

# APPENDIX D

## **Section I: Example Policy on Board Member Absenteeism**

Example Policy on Board member absenteeism

In cases where the Conservation District Board meets monthly, a Director may miss no more than three (3) consecutive board meetings. In cases where the District Board meets quarterly, a Director may not miss more than a total of 25% of regularly scheduled meetings within a fiscal year.

In the event that a Director exceeds the maximum allowable absences as described in this policy, the following actions are to be taken by the Board in the order listed below.

1. The Board Chair is to attempt to make contact with the Director in question by telephone to investigate the potential reason(s) behind the absenteeism. Should the Board Chair be successful in reaching the delinquent Director, inquiries must be made in an effort to determine the likelihood of any continued absences. If the decision is made that the Director in question will be unable to satisfy participation obligations, then the Board Chair will request a letter of resignation from said Director.
2. If the initial contact described above cannot be made with the Director in question, the Board Chair is to send a certified letter to the board member discussing the concern and to request a conversation regarding the matter at hand. The Chair should encourage the board member to either reengage or resign from the board.
3. Should the letter described above receive no response, the Board Chair is to deliver a prepared letter of resignation to said Director in person at the Director's place of residence and ask them to either reengage with the board or to sign the letter of resignation.
4. In the case that the Chair was not able to contact the board member at their place of residence, the Board member will be deemed to have resigned and the position declared vacant. A certified letter to the former board member would follow informing them that they are no longer a member of the District board.

## **Section II: Example Vacancy Announcement for Administrator Position**

Date: \_\_\_\_\_

### **Article I**

#### **Section 1: Equal Opportunity Employment**

The \_\_\_\_\_ Conservation District, as an Equal Opportunity employer, complies with applicable federal and state laws prohibiting discrimination. It is the policy of the Wolverine Conservation District that no person, on the basis of race, sex, color religion, national origin or ancestry, age, marital status, disability, or Vietnam-era veteran status, shall be discriminated against in employment or promotions.

### **Article II**

#### **Section 1: Position Available**

District position \_\_\_\_\_. The \_\_\_\_\_ is hired by and works for the \_\_\_\_\_ Conservation District. As an agent of, and at the discretion of the District board of directors, the \_\_\_\_\_ shall perform any or all of the following duties:

1. Takes leadership for planning and carrying out policy and programs established by the board of directors and, in the absence of the chairperson or another director, acts as a spokesperson for the District within policies established by the District board.
2. Serves as the board's contact with governmental units, farm organizations, public agencies, service groups, and general public.
3. Keeps the District board informed of legislation pending, directives from the state level, and other matters affecting the District program.
4. Acts as a liaison between the District board and the county board of commissioners regarding financial assistance and information as to the work of the District. Is responsible for preparing an annual report to the commissioners with an annual plan of work for the coming year to be presented with the annual request for funding.
5. Prepares and distributes agenda, prepares and distributes board meeting minutes, distributes communication and other material to the District board.
6. Purchases District office supplies and equipment, checks equipment in and out for District landowners and NRCS use only. Keeps inventory of District equipment and notes condition of equipment.
7. Assists and works with the NRCS personnel in either office or field work as required and advisable. If there is a request from the resource conservationist that the District employee feels is a detriment to the work of the District, the director assigned as employee liaison shall decide on worthiness.
8. Handles all tree orders and sales and keeps accurate information on sale records, costs, and income. This will be reported to the District board no less than 30 days after the close of any one-sale period.
9. Edits, prepares copy, and distributes District newsletter, edits annual report, prepares press releases and distributes to the media.
10. Works with and assists landowners in preparation of Act 116 applications.
11. Assists and plans District tours, meetings, contests, and other functions.
12. Provides educational service to schools and other groups.
13. Provides secretarial/clerical assistance to resource conservationist and board.
14. Performs other related work as required.

#### **Section 2: Recruitment**

1. Applications will be received by the \_\_\_\_\_ Conservation District.
2. Applicants will be interviewed by the District board of directors.

#### **Section 3: Hiring**

The \_\_\_\_\_ CD board will make the final decision as to which applicant is accepted for the position.

### **Section III: Model Administrative Position Description**

TITLE: Administrator

#### **INTRODUCTION:**

The incumbent provides managerial, administrative, supervisory, educational, and technical support to the \_\_\_\_\_ Conservation District Supervisors in carrying out the District's program in conformance with the purpose of the District as defined in the Indiana District Law (IC 14-32).

This professional position requires skills and experience in program development and administration, communications and financial management. The position may also require supervision of other District employees. The incumbent must also possess technical knowledge and/or work experience in agriculture and urban natural resources management.

#### **DUTIES AND RESPONSIBILITIES:**

Program Development/Management/Administration:

1. Understands the purpose, powers, programs, and responsibilities of the District.
2. Seeks information and keeps Supervisors informed about local, state and federal regulations, laws, programs and/or activities that may impact the District.
3. Assists in coordinating District programs with the programs and activities of personnel from NRCS, IDNR, CES, FSA and other agencies involved in the conservation of soil, water and related natural resources.
4. Works with the District Finance Committee to draft an annual program budget.
5. Prepares grant applications and other funding proposals as opportunities arise to enhance the District's program and/or accelerate the application of best management practices and technologies to improve soil and water quality and related natural resources in the county.
6. Serves as the day-to-day manager/administrator for all conservation program grants received.
7. Assists the District chairperson in planning and conducting monthly board meetings.
8. Assists the Supervisors in planning and conducting the District's Annual Meeting.
9. Assists the Supervisors in developing their 3-5 year business plan, annual plan of action and publishing a report on the District's mission, priority resource concerns, goals, planned actions and accomplishments.
10. Assists District Supervisors in developing closer working relationships with local units of government as well as local, state and federal elected officials.
11. At the request of the Supervisors the incumbent may be required to supervise other District employees; prepare and update job descriptions, conducts evaluations, and recommend needed training, disciplinary action, and recognition of employee efforts.
12. Assures that all funds are received and disbursed according to guidelines in the District Operations Manual and as per instructions from DNR-Division of Soil Conservation and/or the Indiana State Board of Account.
13. Assures that a monthly written financial report is prepared for the Supervisors' review and approval. The report includes beginning and ending balances of all accounts, all receipts and disbursements, claims for approval, and status of all investments.
14. Responds to telephone calls and walk-in requests for assistance and/or directs the requests to the appropriate SWCD, NRCS or DNR personnel for assistance.
15. Assures the inventory of office supplies and publications is sufficient to allow operations to continue efficiently and cost-effectively.
16. Performs other duties as requested by the District Supervisors.

#### **SUPERVISION:**

This position is under the supervision of the District Board of Directors. This position may supervise other employees.

#### **CIVIL RIGHTS REQUIREMENTS:**

Delivery of programs and services is carried out without regard to race, color, national origin, religion, sex, age or handicap.

**PERFORMANCE REVIEW:**

Performance of this position will be reviewed annually by the District Supervisors and the employee.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Section IV: Model Technical Position Description**

TITLE: MGSP Conservation Technical Assistance Initiative Specialist (CTAI)

**INTRODUCTION:**

There are MGSP Conservation Technical Assistance Initiative (CTAI) Specialist positions located in several areas around the state. These positions provide technical assistance to agricultural producers to implement conservation practices that have been funded under the Farm Bill. The CTAI Specialists are employed by the local Conservation District. Work assignments will be made by the NRCS District Conservationist who will also provide technical guidance.

**DUTIES AND RESPONSIBILITIES:**

2. Conducts field visits to obtain data and other information as necessary for the implementation of NRCS conservation practices such as, but not limited to, pest management, nutrient management, prescribed grazing, irrigation water management, and tree/shrub establishment.
3. Provides on-site technical assistance for the implementation of conservation measures; completes surveys, designs, and layouts for construction of practices; inspects construction to determine adherence to specifications.
4. Provides technical assistance to cooperators in the development of Farm Bill contracts, and the application and maintenance of conservation practices.
5. Follows up with cooperators who have implemented conservation practices to ensure that the cooperator understands how to operate and maintain the practice.
6. Makes infield adjustments in conservation practices, when necessary, in accordance with standards set by NRCS.
7. Receives a short-term follow-up schedule, makes own appointments, and adjusts schedule to conform to special requests, weather conditions, or other disruptions.
8. Assists in developing the information program; prepares news articles for publication; conducts field tours and demonstrations in order to further the implementation of conservation practices.
9. Utilizes references to complete work. These references include, but are not limited to, United States Department of Agriculture, Natural Resources Conservation Service (NRCS) policy and procedure as outlined in Bulletins, Technical Releases, and the Field Office Technical Guide.
10. As directed, attends meetings of the Conservation District governing body, interagency groups, and regional and/or community development groups to gain insight into particular program areas and to observe and develop competence in personal, work relationships, and group meeting techniques.
11. Prepares, and helps to prepare, regular and special reports, promotes safety, helps to maintain property, and perform related duties.
12. Complete and submit required monthly reporting to the Conservation District, MDA, and NRCS.

