

# Appendix G – Part One

## SAMPLE “AT WILL” PERSONNEL POLICY

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## **1.00 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.

## **2.00 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.

## **3.00 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.

## **4.00 Selection**

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

## **5.00 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.

## **6.00 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.

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

## **7.00 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.

## **8.00 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:

- A. Ensure District employees and those providing guidance or direction to them understand the district personnel policies.
- B. Develop job descriptions and ensure current duty requirements are the same.
- C. Establish a work schedule.
- D. Set priority of work.
- E. Determine training needs, see that training is provided and follow up to ensure performance is satisfactory.
- F. Review and evaluate performance.
- G. Commend exceptional work.
- H. Respond to employee grievances.

I. Establish and maintain satisfactory working arrangements and conditions.

J. 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.

## **9.00 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.

### **10.00 Conservation District Leave Policies**

Holidays: Holidays shall be paid corresponding to legal Federal holidays. Holiday pay for full-time employees is based on a regular 8-hour day. Part-time employees' holiday pay is pro-rated. 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 (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 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. (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.

### **11.00 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.

### **12.00 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.

### **13.00 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.

### **14.00 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.

### **15.00 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:

A. By conference between the employee, supervisor/manager, and the District Board as appropriate. If not settled in this manner, proceed to step B.

B. The aggrieved shall reduce the grievance to writing within 5 working days of the grievance and deliver it to the District supervisor/manager.

C. A conference will be held between the aggrieved and the District Board within 5 working days of the receipt of the written grievance.

D. Grievances must be taken up promptly and no grievance will be considered or discussed which is presented 15 days after such has happened.

E. 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.

### **16.00 Termination of Employment**

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

A. Resignation: A voluntary termination freely made by the employee for any reason. The Conservation District must be given a two-week notice.

B. 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.

C. 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 weeks notice period, which reasonable unpaid

time off during the notice period for job interviews.

D. 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.

E. 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:

- a. Review employment record and reasons for leaving.
- b. Review employee benefits on termination.
- c. 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.

### **17.00 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: \_\_\_\_\_

# Appendix G – Part Two

## SAMPLE “JUST CAUSE” PERSONNEL POLICY

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## **1.00 General Information**

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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.

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## **3.00 Recruitment**

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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.

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- A. Ensure District employees and those providing guidance or direction to them understand the district personnel policies.
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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.

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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.

## **10.00 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.

### **11.0 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.

## **12.00 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.

## **13.00 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.

## **14.00 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.

## **15.00 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:

- A. By conference between the employee, supervisor/manager, and the District Board as appropriate. If not settled in this manner, proceed to step B.
- B. The aggrieved shall reduce the grievance to writing within 5 working days of the grievance and deliver it to the District supervisor/manager.
- C. A conference will be held between the aggrieved and the District Board within 5 working days of the receipt of the written grievance.
- D. Grievances must be taken up promptly and no grievance will be considered or discussed which is presented 15 days after such has happened.
- E. 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.
- F. 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.

## **16.00 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.

- A. Breaking work rules, including refusal to carry out directions of the supervisor/manager and lack of cooperation on the job.
- B. 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.
- C. One or more days absence without acceptable excuse or repeated tardiness (3 times).
- D. Discipline and/or dismissal will be determined on a case by case basis.

## **17.00 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.

### **A. 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.

## B. 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:

1. Identification of the general nature of the problem.
2. Identification of the specific problem(s) and give examples. It is also desirable to give specific dates and where the problem(s) took place.
3. Instruction of how the employee can improve performance.
4. Determine with the employee what the District supervisor/manager can do to assist the employee.
5. Establish a time frame for improvement.
6. State that future action will be taken if the problem(s) continue.
7. Signatures of the employee and the supervisor/manager, or a witness's signature if the employee refuses to sign and date the document.

## C. Suspension:

1. *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.

2. *Discipline:* Discipline shall normally be carried out in the following manner:

First offense: 1 day suspension without pay.

Second offense: 3 days suspension without pay.

Third offense: Termination of employment.

An employee may be discharged once it is demonstrated that he or she has failed to respond to progressive discipline, or when the he 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.

## 18.00 Termination of Employment

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

A. *Resignation:* A voluntary termination freely made by the employee for any reason. The Conservation District must be given a two week notice.

B. *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.

C. *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 weeks notice period, which reasonable unpaid time off during the notice period for job interviews.

D. *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.

E. **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:

- a. Review employment record and reasons for leaving.
- b. Review employee benefits on termination.
- c. 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.

**19.00 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:** \_\_\_\_\_