

EMPLOYEE POLICY MANUAL

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Statement from the Board of Directors

The Board of Directors of XXXXXXXXXXXXXXXX County, Missouri, is pleased to have developed this written policy statement concerning policies directly affecting the District's employees and their job satisfaction. This policy is written to be in accord with and support of Chapter 247 of the Revised Statutes of Missouri providing for the establishment of such water districts. In addition, the policy is in accord with the spirit and the letter of federal law spelled out in the Fair Labor Standards Act (FLSA) affecting public employees of local government entities.

The manual is a reference for both the employees of the Water District and for the management and Board of Directors. Of necessity such a manual cannot be entirely specific. There will be occasions when practical interpretation of personal policy may prevail.

Employees are employed on a "at will" basis meaning that either they or the Water District can terminate employment at any time. In addition, these policies are subject to change at any time without notice given due regard for the needs and expectations of the employees. It is not, in itself, binding on the Board of Directors and the Board reserves the right to make revisions on an as needed basis or in keeping with changes in state or federal law.

We believe, however, that the best interests of both the employee and employer are best served by having guidelines committed to writing.

Authority

One of the most important and most expensive resources that accrue to the Water District is its staff. Therefore, it is important that the Water District have clearly stated policies applicable to the wise management of its personnel.

The authority of the Board of Directors is found, in the main, in Chapter 247 of the Missouri Revised Statutes (RSMO). This Chapter gives broad powers to the Board of Directors in establishing working conditions, salaries/wages and benefits for its employees.

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The Revised Missouri Statutes; the existing rules and regulations of the Water District Board of Directors; and the United States Department of Labor Wage and Hour Division, Employment Standards Administration (U.S. Department of Labor 29 CFR Part 553) are the applicable authorities for these personnel policies. For immediate reference a researcher should review the Federal Register of Friday January 23, 1987. In addition, these policies are written to reflect what is generally known as the "Garcia Decision" (Garcia v. San Antonio Metropolitan Transit Authority, 105 S. Ct. 1005, 1007, 1021 (1985). That Supreme Court decision has the effect of bringing Water District employees under the Fair Labor Standards Act. See also WH Publication 1459 (May 1985) "State and Local Government Employees Under the Fair Labor Standards Act."

These principles are designed to avoid conflict with existing State Statutes as well as with applicable federal regulations. Adherence to the United States Department of Labor Wage and Hour Division is reflected. In the case of the National League of Cities v. Usery 426 U.S. 833 (1976) the Supreme Court held that the minimum wage and overtime pay provisions of the Fair Labor Standards Act (FLSA) could not be applied to state and local government employees engaged in traditional activities. This decision, used for some time as a benchmark for excluding public employees was set aside, however, by the Garcia decision (105 S. Ct. 1005, 1007, 1021) (1985) issued on February 19, 1985. Good policies are, by nature, not static. They will continue to evolve over time. Secondly, good policies require the application of reasoned judgment.

Statement of Employer's Rights

The Board of Directors shall retain certain specific rights and authority. The Board of Directors shall have sole authority in establishing goals and objectives, setting the mission of the Water District, and for providing for the needs and services of the Water District. The Board of Directors will delegate the right to the manager to: direct the work of employees; to hire, promote, demote, discipline, suspend, and dismiss employees for just cause; to release employees due to lack of work, financial constraints, or for other legitimate reasons with any layoff of employees being normally accomplished through natural attrition over a reasonable period of time giving due consideration to ability. The Board of Directors shall retain sole authority to establish and enforce rules and regulations; to change or modify methods, services, equipment or facilities in compliance with the Statutes of the State of Missouri.

Nothing in this manual shall expressly or by implication be interpreted to be in conflict with the U.S. Constitution, the Missouri Constitution, Federal Labor Law, the Statutes of Missouri or interpretation of the law by the Federal Courts. Should such omission or conflict appear the appropriate State or Federal Laws or Constitution should take precedence.