**SKILLS REQUIRED:**

3. General knowledge of local agricultural production practices in order to install conservation practices.
4. Ability to work effectively with co-workers and the general public.
5. Ability to carry out own work schedule in order to provide assistance and follow-up to cooperators on a timely basis.
6. Knowledge and skill in written and oral communication techniques and public relations sufficient to explain conservation practice specifications for various projects and programs to individual landowners, various agencies, local sponsoring organizations, and other conservation partners.
7. Must pass federal background check.
8. A valid Michigan driver's license.
9. Ability to operate and maintain equipment (computers, vehicles, survey levels, etc.) in a safe

manner.

10. Position requires completion of a Bachelor of Science in a Natural Resource or Agriculture related field.

**SCOPE OF WORK:**

The purpose of the work is to provide oversight for the implementation of conservation practices that are scheduled for implementation under the current Farm Bill. The work involves treating a variety of conventional agricultural problems, questions or situations (relating to the planning, design, and installation of conservation practices) in accordance with NRCS guidelines.

**WORKING ENVIRONMENT:**

Work requires personal contact with co-workers, contractors, landowners, and operators for the purpose of exchanging information, providing technical assistance services, and for the implementation of conservation practices under the current Farm Bill.

The majority of the work will be conducted in the field. The normal work hours are 8 a.m. to 5 p.m. The employee frequently will make field visits that may involve walking on rough terrain, carrying equipment, or climbing steep banks during all weather conditions. The position requires average agility and dexterity during field visits. Protective gear and clothing such as hard hat, boots, and gloves may be necessary during field visits.

## **Section V: Example “AT WILL” Personnel Policy**

### **General Information**

This manual is only a guide to the Conservation District’s current employment policies and to some of your benefits and responsibilities as an employee. It is information only and it is not intended to be, and should not be, construed as a contract.

The Conservation District from time to time reviews its policies, procedures and benefits and makes revisions, modifications and changes thereto based on the need for and desirability of such changes. Thus, any policy procedure or benefit outlined in this Manual may be modified, increased or decreased at any time. If you have any questions, any MACD staff will be glad to help you.

### **Policy**

The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Conservation District employees is essential to assure the maintenance of confidence by citizens in \_\_\_\_\_ County. The confidence of citizens in \_\_\_\_\_ County is influenced not only by the manner in which employees serve the public, but also in the way they conduct themselves in the eyes of the public. The avoidance of misconduct and conflicts of interest on the part of the District employees through informed judgment is indispensable to the maintenance of these standards. In accord with these concepts, this personnel policy sets forth the rules and regulations for employees of the \_\_\_\_\_ Conservation District, prescribing standards of conduct and responsibilities and governing the reporting of employment and financial interests.

\_\_\_\_\_ Conservation District will make every effort to treat each employee fairly and with integrity. Nonetheless, employees sometime leave because of family considerations, changing career goals, or some other reason, which is personal in nature. Likewise, the Conservation District retains the right to enlarge, reduce, make changes in or terminate from the staff. Employment with the \_\_\_\_\_ Conservation District, therefore, is considered “AT WILL” permitting either part to end the employment relationship at their discretion without cause.

No one other than the Board of Directors has authority to enter into an agreement for employment with the Conservation District for a specified period of time or to make any agreement, which is contrary to this statement. Any such agreement made with the Conservation District Board must be in writing or it shall not be binding.

To implement these responsibilities, the Conservation District Board hereby adopts these Personnel Policies effective \_\_\_\_\_. These policies supersede all past policies and apply to all \_\_\_\_\_ Conservation District employees.

### **Recruitment**

The \_\_\_\_\_ Conservation District recognizes its responsibilities for attracting and employing the most qualified and capable persons for carrying out the work of the Conservation District, without bias for race, age, religion, national origin, political or union affiliation, marital status, or sex. Physical or mental limitations will be considered only as they relate to the potential employee’s ability to perform the job requirements.

It is further recognized that to attract and retain such persons, the Conservation District must maintain a competitive posture with regard to compensation of its employees, including fringe benefits, and must maintain operating policies and procedures which treat every employee with fair and equal consideration.

Employment and promotional opportunities shall be advertised in such a manner that the public is assured open opportunity to apply and to be properly considered for Conservation District employment, and so that present Conservation District employees may be knowledgeable of possible chances for

advancement.

### **Selection**

The qualifications of potential employees shall be compared to the written requirements for the position.

### **Nepotism**

Hiring immediate family of Conservation District directors, Conservation District employees, or United States Department of Agriculture Natural Resources Conservation Service (NRCS) personnel assisting the Conservation District will be avoided to the extent possible. "Immediate family" shall mean: children, spouse, siblings, siblings of spouse, parents, parents of spouse, grandparents and grandparents of spouse. The Conservation District board may grant exception in the case of a temporary position. A director shall abstain from voting on the matters concerning the hiring of immediate family. These recommendations are not for the purpose of depriving any citizen of an equal chance for a Conservation District job. They are solely to eliminate the appearance of preferential treatment.

### **Employer Responsibilities**

The Conservation District is responsible for the following:

Social Security/Medicare: By law the Conservation District is responsible to pay 50% of the Social Security and Medicare for each employee.

Workers Compensation Insurance: By law the Conservation District is responsible to carry workers compensation insurance on each employee. Workers compensation insurance covers the employee in the event of an injury to the employee while carrying out his or her duties for the District.

Withholding Taxes: By law the Conservation District is responsible for the payment of any and all withholding taxes to the appropriate governmental agency on behalf of the employee.

Unemployment Insurance: By law the Conservation District is responsible to pay the appropriate governmental agency the taxable rate of the gross wages for all employees. Board members are not eligible for Unemployment Insurance and therefore are not subject to deductions for Unemployment Insurance for any compensation they may receive from the District in the performance of their duties.

Bonding: the Conservation District will provide bonding insurance for those board members and employees who handle District funds.

### **Classification of Employment**

Full-Time Employee: An employee who has been hired to fill a continuing position requiring a minimum of 40 hours per week of work and who has successfully completed a probationary period. The employee is entitled to all fringe benefits.

Part-Time Employee: An employee who has been hired to fill a continuing position requiring less than 40 hours per week on a regular and recurring schedule and who successfully completed a probationary period. The employee will be entitled to all fringe benefits on a pro-rated basis.

Temporary/Seasonal Employee: An employee who has been hired to fill a position of limited duration, serves no probationary period, is paid an hourly wage for the hours actually worked and receives no fringe benefits.

## **Office Supervision**

The District Board members will be responsible for the general administrative supervision of their personnel. The District Board will designate a Conservation District representative to serve as a day to day supervisor/manager of District personnel. This Conservation District representative is the immediate contact person.

Administrative supervision by the Conservation District representative will include the following:

1. Ensure District employees and those providing guidance or direction to them understand the District personnel policies.
2. Develop job descriptions and ensure current duty requirements are the same.
3. Establish a work schedule.
4. Set priority of work.
5. Determine training needs, see that training is provided and follow up to ensure performance is satisfactory.
6. Review and evaluate performance.
7. Commend exceptional work.
8. Respond to employee grievances.
9. Establish and maintain satisfactory working arrangements and conditions.
10. Meet with the Board members to decide disciplinary actions if necessary. Supervisory responsibility for a District employee by NRCS or any other Agency representative is not acceptable or legal.

## **Conditions of Employment**

**Work Hours:** All part-time employees and temporary/seasonal employees shall be expected to work the hours set by the Board and/or Administrator.

All full-time employees are expected to work the equivalent of at least an 80-hour pay period, except for authorized absences. Normal working hours will be between 8:00 a.m. and 4:30 p.m. with individual schedules to be determined jointly by the employee and the office supervisor/manager. Lunch break consists of one-half hour (unpaid) per day. Two work breaks consisting of 15 minutes each are permitted each day and they are considered part of working time.

If for an unavoidable reason, the employee cannot report to work on time or finds it necessary to be absent on a particular day, the employee must immediately notify his/her office supervisor/manager by telephone prior to the beginning of the assigned shift or as soon as possible thereafter. Periods of tardiness and days of absence will be deducted from the time earned during a pay period, unless the employee requests and obtains approval to treat any absence as a day off with pay for annual, sick, or compensatory leave under the provisions of this policy.

**Compensatory Time:** The District will adhere to all State and Federal laws and guidelines concerning compensatory time and overtime.

