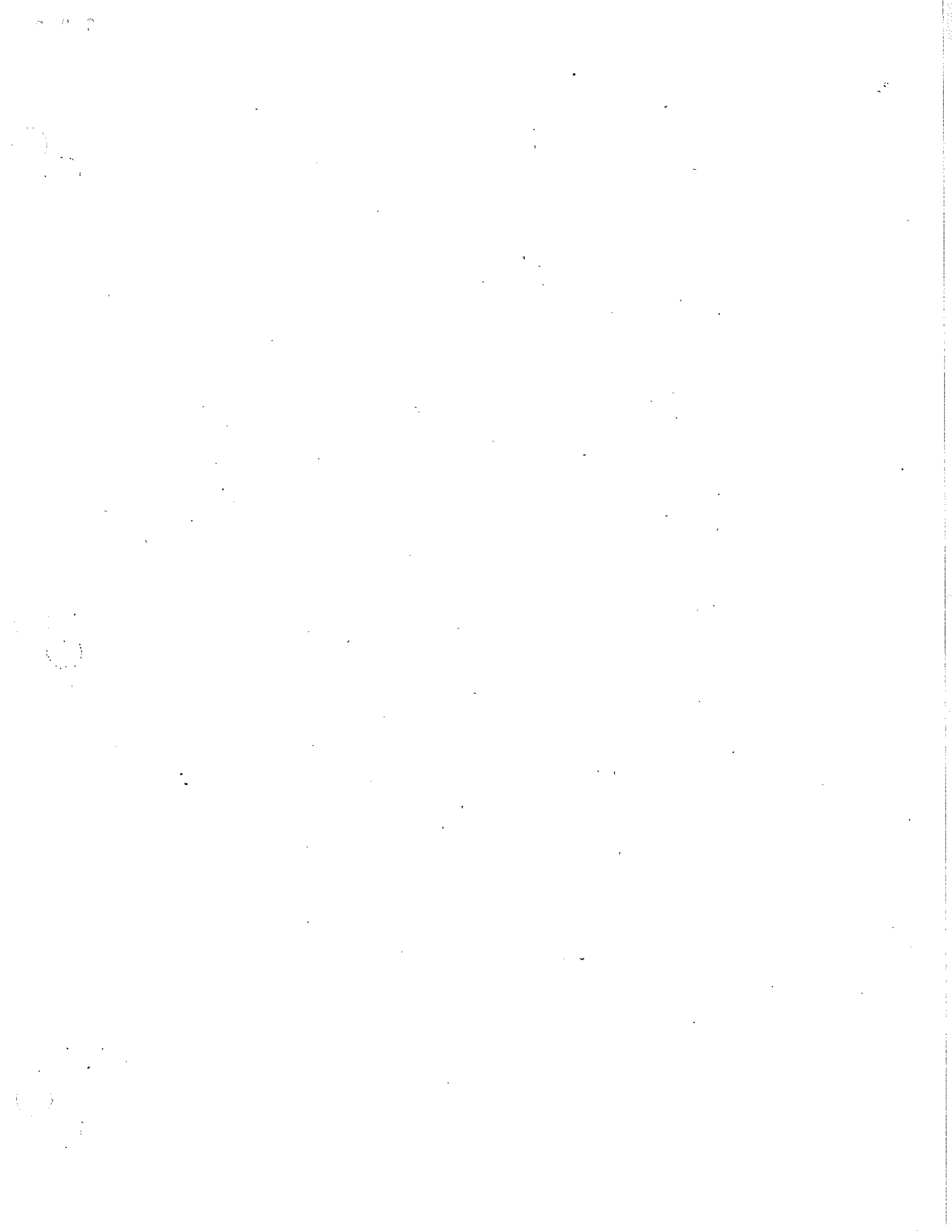


EXHIBIT A
CAMBRIA COMMUNITY SERVICES DISTRICT

MANAGEMENT & CONFIDENTIAL
EFFECTIVE JULY 1, 2003

POSITION TITLE	A	B	C	D	E
GENERAL MANAGER	7199	7559	7937	8333	8750
ASSISTANT GENERAL MANAGER	6119	6425	6746	7083	7438
DISTRICT ENGINEER	6119	6425	6746	7083	7438
FIRE CHIEF	5759	6047	6349	6667	7000
UTILITIES MANAGER	5759	6047	6349	6667	7000
FINANCE OFFICER	4895	5140	5397	5667	5950
WATER SYSTEM SUPERVISOR	4607	4837	5079	5333	5600
WASTEWATER SYS SUPERVISOR	4607	4837	5079	5333	5600
DISTRICT CLERK	3916	4112	4317	4533	4760
ASSISTANT FINANCE OFFICER	3916	4112	4317	4533	4760