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Equal Employment Opportunity

It is the intent of the Water District to assure equal employment opportunity for all persons on the basis of merit, without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, physical handicap or other non-merit factor.

The Board of Directors, being aware to the necessity of making a statement of policy as to equal employment opportunity do hereby issue the following order.

IT IS THEREFORE ORDERED by the Board of Directors XXXXXXXXXXXXXXXX County that equal opportunity in employment will be offered without regard to race, color, religion, sex, age, national origin, handicap (consideration must be given to physical ability in manual labor positions), political affiliation, or anything that might be construed as being discriminatory in the employment process no matter how insignificant it might appear.

IT IS FURTHER ORDERED by the Board of Directors that this policy of no discrimination will prevail throughout every aspect of employment and that all decisions for hiring shall be based solely upon each individual's qualifications for the position to be filled.

IT IS FURTHER ORDERED by the Board of Directors that all employee benefits, compensation and other personal actions will be administered without regard to race, color, religion, sex, age, national origin, handicap, political affiliation, or anything else that might be construed as discriminatory.

IT IS FURTHER ORDERED by the Board of Directors that this policy shall be enforced the same as any other policy of the Water District. Any attempt to thwart or circumvent this policy shall be the grounds for disciplinary action as allowed by the Missouri State Statutes.

Disabled Accessible Facilities

It is the intention of the Board of Directors to make the office facility accessible to the physically disabled and employees have been advised of the intention.

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Catastrophic Illness Policy

Purpose-The purpose of this policy is to support the physical and emotional health of all employees, and to minimize disruptions to productivity and morale caused by catastrophic illness. XXXXXXXXXXXXXXXX is committed to maintaining a healthy and safe work environment for all employees, as well as providing support for individual employees who may face the trauma of a catastrophic illness.

The AIDS epidemic and the spread of infection from the human immunodeficiency virus (HIV) causes concern in many segments of society. Consequently, some employees may experience anxiety about working with a person who has become infected.

The Water District recognizes that employees with catastrophic illnesses may wish to continue work as long as they are able. Individuals who are able to work are expected to be productive; if they cannot work, they are eligible for any health and disability benefits, as specified herein.

The Water District will make accommodations for employees as long as such accommodations are practical, economically feasible, and in the best interest of the employee and the business unit.

XXXXXXXXXXXXXXXXXXXX reserves the right to ask its appointed physician to examine employees with catastrophic illnesses to determine if these individuals are able to work and pose no threat to themselves or to others.

The policies and procedures outlined herein apply to all disabilities and do not change any existing medical benefits or employee relations policies covering sickness and disability.

Confidentiality- The employees' medical conditions are kept confidential. Supervisors and Managers should also recognize that medical information is personal and confidential and should take all reasonable steps to assure confidentiality.

Reporting of AIDS- Employees who believe they have become infected with the human immunodeficiency virus, or who have tested positive for HIV infection, or who are being treated for AIDS or ARC, or any other condition that poses a serious health threat, should contact the Manager on a confidential basis.

Performance- Because HIV infection may take many years to seriously affect functional abilities, employees with HIV may be able to work for a long time without restrictions or problems. As long as employees perform their jobs properly and meet standards set for performance, and as long as medical evidence shows that continued employment does not endanger either the individual or co-worker, employees with HIV infections will generally be allowed to continue working. Employees with HIV infections are entitled to the same working conditions as others and will receive coverage under our employee benefit programs, as eligible.

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Rules and Regulations

Internet Usage- Employees shall not use any of the computers at XXXXXXXXXXXXXXXXXXXX for accessing the internet or email unless said use is in connection with their job duties and responsibilities for the district. There shall be no personal use of any XXXXXXXXXXXXXXXXXXXX computer by the employee or any friends/family members of said employee. Failure to adhere to this policy will result in disciplinary action by the Board, which may include immediate termination.