**Time Cards:** The District will pay all employees on a bi-weekly basis. Pay shall be given to employees at the end of the work day on each payday, which shall be the Friday following the last day of the pay period. The employee and the supervisor/manager shall sign time cards. Intentional failure to report accurate hourly time information on time sheets is grounds for immediate dismissal.

**Dress Code:** Office attire will consist of neat, casual wear with the goal of providing a professional appearance of Conservation District personnel. Field attire will consist of shirts, long pants, and hard-soled shoes that are consistent with carrying out fieldwork, yet neat in appearance.

**Personal Grooming:** Personal grooming, hygiene, and clothing reflect your attitude toward yourself and indicate to the public the expectation of level of service of the Conservation District. It is imperative all clothing be neat, clean, and appropriate for the duties of the individual.

Safety: Precautions will be observed at all times on the job. Conservation District employees are required to wear appropriate protective clothing or equipment for the type of work being performed. Shirts and long pants are to be worn in the field. The Conservation District will furnish hard hats and specialized protective equipment or clothing if required. The Conservation District shall be guided by the health and safety standards set forth by the applicable state and federal regulations.

Supplemental Employment: Supplemental employment is discouraged. The Conservation District Board will review requests for supplemental employment. If approved, such supplemental employment shall not interfere with the employee's District responsibilities or be viewed as a conflict of interest.

Solicitation: Solicitation and distribution of literature, catalogs, merchandise, etc. by employees is prohibited during scheduled work time and or in work areas. Similar activity is completely prohibited by non-employees in the building or on the grounds, as per policies of the USDA-NRCS.

Gifts: Employees shall not accept gifts, excessive entertainment or other favors from vendors attempting to or providing service or products to the Conservation District. This does not preclude the acceptance of gifts for group use of a nominal amount (\$20.00 value) offered in the spirit of the season or in respect of friendship for group distribution or consumption.

Confidential Information: While performing duties at the Conservation District, employees may have access to information, which is confidential. No employee is permitted to reveal or discuss anywhere or at any time any information, which may be confidential.

Doing District Work at Home: Unless authorized by the employee's supervisor/manager or the District Board of Directors, no District work will be performed at home.

Travel: Employees shall receive reimbursement at the rate of \_\_\_\_\_ per mile for use of a personal vehicle while on District business, paid bi-weekly at the time pay checks are distributed. The rate per mile is subject to change as determined by the District Directors. Employees will receive mileage for attending board meetings or special meetings outside of normal duty hours. Travel expenses to special meetings outside of normal work hours must be pre-approved by the supervisor/manager or the District Board. All mileage must be documented.

Leave of Absence: Up to twenty (20) days of leave of absence without pay will be granted to an employee for any good and valid reason. This shall be at the discretion of the District Board. Annual leave, sick leave, and holiday leave benefits will not be earned during unpaid leave of absence.

### **Conservation District Leave Policies**

Holidays: Holidays shall be paid corresponding to legal Federal holidays. Holiday pay for fulltime employees is based on a regular 8-hour day. Part-time employees' holiday pay is prorated. Temporary/seasonal employees are entitled to take the holidays, but they shall not be paid. All new full-time and part-time employees must work one full pay period before they are eligible for holiday pay.

Authorized Early Leave: In the event the NRCS State Office or the NRCS County Office authorizes early closing of the office due to the holiday season, inclement weather, or any other reason, only those employees scheduled for work will be credited for administrative leave. Full-time employees will receive the full authorized amount of leave. Part-time employees will be pro-rated. Temporary/seasonal employees are entitled to leave, but shall not be paid.

Court Leave (Jury Duty): Employees selected for jury duty or as a witness on regular scheduled workdays shall serve with no loss of pay. The employee shall be compensated only for the difference between the employee's regular pay and the pay received for jury duty, which shall be reported on their time sheet.

Annual Leave: Annual leave will be earned as follows:

- 0 to 3 years employment: 4 hours per 80 hours worked
- 3 to 10 years' employment: 6 hours per 80 hours worked
- 10 to 15 years of employment: 7 hours per 80 hours worked
- 15 plus years of employment: 8 hours per 80 hours worked

New full-time and part-time employees can begin to accumulate annual leave with the completion of their first full pay period. Part time employees will accumulate annual leave at a pro-rated basis.

Except for termination because of unsatisfactory performance or misconduct, accrued annual leave will be paid to the individual, at their present hour wage at the time of retirement. Employees will not be allowed to carry over \_\_\_\_\_ hours of annual leave at the end of a calendar year (December 31st).

Employee anniversary dates will be recorded for the purpose of determining an increase in annual leave per pay period.

Sick Leave: Full time employees shall accumulate sick leave at the rate of 4 hours per pay period. Part-time employees shall accumulate sick leave at a pro- rated basis. Temporary/seasonal employees earn no sick leave credits. Sick leave credits will begin to accumulate with the completion of the first full pay period.

Sick leave is not personal leave. Sick leave may be used for illness, disability, or injury of the employee or immediate family, appointments with a doctor, dentist, or other professional medical practitioner, when exposure to a contagious disease may endanger the health of co-workers, or when there is a death in the immediate family.

A doctor's statement may be required upon request from the employee's supervisor/manager or the District Board for continuous sick leave for more than three (3) days or a certificate from the Department of Health in the case of a contagious disease outbreak.

Sick leave will not be debited on holidays or scheduled annual leave.

Employees shall be allowed to carry over from year to year of continuous service any unused sick leave. At retirement, an employee will be paid at their current hourly rate for one-half of the maximum accumulation of \_\_\_\_\_ hours.

Funeral Leave: An employee is permitted to use sick leave when a death occurs in his or her immediate family.

Full-time employees are allowed a maximum amount of five (5) consecutive days with pay for funeral leave. Part-time employees are allowed a pro-rated basis. Beyond 5 days, an employee will need to use accrued compensatory time or annual leave to collect compensation.

Maternity Leave: An employee must have worked a minimum period of one calendar year prior to childbirth before being eligible for maternity leave benefits. Full-time employees will be allowed to accumulate annual and sick leave benefits for the first six- (6) weeks following childbirth. Part-time employees maternity leave benefits will be pro-rated for the same period. Temporary/seasonal employees receive no maternity leave benefits.

Accumulated annual, sick, and compensatory leave may be used for maternity leave. Maternity leave shall not exceed \_\_\_\_\_ calendar months after childbirth.

### **Family Medical Leave Act (FMLA)**

The Conservation District shall adhere to all rules and regulations of the Family Medical Leave Act. Eligible employees are allowed up to 12 weeks leave for childbirth or adoption, care of a seriously ill parent, child or spouse or their own serious illness. Conservation Districts with 50 or more employees must adhere to the FMLA.

All employees who have been employed by such a Conservation District for at least one year and who have worked at least 1,250 hours are eligible. Health care benefits continue while on FMLA medical leave. Employees are required to give 30 days notice for foreseeable leave due to medical treatment, childbirth or adoption. Employees must use up any accrued compensatory time, sick leave, and annual leave first and in that order during the 12-week medical leave. Remaining leave will be without pay. Employees will be re-instated at the job position and pay scale concurrent to when leave started.

### **Sexual Harassment**

\_\_\_\_\_ Conservation District is committed to providing a work environment where women and men can work together comfortably and productively, free from sexual harassment. Such behavior is illegal under both State and Federal law and will not be tolerated.

This policy applies to all phases of employment including: recruiting, testing, hiring, upgrading, promotion or demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training, travel, or District social events.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones including written contact, verbal contact, physical contact, and visual contact. Offering benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations for or reclassifications in exchange for sexual favors is forbidden. Complaints shall be handled in compliance with the Grievance Procedure explained in this policy.

Any employee found to have violated this policy shall be subject to appropriate disciplinary action, including: warnings, reprimand, suspension or discharge, according to the findings of the complaint investigation.

Any employee bringing a sexual harassment complaint or assisting in investigating such a complaint will not be adversely affected in terms of employment, or discriminated against or discharged because of the complaint. Complaints of such retaliation will be promptly investigated and punished.

### **Searches**

The Conservation District personnel supervisor/manager reserves the right to search all areas of the District office, including desks, files, containers, storage rooms and items, outside grounds, lockers, District vehicles parked in the parking lot, computers and their contents. All information on the Conservation District computers is considered Conservation District property. The District personnel supervisor/manager may not search an employee's body, clothes, purse, wallet, or private file.

### **Performance Evaluations**

The Conservation District Board will conduct a performance evaluation on new employees at the end of each month for the first three months of employment. Annual performance evaluations will be conducted on all employees to assess the employee's performance to determine whether the employee fully satisfies requirements of the position held. Evaluations will be conducted on the employee's anniversary date, or at any time deemed necessary by the Board.

