



McCloud Community Services District

220 West Minnesota Avenue P.O. Box 640

McCloud, California 96057

Phone (530) 964-2017 Fax (530) 964-3175 e-mail mcsd@ci.mccloudcsd.ca.us

REGULAR MEETING OF THE BOARD OF DIRECTORS

SCOUT HALL - 405 E. COLOMBERO DRIVE

July 26, 2021, at 6:00 PM

AGENDA

The McCloud Community Services District welcomes you to this meeting. This agenda contains brief general descriptions of each item to be considered at this meeting by the Board of Directors. If you wish to speak on an item on the agenda, you will be provided the opportunity to do so prior to consideration of the item by the Board. If you wish to speak on an item that is not on the agenda, you are welcome to do so during the Public Comment portion of the meeting. Persons addressing the Board will be asked to step up to the podium and will be limited to three minutes or depending on the number of persons wishing to speak, it may be reduced to allow all members of the public the opportunity to address the Board. When addressing the Board, please state your name for the record prior to providing your comments. Please address the board as a whole through the President. Comments to individual Board members or staff are not permitted.

All documentation supporting the items on this agenda are available for public review in the District office, 220 W. Minnesota Avenue, McCloud CA 96057, during normal business hours of 9:00 a.m. to 12noon and 1:00 pm to 4:00 p.m. Monday through Friday.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the District office 48 hours prior to the meeting at (530) 964-2017.

1. Call to Order

2. Pledge of Allegiance

3. Approval of Minutes:

A. Discussion/action regarding approval of the minutes of the Regular Meeting of July 12, 2021

B. Discussion/action regarding approval of the minutes of the Special Meeting of July 19, 2021

4. Announcement of Events:

5. Communications:

6. Reports:

A. General Manager-Verbal

B. Finance Officer-See written report.

C. Directors

D. Committees

7. Consent Agenda:

A. Approval of Expenses in the amount of \$30,909.50

8. Old Business:

A. Discussion/possible action regarding the Second and Final reading of MCSD Policy 2192 - Substance Abuse.

9. New Business:

A. Discussion/possible action regarding Cost-of-Living increase for General Manager.

1. General Manager contract

2. MCSD policy 2010 Employee Compensation with regards to Cost-of-Living increases

10. Public Comment: This time is provided to receive information from the public regarding issues that **do not** appear on the agenda (persons addressing the Board will be asked to step up to the podium and will be limited to three minutes or depending on the number of persons wishing to speak, it may be reduced to allow all members of the public the opportunity to address the Board).

11 Adjourn

MCSD Mission Statement

McCloud Community Services District will strive to provide the full range of municipal services, at a reasonable cost applied consistently to all customers, while maintaining a healthy infrastructure and environmental integrity.

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS July 12, 2021

A regular meeting of the Board of Directors of the McCloud Community Services District was called to order at 6:00 p.m. at the Scout Hall. Five Directors (Young, Richey, Hanson, Rorke, Zanni) were present. Also present were General Manager Amos McAbier, Fire Captain Nate Girard, Finance Officer Mike Quinn and District Secretary Andrea Mills.

1. Call to Order at 6:00PM

2. Pledge of Allegiance.

3. Approval of Minutes:

A. Discussion/action regarding approval of the minutes of the Regular Meetings of June 14, 2021, and June 28, 2021, and the Special Meeting of June 21, 2021.

R. Zanni made a motion to approve the minutes of the Regular Meetings of June 14, 2021 and June 28, 2021 and the Special Meeting of June 21, 2021; seconded by C. Richey. Motion passed with 3 ayes (Richey, Zanni, Rorke) for the Regular Meetings of June 14, 2021, 2 abstain, M. Hanson and C. Young. Motion for the meetings of June 28, 2021 and the Special Meeting of June 21, 2021 passed with 4 ayes (Young, Richey, Zanni, Hanson), 1 abstain (Rorke).

4. Announcement of Events: None

5. Communications:

A. Correspondence from Betsy Phair regarding water bottling and water availability.
No comments.

6. Reports:

A. General Manager-Amos McAbier reported that the Mud Creek flow is being closely monitored by staff and that the springs water flow has still been decreasing. The Lower Elk Springs Grant has been given final approval. The discharge permit for the water tank has been approved however staff will not be draining the tank until the water flow returns to normal unless required.