Alcohol, Drugs- While during business hours or conducting XXXXXXXXXXXXXXXXXXXX business consumption or possession is prohibited.

Weapons- While during business hours or conducting XXXXXXXXXXXXXXXXXXXX business, possession is prohibited except for measures of security and approved by the Manager or the Board of Directors.

Attendance- Employees are responsible for being present each work day. Chronic or excessive absences and tardiness will be cause for disciplinary action including dismissal.

Disability Pay- Disability pay schedule to conform to Insurance Policy in force. Work related disability pay shall conform to the Worker's Compensation insurance policy in force.

Disciplinary Action- All employees are expected to devote their best efforts to performing their job responsibilities and are expected to follow Water District rules and regulations. If problems occur relating to Water District rules or regulations or work performance, disciplinary action may be taken by the Water District. Such action need not necessarily be progressive, and action consistent with the problem involved will be determined by the Manager or the Board of Directors.

The procedure set forth herein may, at the discretion of the Water District, be modified, altered or dispensed with depending upon the nature of the infraction and the situation at the time. The disciplinary procedures are intended to be a guide to employees only and shall not alter the right of management to make managerial and business decisions concerning extent and duration of employment, benefits and all other employment related matters. The Water District reserves to itself all of its rights in this regard, including the right to terminated the employment relationship, as the employee retains the right to terminated the employment relationship, at any time.

Reasons for disciplinary action include but are not limited to the following:

1. The employee fails to satisfactorily perform the duties of the job.
2. Conduct or actions determined by the manager to be contrary to the best interest of the Water District.
3. Violation of the Water District rules, including:
 - A. Repeated absenteeism or unapproved tardiness.
 - B. Failure to comply with Water District policy regarding safety and security.

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- C. Interfering with office discipline and efficiency.
- D. Unauthorized personal use of telephone.
- E. Making false, vicious, profane, or malicious statements concerning any employee, the Water District, or its products.
- F. Abuse of Disability Pay or Sick Pay or Sick Leave, including pregnancy.
- G. Holding other employment which interferes with satisfactory performance duties.
- H. Possession or use of alcoholic beverages or nonprescription drugs on Water District premise.
- I. Reporting to work under influence of alcoholic beverages or nonprescription drugs.
- J. Dishonesty, including, but not limited to, falsifying expense accounts.
- K. Engaging in any activity which represents a conflict in interest.
- L. Falsification or misrepresentation of the employment application or any other personal records.
- M. Removing Water District property or the property of others from the premises without proper authorization.
- N. Defacing, destroying or damaging Water District Property or the property of others.
- O. Gaining or attempting to gain unauthorized access or use of the Water District computer system.
- P. Unlawful discrimination including sexual harassment.

Voluntary Termination- Any of the following actions on the part of the employee will be considered a voluntary termination unless a timely explanation satisfactory to the Water District is given. The approval of the Manager will be required before any action is taken to process the following voluntary terminations.

1. One day absence from work without notifying the Manager.
2. Walking off the job.
3. Failure to report at the end of the leave of absence.

Termination- A permanent full-time employee resigning or discharged after probationary period will receive regular salary up to the day of termination. In addition, any vacation pay, or sick leave pay accumulated will be received.

Permanent full-time employee resigning or discharged for any reason during the probationary period will be paid only through the day of termination plus any sick leave pay due the employee through the date of discharge or resignation.

Grievances- If any employee has a grievance or misunderstanding, in order to keep the lines of communication open, the pertinent facts should be reported immediately to the Manager and /or the Board of Directors. The Water District Management reserves the same privilege.

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WORK DAY/WEEK DEFINITION- The Water District operates with an eight-hour work day and regular work week consisting of 40 hours.

The normal work week is 8:00a.m. Monday until 4:00p.m Friday. Office work hours are 8:00a.m to 4:00p.m. Monday through Friday, except special circumstances. In those case's hours of operation will apply to all personnel. Under no circumstances will the work day for a full-time employee be less than 7 1/2 hours, not including time off for breaks and lunch.