Evaluations will be based on performance standards set for each duty that is developed for a position. These standards will be stated in terms of quantity and quality and will be mutually agreed upon in advance by the employee and his/her designated supervisor.

The Conservation District personnel supervisor/ manager and the Conservation District Board will conduct performance evaluations. A formal discussion with the supervisor/manager will take place prior to the meeting if requested by either the employee or the supervisor/manager.

Every employee will have the right to an appeals process to resolve grievances, concerns, complaints or decisions reached during an evaluation. Every attempt should be made to resolve differences at the lowest possible level on an informal basis. If such attempts fail, however, employees may pursue a formal

procedure towards the resolution of such matters.

### **Grievance Procedure**

Conservation District employees have a responsibility to serve the public with courtesy, integrity, and efficiency. The Conservation District and its Directors have a responsibility to protect employees from arbitrary and unfair treatment and to provide a means whereby grievances, appeals from adverse actions, and complaints of discrimination can be presented, heard, and adjudicated on their merits.

Every attempt should be made to resolve complaints and grievances at the lowest possible level on an informal basis. If such attempts fail, however, employees may pursue a formal procedure towards the resolution of such matters. The formal procedure is:

1. By conference between the employee, supervisor/manager, and the District Board as appropriate. If not settled in this manner, proceed to step B.
2. The aggrieved shall reduce the grievance to writing within 5 working days of the grievance and deliver it to the District supervisor/manager.
3. A conference will be held between the aggrieved and the District Board within 5 working days of the receipt of the written grievance.
4. Grievances must be taken up promptly and no grievance will be considered or discussed which is presented 15 days after such has happened.
5. The employee shall be advised as to his or her rights to an open meeting as provided by State law. If the meeting is to be closed, only those directly involved with the conference and others so designated shall be present.

After discussing the issue with the Conservation District Board, the supervisor/manager, and the employee, the Conservation District Board shall make its written recommendation for resolving the issue to the supervisor/manager and employee. The Conservation District Board's recommendation will be considered final.

### **Termination of Employment**

The end of an employment relationship with the Conservation District will fall within one of the following categories:

1. Resignation: A voluntary termination freely made by the employee for any reason. The Conservation District must be given a two-week notice.
2. Mutual Agreement: Whereby both parties think it would be mutually beneficial to end the employment relationship. Under these circumstances, no termination notice period is set by the Conservation District, and a departure date is informally agreed upon within a reasonable time period.
3. Reduction in Force: Resulting from job elimination due to financial considerations, determined by the Conservation District. Any employee so affected will be given a three week's notice period, which reasonable unpaid time off during the notice period for job interviews.
4. Unsatisfactory Performance: Failure of an employee to meet performance standards, failure to complete tasks in a timely competent way, or failure to maintain an adequate work period.
5. Misconduct: Involving gross employee behavior on the job, refusal to do work reasonably expected, wrongful use or taking of Conservation District property, failure to comply with the personnel policy, or conviction of a felony.

Except for termination because of unsatisfactory performance or misconduct, all accrued leave will be paid to the individual. Payment for accumulated leave will not be paid to an employee if the probationary period is not fulfilled satisfactorily.

Before an employee leaves the Conservation District, a termination interview will be scheduled with the supervisor/manager, District chairman, and the employee. Its purpose will be as follows:

1. Review employment record and reasons for leaving.
2. Review employee benefits on termination.
3. Return of Conservation District property, i.e. keys, name tags, etc. d. Delivery of final pay check.

If a full-time or part-time employee, who has been laid off, is re-hired within one year, the employee shall be entitled to reinstatement of previously accrued sick leave and credit for prior years of service in calculation of annual leave earning rates, if applicable.

### **Policy Adoption and Administration**

The Conservation District Board is responsible for approval, implementation, and subsequent amendment of this policy. The Conservation District personnel and the supervisor/manager shall review these policies and procedures annually and recommend to the Conservation District Board any amendments to them, and recommend actions.

### **SIGNATURE PAGE**

I have read this Personnel Policy and understand all the information contained therein.

**Employee:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Employer:** \_\_\_\_\_

**Conservation District Chairman or Personnel**

**Director:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **Section VI: Example "JUST CAUSE" Personnel Policy**

### **General Information**

This manual is only a guide to the Conservation District's current employment policies and to some of your benefits and responsibilities as an employee. It is information only and it is not intended to be, and should not be, construed as a contract.

The Conservation District from time to time reviews its policies, procedures and benefits and makes revisions, modifications and changes thereto based on the need for and desirability of such changes. Thus, any policy procedure or benefit outlined in this Manual may be modified, increased or decreased at any time. If you have any questions, any manager will be glad to help you.

### **Policy**

The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Conservation District employees is essential to assure the maintenance of confidence by citizens in (name) County. The confidence of citizens in (name) County is influenced not only by the manner in which employees serve the public, but in the way they conduct themselves in the eyes of the public. The avoidance of misconduct and conflicts of interest on the part of the District employees through informed judgment is indispensable to the maintenance of these standards. In accord with these concepts, this personnel policy sets forth the rules and regulations for employees of the (name) Conservation District, prescribing standards of conduct and responsibilities and governing the reporting of employment and financial interests.

(name) Conservation District will make every effort to treat each employee fairly and with integrity. Nonetheless, employees sometime leave because of family considerations, changing career goals, or some other reason, which is personal in nature. Likewise, the Conservation District retains the right to enlarge, reduce, make changes in or terminate staff for cause. No one other than the Board of Directors has authority to enter into an agreement for employment with the Conservation District for a specified period of time or to make any agreement, which is contrary to this statement. Any such agreement made with the Conservation District Board must be in writing or it shall not be binding.

To implement these responsibilities, the Conservation District Board hereby adopts these Personnel Policies effective March 1st, 1998. These policies supersede all past policies and apply to all (name) Conservation District employees.

### **Recruitment**

The (name) Conservation District recognizes its responsibilities for attracting and employing the most qualified and capable persons for carrying out the work of the Conservation District, without bias for race, age, religion, national origin, political or union affiliation, marital status, or sex. Physical or mental limitations will be considered only as they relate to the potential employee's ability to perform the job requirements.

It is further recognized that to attract and retain such persons, the Conservation District must maintain a competitive posture with regard to compensation of its employees, including fringe benefits, and must maintain operating policies and procedures which treat every employee with fair and equal consideration.

Employment and promotional opportunities shall be advertised in such a manner that the public is assured open opportunity to apply and to be properly considered for Conservation District employment, and so that present Conservation District employees may be knowledgeable of possible chances for advancement.

## **Selection**

The qualifications of potential employees shall be compared to the written requirements for the position.

## **Nepotism**

The hiring of immediate family of Conservation District directors, Conservation District employees, or United States Department of Agriculture Natural Resources Conservation Service (NRCS) personnel assisting the Conservation District will be avoided to the extent possible. "Immediate family" shall mean: children, spouse, siblings, siblings of spouse, parents, parents of spouse, grandparents and grandparents of spouse. Exception in the case of a temporary position may be granted by the Conservation District board.

A director shall abstain from voting on the matters concerning the hiring of immediate family. These recommendations are not for the purpose of depriving any citizen of an equal chance for a Conservation District job. They are solely to eliminate the appearance of preferential treatment.

## **Employer Responsibilities**

The Conservation District is responsible for the following:

Social Security/Medicare: By law the Conservation District is responsible to pay 50% of the Social Security and Medicare for each employee.

Workers Compensation Insurance: By law the Conservation District is responsible to carry workers compensation insurance on each employee. Workers compensation insurance covers the employee in the event of an injury to the employee while carrying out his or her duties for the District.

Withholding Taxes: By law the Conservation District is responsible for the payment of any and all withholding taxes to the appropriate governmental agency on behalf of the employee.

Unemployment Insurance: By law the Conservation District is responsible to pay the appropriate governmental agency the taxable rate of the gross wages for all employees. District board members are not eligible for Unemployment Insurance and therefore are not required to have contributions deducted from any compensation they may receive for duties they perform.

Bonding: bonding insurance will be provided by the Conservation District for those board members and employees who handle District funds.

## **Classification of Employment**

Full-Time Employee: An employee who has been hired to fill a continuing position requiring a minimum of 40 hours per week of work and who has successfully completed a probationary period. The employee is entitled to all fringe benefits.

Part-Time Employee: An employee who has been hired to fill a continuing position requiring less than 40 hours per week on a regular and recurring schedule and who successfully completed a probationary period. The employee will be entitled to all fringe benefits on a pro-rated basis.

Temporary/Seasonal Employee: An employee who has been hired to fill a position of limited duration, serves no probationary period, is paid an hourly wage for the hours actually worked and receives no fringe benefits.