B. Fire Chief- Nate Girard reported that training during the busy summer months will be on Thursdays only. The crew will be focusing on wildland firefighting and rescue. Most of our volunteer firefighters have wildland fire training already. Nate reported that there have already been three requests for a standby ambulance with staff for local fires. This service can pay \$1000.00 per day however, the MCVFD was unable to supply these services.
Please see additional Fire Department information on the written report.

C. Directors-no reports

D. Committees-

Finance and Audit reported they have been working on the proposed budget included in this meeting's agenda.

Safety Committee, Policy Review, Fire Department and Courthouse Committee did not meet.

7. Consent Agenda:

A. Approval of Expenses in the amount of \$7,012.78.

B. Approval of Expenses in the amount of \$22,870.69.

C. Richey made a motion to approve expenses in the amount of \$7,012.78 and the amount of \$22,870.69; seconded by C. Young. Motion passed with 5 ayes (Young, Richey, Hanson, Rorke, Zanni).

8. Old Business:

A. Discussion/possible action regarding review of service contracts proposals for office copy machine lease. Ray Morgan Co. and Western Business Products (Lanier).

The pros and cons of the proposals within the agenda were thoroughly discussed at the last Board Meeting. Brief summery was given tonight. Amos McAbier made a recommendation to go with Western Business products. A timeline for the new copy machine is approximately 6 weeks according to the company representative that was in attendance.

M. Hanson made a motion for Amos to sign a contract proposal on page 34, with Western Business solutions and cancel the services of Ray Morgan Co.; seconded by R. Zanni. Motion passed with 5 ayes (Young, Richey, Hanson, Rorke, Zanni).

B. Discussion/possible action regarding adoption of MCSD preliminary 2021-2022 fiscal budget.

R. Zanni made a motion to adopt the MCSD preliminary 2021-2022 fiscal budget; seconded by M. Hanson. Motion passed with 4 ayes (Young, Zanni, Hanson, Rorke) 1 nay (Richey).

C. Discussion/possible action regarding retaining BKS law firm for MCSD general council services.

C. Young made a motion to Approve retaining BKS for general counsel services for the MCSD @ \$290.00 per hour subject to possible annual hourly rates increases typical of cost-of-living increases and waive the previous cap for legal expenses not to exceed \$8,000.00.

And authorize the Board President to sign a Confirmation Letter stating the MCSD Board of Directors has retained BKS for general council services; seconded by R. Zanni. Motion passed with 4 ayes (Young, Richey, Hanson, Zanni). 1 nay (Rorke).

MCSD will retain the services of Prentice Long Law Firm in Redding for simple tasks or items without timelines.

D. Discussion/possible action regarding approval of the first reading of MCSD Policy 2192 - Substance Abuse.

M. Hanson made a motion to approve the first reading of MCSD Policy 2192- Substance Abuse to include changes and appendix F; seconded by M. Rorke. Motion passes with 5 ayes (Young, Richey, Hanson, Rorke, Zanni).

8. New Business:

A. Discussion/possible action regarding approval of proposed banking/financing relationship with Five Star Bank.

1. Banking Proposal
2. Loan Details (estimated) Refinance current loan with SWRCB
3. Loan Details (estimated) Refinance current loan with USDA
4. Loan Details (estimated) Combination/Refinance two Refuse Trucks Loans
5. Loan Details Revolving Line of Credit of \$250,000.

Presentations were given by Jerry Legg, Lisa Stewart, and Bill Spear of Five Star Bank. Five Star Bank is the banker of the CSDA(California Special District Association) and specializes in low cost, high quality customer service banking for Special Districts. Services provided by the bank were discussed as well as the refinancing of MCSD current loans and a potential of a line of credit loan from Five Star Bank. Changing the banker will save MCSD nearly \$190,000.00 over the lives of current loans. C. Young, C. Richey and M. Rorke expressed concern over the closest branch location in Redding and our ability to do banking at a distance.