No breaks are provided daily.

Any deviation from established hours must be approved through the Manager.

Weekend on Call- Standby on call weekends and holidays shall be rotated among all employees designated by the Manager for such duties. Employees on call will carry a telephone and keep within range.

Office Closings- The Manager shall be the only authority to release any employees earlier than the regular closing hours of the office and its departments or to delay the regular time to report to work due to inclement weather or other severe conditions. The off for inclement weather office closings will be viewed as an excused absence. If the office is open the absence is unexcused.

PROBATIONARY PERIOD DEFINITION- All employees hired for permanent full-time employment with the District shall for the first three months of employment be on a probationary period.

PERMANENT FULL-TIME EMPLOYEE DEFINITION- All employees hired for a permanent position shall work no less than 37 1/2 hours per week to maintain full-time status.

EVALUATIONS- Evaluations shall be made by Water District Manager, for all permanent full-time employees annually. For new permanent full-time employee's review shall be within ninety days of employment.

FUNERAL LEAVE- Funeral leave will be granted, at employee's regular rate of pay, to permanent full-time employees who are absent from work because of attending the funeral of a spouse, parent, grandparent, great grandparent, brother, sister, child, or grandchild or like relatives of the employee's spouse. The amount of the time shall be three days unless circumstance warrants more which shall be determined by the Manager.

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HEALTH AND SAFETY- Employees of the District have the right to work in a safe environment and, in addition, should feel a responsibility to advise the Manager of any health conditions that may affect his/her work. If the employee is on medication or under a doctor's care for any reason that could affect the employee's operation of machinery, equipment, or other job duties, the employee must inform the supervisor and Manager. It is also the employee's responsibility to immediately report any injury (no matter how minor) to his/her Manager in the same work shift in which the injury occurred. Failure to report a health or injury condition may subject the employee to disciplinary action.

HOLIDAYS- All full-time employees will be paid for the following holidays.

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| New Year's Day | Martin Luther King | Labor Day |
| Veterans Day | Presidents Day | Thanksgiving & the Friday after |
| Memorial Day | Good Friday | Christmas Eve & Christmas Day |
| Independence Day | Columbus Day | |

Holidays falling on Saturday will be observed on the preceding Friday and those falling on Sunday will be observed on the following Monday.

INSURANCE- The Water District will provide mandatory health insurance for all eligible permanent full-time District employees.

JURY DUTY- If an employee is called for jury duty, to attend court or to a coroner's inquest as a witness, the employee is to notify his/her supervisor immediately to allow for absence. All full-time employees called shall receive full pay from the District less any moneys or fees earned by the employee for serving in these capacities.

MATERNITY LEAVE- XXXXXXXXXXXXXXXXXXXX pregnancy leave policy in no different than any other illness or injury covered for permanent full-time employee's subject to the terms of the policy in force (refer to "Disability Pay"). As soon as pregnancy is confirmed, notification in writing must be delivered to the District Manager by the employee. The Manager will then assess the job requirements of the employee and determine if any alteration should be made as a result of the pregnancy. The employee's Manager should be advised once the pregnancy is confirmed f any job restrictions which may be needed throughout the pregnancy.

Within the first two weeks after delivery, the employee and their Manager should discuss the employee's intention to return to full time employment at the end of the leave. Whether or not the employee plans on returning to a full- time status does not affect, alter, or modify the benefits referred under "Disability Plan". For the term of the disability, employees are expected to return to work as soon as they are no longer disabled.

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MILITARY LEAVE- A military leave of absence will be granted to all permanent full-time employees to attend scheduled drills, training or if called to active duty with the U.S. Armed Forces.