## **Office Supervision**

The District Board members will be responsible for the general administrative supervision of their personnel. The District Board will designate a Conservation District representative to serve as a day to day supervisor/manager of District personnel. This Conservation District representative is the immediate contact person. Administrative supervision by the Conservation District representative will include the following:

1. Ensure District employees and those providing guidance or direction to them understand the district personnel policies.
2. Develop job descriptions and ensure current duty requirements are the same.
3. Establish a work schedule.
4. Set priority of work.
5. Determine training needs, see that training is provided and follow up to ensure performance is satisfactory.
6. Review and evaluate performance.
7. Commend exceptional work.
8. Respond to employee grievances.
9. Establish and maintain satisfactory working arrangements and conditions.
10. Meet with the Board members to decide disciplinary actions if necessary. Supervisory responsibility for a District employee by NRCS or any other Agency representative is not acceptable or legal.

## **Conditions of Employment**

**Work Hours:** All part-time employees and temporary/seasonal employees shall be expected to work the hours set by the Board and/ or Administrator. All full-time employees are expected to work the equivalent of at least an 80 hour pay period, except for authorized absences. Normal working hours will be between 8:00 a.m. and 4:30 p.m. with individual schedules to be determined jointly by the employee and the office supervisor/manager. Lunch break consists of one-half hour (unpaid) per day. Two work breaks consisting of 15 minutes each are permitted each day and they are considered part of working time.

If for an unavoidable reason, the employee cannot report to work on time or finds it necessary to be absent on a particular day, the employee must immediately notify his/her office supervisor/manager by telephone prior to the beginning of the assigned shift or as soon as possible thereafter. Periods of tardiness and days of absence will be unpaid, unless the employee requests and obtains approval to treat any absence as a day off with pay for annual, sick, or compensatory leave under the provisions of this policy.

**Compensatory Time:** The District will adhere to all State and Federal laws and guidelines concerning compensatory time and overtime.

**Time Cards:** The District will pay all employees on a bi-weekly basis. Pay shall be given to employees at the end of the work day on each pay day, which shall be the Friday following the last day of the pay period. Time cards shall be signed by the employee and the supervisor/manager. Intentional failure to report accurate hourly time information on time sheets is grounds for immediate dismissal.

**Dress Code:** Office attire will consist of neat, casual wear with the goal of providing a professional appearance of Conservation District personnel. Field attire will consist of shirts, long pants, and hard soled shoes that are consistent with carrying out field work, yet neat in appearance.

**Personal Grooming:** Personal grooming, hygiene, and clothing reflect your attitude toward yourself and indicate to the public the expectation of level of service of the Conservation District. It is imperative all clothing be neat, clean, and appropriate for the duties of the individual.

Safety: Precautions will be observed at all times on the job. Conservation District employees are required to wear appropriate protective clothing or equipment for the type of work being performed. Shirts and long pants are to be worn in the field. Hard hats and specialized protective equipment or clothing will be furnished by the Conservation District if required. The Conservation District shall be guided by the health and safety standards set forth by the applicable state and federal regulations.

Supplemental Employment: Supplemental employment is discouraged. Requests for supplemental employment will be reviewed by the Conservation District Board. If approved, such supplemental employment shall not interfere with the employee's District responsibilities or be viewed as a conflict of interest.

Solicitation: Solicitation and distribution of literature, catalogs, merchandise, etc. by employees is prohibited during scheduled work time and or in work areas. Similar activity is completely prohibited by non-employees in the building or on the grounds, as per policies of the USDA-NRCS.

Gifts: Employees shall not accept gifts, excessive entertainment or other favors from vendors attempting to or providing service or products to the Conservation District. This does not preclude the acceptance of gifts for group use of a nominal amount (\$20.00 value) offered in the spirit of the season or in respect of friendship for group distribution or consumption.

Confidential Information: While performing duties at the Conservation District, employees may have access to information, which is confidential. No employee is permitted to reveal or discuss anywhere or at any time any information, which may be confidential.

Doing District Work at Home: Unless authorized by the employee's supervisor/manager or the District Board of Directors, no District work will be performed at home.

Travel: Employees shall receive reimbursement at the rate of \_\_\_\_\_ per mile for use of a personal vehicle while on District business, paid bi-weekly at the time pay checks are distributed. The rate per mile is subject to change as determined by the District Directors. Employees will receive mileage for attending board meetings or special meetings outside of normal duty hours. Travel expenses to special meetings outside of normal work hours must be preapproved by the supervisor/manager or the District Board. All mileage must be documented.

Leave of Absence: Up to twenty (20) days of leave of absence without pay will be granted to an employee for any good and valid reason. This shall be at the discretion of the District Board. Annual leave, sick leave, and holiday leave benefits will not be earned during unpaid leave of absence.

### **Conservation District Leave Policies**

Holidays: Holidays shall be paid corresponding to legal Federal holidays. Holiday pay for fulltime employees is based on a regular 8 hour day. Part-time employees' holiday pay is prorated. Temporary/seasonal employees are entitled to take the holidays, but they shall not be paid. All new full-time and part-time employees must work one full pay period before they are eligible for holiday pay.

Authorized Early Leave: In the event the NRCS State Office or the NRCS County Office authorizes early closing of the office due to the holiday season, inclement weather, or any other reason, only those employees scheduled for work will be credited for administrative leave. Full-time employees will receive the full authorized amount of leave. Part-time employees will be pro-rated. Temporary/seasonal employees are entitled to leave, but shall not be paid.

Court Leave (Jury Duty): Employees selected for jury duty on regular scheduled work days shall serve with no loss of pay. The employee shall be compensated only for the difference between the employee's regular pay and the pay received for jury duty, which shall be reported on their time sheet.

Annual Leave: Annual leave will be earned as follows:

0 to 3 years employment: 4 hours per 80 hours worked  
3 to 10 years employment: 6 hours per 80 hours worked  
10 to 15 years of employment: 7 hours per 80 hours worked  
15 plus years of employment 8 hours per 80 hours worked.

New full-time and part-time employees can begin to accumulate annual leave with the completion of their first full pay period. Part-time employees will accumulate annual leave at a pro-rated basis. Except for termination because of unsatisfactory performance or misconduct, accrued annual leave will be paid to the individual, at their present hour wage at the time of retirement. Employees will not be allowed to carry over \_\_\_\_\_ hours of annual leave at the end of a calendar year (December 31st).

Employee anniversary dates will be recorded for the purpose of determining an increase in annual leave per pay period.

Sick Leave: Full time employees shall accumulate sick leave at the rate of 4 hours per pay period. Part-time employees shall accumulate sick leave at a pro- rated basis. Temporary/seasonal employees earn no sick leave credits. Sick leave credits will begin to accumulate with the completion of the first full pay period.

Sick leave is not personal leave. Sick leave may be used for illness, disability, or injury of the employee or immediate family, appointments with a doctor, dentist, or other professional medical practitioner, when exposure to a contagious disease may endanger the health of coworkers, or when there is a death in the immediate family (as described in section 5).

A doctor's statement may be required upon request from the employee's supervisor/manager or the District Board for continuous sick leave for more than three (3) days or a certificate from the Department of Health in the case of a contagious disease outbreak.

Sick leave will not be debited on holidays or scheduled annual leave. Employees shall be allowed to carry over from year to year any unused sick leave. At retirement, an employee will be paid at their current hourly rate for one-half of the maximum accumulation of \_\_\_\_\_ hours.

Funeral Leave: An employee is permitted to use sick leave when a death occurs in his or her immediate family. (As described in section 5.) Full-time employees are allowed a maximum amount of five (5) consecutive days with pay for funeral leave. Part-time employees are allowed a pro-rated basis. Beyond 5 days, an employee will need to use accrued compensatory time or annual leave to collect compensation.

Maternity Leave: An employee must have worked a minimum period of one calendar year prior to childbirth before being eligible for maternity leave benefits. Full-time employees will be allowed to accumulate annual and sick leave benefits for the first six (6) weeks following childbirth. Part-time employees maternity leave benefits will be pro-rated for the same period. Temporary/seasonal employees receive no maternity leave benefits. Accumulated annual, sick, and compensatory leave may be used for maternity leave. Maternity leave shall not exceed \_\_\_\_\_ calendar months after childbirth.

### **Family Medical Leave Act (FMLA)**

The Conservation District shall adhere to all rules and regulations of the Family Medical Leave Act. Eligible employees are allowed up to 12 weeks leave for childbirth or adoption, care of a seriously ill parent, child or spouse or their own serious illness. Conservation Districts with 50 or more employees must adhere to the FMLA.

All employees who have been employed by such a Conservation District for at least one year and who have worked at least 1,250 hours are eligible. Health care benefits continue while on FMLA medical leave. Employees are required to give 30 days notice for foreseeable leave due to medical treatment,

childbirth or adoption.