M. Hanson made a motion to approve the banking proposal, refinance loans with SWRCB and USDA, combination/refinance two refuse truck loans and apply for a revolving line of credit of \$250,000 with the application fees of \$1200.00 for the line of credit to be taken from the General Fund, the remainder of fees to be added to their prospective loans and move the LAIF money to Five Star Bank; seconded by R. Zanni. Motion passed with 4 ayes (Young, Richey, Zanni, Hanson). 1 nay (Rorke).

10. Public Comment: This time is provided to receive information from the public regarding issues that **do not** appear on the agenda (persons addressing the Board will be asked to step up to the podium and will be limited to three minutes or depending on the number of persons wishing to speak, it may be reduced to allow all members of the public the opportunity to address the Board).

11. Adjourn open session at 8:21PM

12. Convene a Closed Session: at 8:25PM

A. Convene a Closed Session Pursuant to California Government Code §54957.6 - Public Employee Performance Evaluation: General Manager.

B. Convene a Closed Session Pursuant to California Government Code §54956.9(b) – Threatened Litigation.

13. Reconvene open session and announce any action taken *at 10:08PM*

C. Young announced that there will not be any changes to the MCAD contract with General Manager, Amos McAbier.

C. Young also announced that no action will be taken regarding Threatened Litigation.

14. Adjourn at 10:09PM

Catherine Young/President of the Board

Andrea Mills/Secretary of the Board

DRAFT

**MINUTES OF A
SPECIAL MEETING OF THE BOARD OF DIRECTORS
July 19, 2021 at 6:00 PM**

A regular meeting of the Board of Directors of the McCloud Community Services District was called to order at 6:01 p.m. at the Scout Hall. Five Directors (Richey, Hanson, Young, Rorke, Zanni) were present. Also present were General Manager Amos McAbier, Public Works Superintendent Richie Fesler, Finance Officer Mike Quinn.

1. Call to Order at 6:01 PM

- 2. Public Comment:** This time is provided to receive information from the public regarding issues that **do** appear on the agenda.

No public, No Comments

3. Discussion/possible action

A. Resolution designating signers and contacts for new 5 Star Bank accounts and completion of contract, registrations and signature cards for same accounts.

1. Resolution No.3,2021

R. Zanni made a motion to approve Resolution No. 3, 2021;seconded by M. Hanson. Motion passed with 5 ayes(Zanni, Hanson, Rorke, Richey, Young)

2. Contract for Deposits of Monies

M. Hanson made a motion to approve the Contract for Deposits of Monies with Five Star Bank with changes; R. Zanni seconded. Motion passed with 5 ayes(Zanni, Hanson, Rorke, Richey, Young)

3. Authorized Signatories

M. Hanson made a motion to approve the Authorized Signatories for Five Star Bank; seconded by M. Rorke. Motion passed with 5 ayes(Zanni, Hanson, Rorke, Richey, Young)

B. Discussion of banking changeover

Dates of changeover to be determined. Bank reconciliations will now become much easier, saving to the District will be substantial.

Adjourn at 6:25 PM

Catherine Young/President of the Board

Andrea Mills/Secretary of the Board

DRAFT

MCSO BOARD OF DIRECTORS
July 26, 2021 at 6:00 PM

AGENDA SUPPORTING DOCUMENT
Agenda Item No. 6B
Finance Officer's Report

1. The District has received a 2nd bid for Actuarial Services. Please see attached.

July 20, 2021

Michael Quinn
Finance Officer
McCloud Community Services District



Dear Mr. Quinn:

Actuarial Retirement Consulting (ARC) has prepared the following scope and fees for the McCloud Community Services District (District). We appreciate the opportunity to provide our services and are available to discuss any questions you may have.

GASB 75

Government Accounting Standards Board (GASB) Statement 75 applies to accounting and financial reporting for postemployment benefits other than pensions. Under GASB 75, a full actuarial report is required at least once every two years. Further, annual disclosure reports are prepared to reflect the discount rate, contributions, payroll, and funding levels as of the measurement period. These annual disclosure reports comply with the requirements, under GASB 75, for fiscal year end reporting in the District's notes to financial statements.

Scope of Work

ARC will prepare a full actuarial valuation report as of June 30, 2020 as well as two disclosure reports for the fiscal years ending June 30, 2021 and June 30, 2022.