OFFICE-SHOP POLICY- Any employee separating from employment of the Water District for any reason shall, prior to separation, return all District property, keys, equipment, office data and /or computer information and codes issued the employee. Failure to return District-owned property and equipment by date of separation, or failure to return property and equipment in acceptable condition will result in the withholding of any compensation or benefits due the employee until such time as satisfactory agreements are met, and/or legal sanctions.

PAYDAYS- All employees are paid weekly on Friday for the previous weeks work. In the event that a regularly scheduled payday falls on a day off (e.g., holiday), employees will receive pay on the last day of work before the regularly scheduled payday.

PERSONNEL RECORDS- XXXXXXXXXXXXXXXXXXXX maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are property of XXXXXXXXXXXXXXXXXXXX, and access to the information they contain is restricted. Generally, only the manager and The Board of Directors of XXXXXXXXXXXXXXXXXXXX who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Office Manager. With reasonable advance notice, employees may review their own personnel files in XXXXXXXXXXXXXXXXXXXX office and in the presence of an individual appointed by Public Water Supply District #1 to maintain the files.

SICK AND PERSONAL LEAVE- There will be ten days of personal leave per year, accrued at one day per month of employment for all permanent full-time employees starting on the first day of the month following the date of employment. The minimum amount that may be charged to sick/personal leave is one hour with a maximum of eight hours per day. Leave not used during the 12-month period may be accumulated and carried over to succeeding accumulated leave not used-to a total of six weeks. At time of termination, resignation, or retirement, sick/personal leave will be paid at the rate of 1/2 of the employee's regular wage rate at that time. All sick/personal leave payments must be approved by the Manager. A written physician's evaluation may be required after three working days of absence. This will include the nature and extent of the disability, as well as a probable date of return to work.

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No employee may be absent from work without permission from the Manager. An employee absent for one day without permission or without notifying management shall be considered to have resigned or shall have his employment terminated without notice. In the event an employee is unable to work due to illness, he or she shall notify the office no later than 8:00 a.m. of the day.

Telephone- Employees may be required to reimburse XXXXXXXXXXXXXXXX for any charges resulting from their personal use of the telephone. To assure effective telephone communication, employees should always use the approved greeting and speak in a courteous and professional manner. The employee should confirm information received from the caller and hang up only after the caller has done so. The employee shall not conduct personal telephone business while a customer is waiting.

Vacation- Two weeks (80) vacation are earned on the first-year anniversary of employment and every year after. Vacation time must be approved by the Manager with one-week notice.

Wages- The Board of Directors will meet every year with the Manager to review salaries. It is the intent of the Board of Directors to keep salaries competitive and with this, salaries will be reviewed annually in the month of June.

Business Confidentiality- No employee shall discuss or in any way release business proceedings or customer information with anyone other than District employees. Only the Board of Directors approved Custodian of Records may do so.

Harassment- XXXXXXXXXXXXXXXX is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to the Manager or the Board of Directors. Employees can raise concerns and make reports without fear of reprisal. Due to the small size of the district and to better ensure that the harassment policy is enforced, no employees of the District shall live or cohabit with one another. Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Manager, who will handle the matter in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

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Seriation of Duties- Due to the small size of the District's staff an ideal system of internal control cannot be achieved. Management and the Board of Directors are aware of this condition. In an attempt to better manage the internal control of the District, the Board of Directors strives to obtain as much segregation of duties as possible so that no one person has completer control over any type of financial transaction or decision affecting the District. In an attempt to maintain better control over the segregation of duties of the staff and to ensure proper employee morale, no employee of the District shall live or cohabit with any other employee of the District and no employee of the District shall be related with the 4th degree, by consanguinity or affinity without written consent of the board.

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ACCEPTANCE OF POLICY

I have reviewed the Policy Manual and accept the guidelines outlines.

Signed_____

Date_____

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I acknowledge that I have not been discriminated against, sexually harassed or unlawfully harassed in any manner while employed by the XXXXXXXXXXXXXXXX.

Signed _____

Date _____