Employees must use up any accrued compensatory time, sick leave, and annual leave first and in that order during the 12-week medical leave. Remaining leave will be without pay. Employees will be reinstated at the job position and pay scale concurrent to when leave started.

### **Sexual Harassment**

(name) Conservation District is committed to providing a work environment where women and men can work together comfortably and productively, free from sexual harassment. Such behavior is illegal under both State and Federal law and will not be tolerated. This policy applies to all phases of employment including: recruiting, testing, hiring, upgrading, promotion or demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training, travel, or District social events.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones including: written contact, verbal contact, physical contact, and visual contact. Offering benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations for or reclassifications in exchange for sexual favors is forbidden. Complaints shall be handled in compliance with the Grievance Procedure explained in this policy.

Any employee found to have violated this policy shall be subject to appropriate disciplinary action, including: warnings, reprimand, suspension or discharge, according to the findings of the complaint investigation.

Any employee bringing a sexual harassment complaint or assisting in investigating such a complaint will not be adversely affected in terms of employment, or discriminated against or discharged because of the complaint. Complaints of such retaliation will be promptly investigated with appropriate action being taken.

### **Searches**

The Conservation District personnel supervisor/manager reserves the right to search all areas of the District office, including desks, files, containers, storage rooms and items, outside grounds, lockers, District vehicles parked in the parking lot, computers and their contents. All information on the Conservation District computers is considered Conservation District property. The District personnel supervisor/manager may not search an employee's body, clothes, purse, wallet, or private file.

### **Performance Evaluations**

The Conservation District Board will conduct a performance evaluation on new employees at the end of each month for the first three months of employment. Annual performance evaluations will be conducted on all employees to assess the employee's performance to determine whether the employee fully satisfies requirements of the position held. Evaluations will be conducted on the employee's anniversary date, or at any time deemed necessary by the Board.

Evaluations will be based on performance standards set for each duty that is developed for a position. These standards will be stated in terms of quantity and quality and will be discussed in advance by the employee and his/her designated supervisor.

Performance evaluations will be conducted by the Conservation District personnel supervisor/ manager and the Conservation District Board. A formal discussion with the supervisor/manager will take place prior to the meeting if requested by either the employee or the supervisor/ manager.

Every employee will have the right to an appeals process to resolve grievances, concerns, complaints or decisions reached during an evaluation. Every attempt should be made to resolve differences at the lowest possible level on an informal basis. If such attempts fail, however, employees may pursue a formal procedure towards the resolution of such matters.

## **Grievance Procedure**

Conservation District employees have a responsibility to serve the public with courtesy, integrity, and efficiency. The Conservation District and its Directors have a responsibility to protect employees from arbitrary and unfair treatment and to provide a means whereby grievances, appeals from adverse actions, and complaints of discrimination can be presented, heard, and adjudicated on their merits. Every attempt should be made to resolve complaints and grievances at the lowest possible level on an informal basis. If such attempts fail, however, employees may pursue a formal procedure towards the resolution of such matters. The formal procedure is:

1. By conference between the employee, supervisor/manager, and the District Board as appropriate. If not settled in this manner, proceed to step B.
2. The aggrieved shall reduce the grievance to writing within 5 working days of the grievance and deliver it to the District supervisor/manager.
3. A conference will be held between the aggrieved and the District Board within 5 working days of the receipt of the written grievance.
4. Grievances must be taken up promptly and no grievance will be considered or discussed which is presented 15 days after such has happened.
5. The employee shall be advised as to his or her rights to an open meeting as provided by State law. If the meeting is to be closed, only those directly involved with the conference and others so designated shall be present.
6. After discussing the issue with the Conservation District Board, the supervisor/manager, and the employee, the Conservation District Board shall make its written decision for resolving the issue to the supervisor/manager and employee. The Conservation District Board's decision will be considered final.

## **Discipline**

Discipline is intended to be of a positive and developmental nature rather than a punishing procedure. Discipline and/or dismissal will be determined by the supervisor/manager and the Conservation District Board of Directors with consultation by both parties. Discipline up to and including dismissal will be considered for any of the following reasons. The following list is not to be considered an exhaustive list and other reasons as determined by the Board could result in discipline.

1. Breaking work rules, including refusal to carry out directions of the supervisor/manager and lack of cooperation on the job.
2. Unacceptable work performance or personal behavior on the job, including: theft of any kind, abuse of equipment, unsafe work practices, falsification of records or time sheets, use of alcohol, use of drugs, vulgar or abusive language, possession of a weapon at the work place, being dishonest, engaging in criminal activity, behaving violently at work, gambling, and disclosing confidential information to outsiders.
3. One or more days absence without acceptable excuse or repeated tardiness (3 times).
4. Discipline and/or dismissal will be determined on a case by case basis.

## **Progressive Discipline Procedure**

Discipline should be progressive in nature. Progressive discipline is defined as a sequence of disciplinary actions, from less to more serious, designed to correct employee misconduct or performance problems. It should be corrective in nature. The corrective approach makes subsequent offenses subject to increasingly severe penalties so as to discourage any further violations of a similar nature.

1. Informal Counseling: Informal counseling is a discussion between the supervisor/manager and employee. It should be used to prevent minor problems from growing into major ones. Mentioning of future discipline should be avoided. No record shall be entered into the employee's file.
2. Formal Counseling: Formal counseling takes place if informal counseling fails or other infractions occur. Formal counseling need not be preceded by informal counseling, but supervisor/managers

are encouraged to use it if the problem can be addressed in that manner. A copy of the formal counseling memorandum will be included in the employee's personnel file. Upon the employee's request, it will be removed after one year. Formal counseling is in written form and includes:

- a. Identification of the general nature of the problem.
  - b. Identification of the specific problem(s) and give examples. It is also desirable to give specific dates and where the problem(s) took place.
  - c. Instruction of how the employee can improve performance.
  - d. Determine with the employee what the District supervisor/manager can do to assist the employee.
  - e. Establish a time frame for improvement.
  - f. State that future action will be taken if the problem(s) continue.
  - g. Signatures of the employee and the supervisor/manager, or a witness's signature if the employee refuses to sign and date the document.
3. Suspension:
- a. *Disciplinary Conference*: When an employee is to be formally charged with violation of an obligation, rule, regulation or policy which may result in a suspension or dismissal, a disciplinary conference shall be scheduled and the employee notified of the claimed violation. The failure of the employee to attend the disciplinary conference waives the right to such conference. Emergency suspensions do not require a disciplinary conference.
  - b. *Discipline*: Discipline shall normally be carried out in the following manner:
    - i. First offense: 1 day suspension without pay.
    - ii. Second offense: 3 days suspension without pay.
    - iii. Third offense: Termination of employment.
    - iv.

An employee may be discharged once it is demonstrated that he or she has failed to respond to progressive discipline, or when the violation is serious enough to warrant immediate dismissal. Though supervisors/managers are encouraged to use the least severe discipline necessary to correct the situation, progressive discipline may be started at other than the first step for more serious infractions.

### **Termination of Employment**

The end of an employment relationship with the Conservation District will fall within one of the following categories:

1. Resignation: A voluntary termination freely made by the employee for any reason. The Conservation District must be given a two week notice.
2. Mutual Agreement: Whereby both parties think it would be mutually beneficial to end the employment relationship. Under these circumstances, no termination notice period is set by the Conservation District, and a departure date is informally agreed upon within a reasonable time period.
3. Reduction in Force: Resulting from job elimination due to financial considerations, determined by the Conservation District. Any employee so affected will be given a three week's notice period, which reasonable unpaid time off during the notice period for job interviews.
4. Unsatisfactory Performance: Failure of an employee to meet performance standards, failure to complete tasks in a timely competent way, or failure to maintain an adequate work period.
5. Misconduct: Involving gross employee behavior on the job, refusal to do work reasonably expected, wrongful use or taking of Conservation District property, failure to comply with the personnel policy, or conviction of a felony.

Except for termination because of unsatisfactory performance or misconduct, all accrued leave will be paid to the individual. Payment for accumulated leave will not be paid to an employee if the probationary period is not fulfilled satisfactorily. Before an employee leaves the Conservation District, a termination interview will be scheduled with the supervisor/manager, District chairman, and the employee. Its purpose will be as follows:

1. Review employment record and reasons for leaving.
2. Review employee benefits on termination.
3. Return of Conservation District property, i.e. keys, name tags, etc.
4. Delivery of final pay check.

If a full-time or part-time employee, who has been laid off, is re-hired within one year, the employee shall be entitled to reinstatement of previously accrued sick leave and credit for prior years of service in calculation of annual leave earning rates, if applicable.

**Policy Adoption and Administration**

The Conservation District Board is responsible for approval, implementation, and subsequent amendment of this policy. The Conservation District personnel and the supervisor/manager shall review these policies and procedures annually and recommend to the Conservation District Board any amendments to them, and recommend actions.

**SIGNATURE PAGE**

I have read this Personnel Policy and understand all the information contained therein.

**Employee:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Employer: (name) Conservation District**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Chairman or  
Personnel Director:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **Section VII: Example Working Agreement**

The Conservation District, an Equal Opportunity Employer, complies with applicable federal and state laws prohibiting discrimination. It is the policy of the Conservation District that no person, on the basis of race, sex, height, weight, color, religion, national origin or ancestry, age, marital status, disability, or Vietnam-era veteran status, shall be discriminated against in employment or promotions.

### **Article I**

1. The normal workweek will be Monday through Friday from 8:00 a.m. until 12:00 p.m. and from 1:00 p.m. until 5:00 p.m., with a break of 15 minutes in the morning and afternoon to be provided.
2. The District employee will be expected to attend regular and special meetings of the Conservation District, which will include evening meetings.
3. The Conservation District will observe a 2-week pay period. Paychecks will be distributed Tuesday after the close of the pay period.

### **Section 1: Supervision**

Supervision for work relating to the District and all leave requests will be the charge of the District director appointed as liaison between the Conservation District board and the employee. The employee evaluation, pay raises, disciplinary action, and dismissal are a function of the entire board.

### **Section 2: Resignation**

Employees shall give not less than two weeks written notice of resignation. Any employee who does not submit his/her resignation as required above or is absent from work for a period of three days or more without notifying his or her supervisor of the reason for the absence, may be considered as having resigned without notice and not in good standing. In such instances, the Conservation District shall make a decision on said employee's termination rights.

### **Section 3: Disciplinary Action**

Disciplinary action may be taken against an employee for any reasons deemed necessary by the District. Types of behavior, including but not limited to the following, are grounds for discipline: Habitual tardiness, absenteeism without sufficient reason or proper notification, use of profanity or obscene language in the presence of the public.

For the first offense, the employee may be the recipient of an Oral Warning. If the performance/behavioral problem persists after the Oral Warning has been issued, the employee may receive a Written Warning. If the Written Warning proves ineffective, and it is apparent that the employee has shown no signs of improvement, the employee may be subject to suspension without pay. In the event where dismissal is necessary, the employee will receive a hearing by the board of directors. The employee will be given written notice setting forth the reasons for dismissal or suspension.

It should also be understood that depending upon the severity of the offense; the employee may be subject to any of the aforementioned actions at any time. It is not necessary for these disciplinary steps to be taken in order. All matters of discipline are under the discretion of first and foremost the Director, and when appropriate the District Administrator as well.

### **Article II**

#### **Section 1: Vacation (Annual Leave)**

Employee shall not be entitled to any vacation time for less than 3 months employment. Vacation time shall be earned at the rate of 4 hours per pay period. After 3 years employment, 6 hours vacation time shall be earned per pay period. Vacation time may be used on an individual hour basis with permission from the board liaison.

Not over 80 hours of vacation time shall be allowed to be carried over at the end of the year. An employee may convert up to 1/2 of their annual vacation to cash. Upon termination of employment, the employee shall be entitled to any earned but unused vacation pay, which will be included on the employee's final check. Vacation pay will be made at the employee's normal rate of pay, excluding overtime.

## **Section 2: Jury Duty and Court Witness**

An employee who is assigned jury duty shall be granted a leave of absence to serve as required. They shall be expected to be at work at all hours when not serving as a juror. Leave of absence for jury duty shall be with full pay, less the amount received by the employee for jury duty, which shall be reported on the time sheet.

## **Section 3: Sick Leave**

Sick leave is a means of ensuring that an employee will not suffer loss of income because of illness. It is not a means by which an employee can earn additional annual leave.

An employee earns 4.0 hours of sick leave for each bi-weekly pay period worked, and may accumulate up to a total of 90 sick days. One-half of an employee's unused sick leaves will be converted to cash upon termination or retiring. An employee may use sick leave with pay when an exposure to a contagious disease would endanger the health of others by attendance at work. An employee's illness, injury, or childbirth will be debited against the employee's accrued sick leave until sick leave has been depleted.

In the event of childbirth, such sick leave shall commence only when the employee, acting upon the advice of the physician, indicates that the employee is no longer able to work.

Sick leave may be used for doctor and dentist appointments, as well as employee illness and illness in the employee's immediate household. Sick leave may also be used to attend funerals.

After three days off, a physician's statement shall be required stating the condition of the employee relative to ability to perform the duties of the position, diagnosis, and other relevant information pertaining to the employee's condition.

## **Section 4: Leave of Absence**

Up to 20 working days leave of absence without pay will be allowed for any good and valid reason. This shall be at the discretion of the District board.

## **Section 5: Holidays**

Paid holidays shall consist of standard holidays when the USDA office and the county building are closed.

## **Section 6: Act of Nature**

When travel is considered dangerous due to weather conditions, the employee will be paid as usual. However, one of the following conditions must be proven:

4. The county building was closed for the day;
5. The roads were impassable due to snow and/or vehicles abandoned or
6. Directives from the County Road Commission to not travel due to dangerous conditions.

Closing the office early will also be allowed due to any of the above reasons.

## **Article III**

### **Section 1: Wages and Benefits**

The first six months of service following an employee's appointment shall be the orientation period, during which the District directors and supervisor shall continually evaluate the employee's work performance, and qualifications to perform the job. During the orientation period, employees may be eligible for sick leave and holiday pay.

During the orientation period, employees may be dismissed at any time without recourse. Upon satisfactory completion of this period of orientation, the employee may be transferred to permanent status. Step increases within a salary grade are based upon merit and length of service and are automatic. The directors may withhold a recommendation for a salary increase for the employee only on the basis of an unsatisfactory rating of the employee's performance, work habits, or unwillingness to perform the work duties. The directors shall advise the employee in writing that the recommendation is

being withheld and the reason thereof.

**Section 2: Overtime and Compensatory Time Pay**

If the District employee works in excess of 40 hours in a week, compensatory time or overtime payment will be granted. Employees may have the option to take the overtime pay or compensatory time off work. The use of compensatory time would be the same as annual leave and requires supervisory approval.

**Section 3: Personal Vehicles**

When the District employee uses his/her personal vehicle in the performance of District business, reimbursement for mileage will be an amount determined by the District. Travel costs of going to and from work for normal scheduled work shall not be reimbursed.

**Section 4: Meals and Lodging**

While on District business outside of the County, the employee shall be reimbursed at the county travel rates.

**Section 5: Hospitalization**

The employee will receive cash in the amount of \$.50 per hour in lieu of hospitalization insurance.

**Section 6: Workers' Compensation and Surety Bonds**

The employee of the Conservation Districts will be provided with workers' compensation, social security, and unemployment insurance. A surety bond will be provided if the employee is entrusted with District funds. The retirement benefit will be discussed when the working agreement is reviewed in (insert year).

**Article IV**

The work policy is subject to review annually or more often if deemed necessary.

Employee \_\_\_\_\_ Date \_\_\_\_\_  
Chairperson \_\_\_\_\_ Date \_\_\_\_\_

**Section VIII: Example Amendment to the Working Agreement**

**Proposal I:**

The Conservation District provides retirement benefits to cover the employee in the following manner:

1. \_\_\_\_\_ CD contributes to employee's IRA account the last pay period of each calendar year.
2. \_\_\_\_\_ CD's contribution will be equal to \$2 for each \$1 of employee contribution to the IRA account.
3. \_\_\_\_\_ CD's contribution shall not exceed 8-1/2% of employee's base wage for the same calendar year.
4. Combination of Wolverine CD and employee contributions shall not exceed \$2,000 in the calendar year.
5. Only employees with whom Wolverine CD has entered into a working agreement providing retirement benefits will be covered under this retirement plan.

**Proposal II:**

Amend the working agreement with the administrator to provide for retirement benefits of the \_\_\_\_\_ Conservation District retirement plan effective (DATE) \_\_\_\_\_

Employee \_\_\_\_\_ Date \_\_\_\_\_

Chairperson \_\_\_\_\_ Date \_\_\_\_\_

Conservation District \_\_\_\_\_ Date \_\_\_\_\_

**Section IX: Formal Employee Evaluation Template**

Michigan Conservation District  
Employee Performance Evaluation  
*Template*

Date of Evaluation: \_\_\_\_\_

Evaluator: \_\_\_\_\_

Employee Name: \_\_\_\_\_

Date Hired: \_\_\_\_\_

Position: \_\_\_\_\_

How long in Present Position: \_\_\_\_\_

Supervisor: \_\_\_\_\_

The object of this evaluation is to assess the employee's performance in his current position. This evaluation should highlight the employee's strengths and successes and identify areas for improvement.

The employee is measured on a numerical scale from 1 to 5 as follows:

Consistently exceeds expectations	5
Frequently exceeds expectations	4
Meets and/or occasionally exceeds expectations	3
Occasionally does not meet expectations	2
Frequently fails to meet expectations	1

Topics:	Score	Evaluator Comments	Employee Comments	Action Plan
Professional attitude				
Responsibility				
Decision Making				
Communication				
Interpersonal Relations with staff members and board				
Knowledge/skills				
Ability to develop and implement ideas				
Office Management				
Leadership				
Interaction with partners				

Overall Rating \_\_\_\_\_

Score	Performance Standards
40-50	Superior performance. Exceeds overall expectations
30-40	Fully competent. Meets the performance expectations of the job
0-30	Development required to meet expectations

Employee Comments:

Evaluator Comments:

Improvement Plan: (Provide completion dates for activities/goals)

We have read and discussed this evaluation:

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Appraiser

\_\_\_\_\_  
Date

\_\_\_\_\_  
Personnel Committee Designee

\_\_\_\_\_  
Date

## **Section X: Formal Employee Evaluation Criteria**

When evaluating employees, it is important that measurable performance be based on criteria that reflects what the employer is evaluating. Below are a list of suggested questions that the employer may use as a reference when administering numerical scores for the above evaluation topics.

### **Professional Attitude:**

1. Job Motivation
  1. Does the employee experience personal satisfaction from a job well done?
2. Initiative
  1. Has the Employee found ways to make his/her job easier or more rewarding?
  2. Does the employee ever do more than required for the job?
  3. Does the employee ever generate projects on his/her own?
3. Energy
  1. Does the employee maintain a high activity level?
  2. Is the employee able to organize his/her day effectively?
  3. Has the employee ever postponed a certain task unnecessarily?
4. Work Standards
  1. Does the employee have certain standards of success in the job he/she performs?
  2. Has the employee ever missed deadlines?
  3. Is the employee dissatisfied with average performance?
5. Integrity
  1. Does the employee maintain social, ethical and organizational norms in job related activities?
  2. Has the employee ever disregarded District codes/rules?
6. Behavioral Flexibility
  1. Is the employee able to overcome obstacles that prevent him/her from completing projects?
7. Tolerance for Stress
  1. How does the employee cope under pressure and/or opposition?
  2. Has the employee made any personal sacrifices in order to do his/her job?
8. Controlled Demeanor
  1. How does the employee react when confronted in defense provoking situations?
  2. Is the employee able to maintain composure and objectivity at all times?
9. Supervisor Identification
  1. Does the employee identify with and accept the problems and responsibilities of supervision?

### **Responsibility:**

1. Attention to Detail
  1. Does the employee frequently fail to notice mistakes in his/her work?
  2. Does the employee have a system for controlling for errors?
2. Recognition of Safety Needs
  1. Is the employee aware of the safety requirements of the organization?
  2. Has the employee ever violated the safety policy of the organization?
  3. Has the employee ever caused injury because he/she failed to watch or pay attention?
3. Risk Taking
  1. Does the employee ever make decisions that involve a gamble? If yes, are such decisions beneficial to the organization?
  2. Does the employee weigh the pros and cons of a situation before taking action?

**Decision Making:**

1. Judgment
  1. Does the employee make realistic decisions based on logical assumptions?
  2. Does the employee consider all alternatives before making a decision?
2. Decisiveness
  1. Is the employee ready to make decisions or commit himself/herself to a plan of action?
  2. Does the employee have difficulty in prioritizing objectives?
3. Oral Fact Finding
  1. Does the employee ask questions in order to make decisions and execute plans?
4. Financial Analytical Ability
  1. Is the employee able to understand and analyze financial data?
  2. Is the employee effective in preparing financial reports/budgets?

**Communication:**

1. Listening
  1. How often does the employee misinterpret information given to him/her?
  2. Can you rely on the employee to follow oral instructions?
2. Oral Communication
  1. How effective is the employee in getting his/her point across?
  2. Does the employee use different approaches to talk to the District Board/District Staff?
3. Written Communications
  1. Can the employee effectively communicate to the District Board, fellow District Staff and residents of the District via written assignments, reports and proposals?
4. Technical Translation
  1. Can the employee convert scientific/technical data collected by the District into something that can be understood by the constituents of the District?

**Interpersonal:**

1. Sensitivity
  1. Does the employee consider the feelings of others?
  2. How does the employee treat his/her peers?
2. Tenacity
  1. Is the employee able to follow through with a plan of action in order to reach his/her objective?
  2. Has the employee ever stayed with a plan even though the desired objective was no longer reasonably attainable?

**Knowledge/Skills:**

1. Technical/Professional Knowledge
  1. Is the employee familiar with the technical requirements of his/her job?
2. Technical/Professional Proficiency
  1. Is the employee able to correctly use or operate the technology required to do his/her job?
3. Machine Operation
  1. Has the employee been trained to use equipment necessary to perform his/her job? Is the employee proficient in using that equipment?
4. Process Operation
  1. Can the employee initiate, manage and bring to a close a completed project?
5. Ability to Learn
  1. How long does it take the employee to grasp new job related information (factoring in the level of complexity)?

6. Technical/Professional/Self-development

1. Has the employee ascertained all the skills necessary to perform his/her current job? If not, is the employee taking steps to learn these skills?

**Ability to Develop and Implement Ideas:**

1. Controlled Decision Making

1. Does the employee ever make premature choices where thought and deliberation is required?
2. If the need arises, will the employee delay a decision in order to obtain more information/research?

2. Innovativeness (Creativity)

1. Is the employee able to generate imaginative solutions to problems in the work place?

3. Organization Sensitivity

1. Does the employee recognize the potential effects his/her decisions have on other departments within the organization?
2. Is the employee aware of what is going on within other parts of the organization?

4. Extra-organization Sensitivity

1. Is the employee aware of any societal, legal or governmental issues that may affect the industry of the organization?
2. Is the employee aware of what the organization's competitors are doing?

**Office Management/Leadership:**

1. Planning and Organizing

1. How effective is the employee in establishing an action plan for himself/herself and others?
2. Does the employee allocate resources effectively?
3. Is the employee able to keep track of items requiring his/her attention?

2. Delegation

1. Is the employee able to assign work to subordinates effectively?
2. How does the employee deal with delegates who do not complete the job properly?

3. Control

1. Has the employee established procedures to keep track of the work of subordinates?

4. Development of Subordinates

1. Is the employee able to identify what training is required for his/her subordinates?
2. Does the employee provide the necessary training for his/her subordinates?
3. Does the employee allow subordinates to participate in decision making?

5. Staff Coordination

1. Is the employee able to arrange the activities of his/her subordinates with other departments such that common goals are met?

6. Self Organization

1. Is the employee effective in managing his/her own time?
2. Does the employee have any problems with prioritization?

7. Monitoring

1. Does the employee routinely review the performance of subordinates?
2. Does the employee stay informed of the progress of subordinates?

8. Independence

1. Is the employee able to take action/make decisions without consulting a superior?
2. Is the employee able to go against general traditions/policies in order to achieve something?

9. Resilience

1. Is the employee still effective when faced with disappointment or rejection?

### **Interaction with Partners:**

1. Professional/Technical Interest
  1. Is the employee able to keep informed of what work is being done by the District's partner groups in his/her field of expertise?
  2. Has the employee attended any job related seminars, conferences, workshops or meetings administered by any of the District's partner groups?
2. Rapport Building
  1. Does the employee try to foster good relationships with colleagues from other organizations of similar interest?
3. Negotiation
  1. Is the employee able to sell the District's mission and ideas to other agencies of government and non-governmental organizations?
4. Adaptability
  1. Is the employee able to maintain effectiveness working with individuals from other organizations?
  2. Is the employee able to maintain effectiveness when working with different people?

## **Section XI: Sample Letter of Warning**

[Date]

TO: [Employee's name]

[Title]

FROM: [Supervisor's Name]

RE: **Letter of Warning for [Reason]**

This letter of warning is being issued to you for unsatisfactory performance [state reasons].

[In next paragraph or two, describe the specific incidents that prompted this letter and provide examples. It is also desirable to give specific dates and where the problem(s) took place. Provide instruction for how the employee can improve performance. Determine with the employee what the District supervisor/manager can do to assist the employee. Establish a time frame for improvement and state that future action will be taken if the problem(s) continue.]

On [date(s)], you were counseled by me verbally. I further indicated that I would continue to review your performance for improvement.

Therefore, it is imperative that you understand that failure to show immediate and sustained improvement in your performance may result in further disciplinary action, up to and including your dismissal from employment with the Conservation District. If you have any questions regarding this matter, feel free to discuss them with me.