The full actuarial valuation will include the following:

- Summary of plan provisions and census data.
- Postemployment benefit liabilities including the Present Value of Projected Benefits, Total OPEB Liability, and the Actuarially Determined Contribution.
- Reconciliation of Total OPEB Liability with the prior actuarial report.
- Sensitivity of the Net OPEB Liability with a +/-1% change in discount rate and trend rate.
- Projected explicit and implicit benefit payments.
- Actuarial assumptions and certification.

The annual fiscal year end disclosure reports will include the following:

- Summary of plan provisions and census data.
- Determination of changes in the Total OPEB Liability.
- Sensitivity of the Net OPEB Liability with a +/-1% change in discount rate and trend rate.
- OPEB Expense and deferred outflows/inflows of resources related to OPEB.
- Actuarial assumptions and certification.

Fees

Our flat fees, for the scope of work detailed above, are listed below. All fees are billed upon delivery of a report.

Full Actuarial Valuation as of June 30, 2020:	\$2,250
Disclosure Report for the fiscal year ending June 30, 2021:	\$500
Disclosure Report for the fiscal year ending June 30, 2022:	\$500



Process and Timeline

For disclosure reports, ARC will send an email of requested data items with the prior year values shown for reference.

For a full valuation, ARC will send an Excel spreadsheet containing a checklist of requested data as well as a template for collecting individual participant data, for reference.

Once complete data is received, full actuarial valuations are typically completed within three to four weeks while disclosure reports take approximately one to two weeks. If the District needs a shorter timeline, we will do our best to accommodate.

Additional Information

ARC is available, upon request, to provide:

- Proof of insurance.
- Proof of actuarial certification in good standing.
- Review and signature of any District contract for the scope of work.

Please feel free to contact us with any questions about this proposal.

Sincerely,
Molly



 Molly McGee, ASA, EA, MAAA
 Actuary
 Actuarial Retirement Consulting, LLC

7/20/2021

 Date

 Michael Quinn
 Finance Officer
 McCloud Community Services District

 Date



* ... Over spent expenditure

Claim/	Check	Invoice #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund	Org	Acct	Object	Proj	Cash
10168		454 American Water Works Association	459.00								
		Membership (9/1/21-8/31/22) Renewal									
		Mmbr36917 05/25/21 Membership (9/21-8/22) Rene	459.00*			3000		402000	370		101000
		Total for Vendor:	459.00								
		*** Claim from another period (6/21) ****									
10170		1174 BARTKIEWICZ, KRONICK & SHANAHAN	870.00								
		Professional Services									
		8922.0001 07/09/21 Professional Services-Drain	870.00			3000		402000	390		101000
		Reallocate Designated Receipts	-870.00			3000		521000	390		101000
		Reallocate Designated Receipts	870.00			1010		521000	390		101000
		Total for Vendor:	870.00								
10186		10 BAXTER AUTO PARTS	241.86								
		Alternator for Squad 1740									
		31-243038 07/12/21 Alternator for Squad 1740	295.61*		725092	1040		403000	530		101000
		15674-3304 07/20/21 Credit Returned Core	-53.75*		725092	1040		403000	530		101000
		Total for Vendor:	241.86								
		*** Claim from another period (6/21) ****									
10201		1132 Bob Masciola	120.00								
		2nd Qtr 2021 Points									
		Qtr2-2021 06/30/21 2nd Qtr 2021 Points	120.00			1040		402000	380		101000
		Total for Vendor:	120.00								
10169		1018 BOUND TREE MEDICAL, LLC	523.49								
		Ambulance Medical Supply									
		84120546 07/06/21 Ambulance Medical Supplies	523.49*		123456	1040		403000	400		101000
		Total for Vendor:	523.49								
		*** Claim from another period (6/21) ****									
10191		1165 CAL FIRE	1,120.00								
		8 students-driver operator IA class certificates (YE 6/30/21)									
		CF-FAD01A0 07/02/21 FIRE APP. DRIVER/OPER TRAI	1,120.00		725099	1040		402000	350		101000
		Total for Vendor:	1,120.00								

* ... Over spent expenditure

Claim/	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
10203	2nd Qtr 2021 Points	1135 Cindy Miller		400.00					
	Qtr2-2021 06/30/21 2nd Qtr 2021 Points			400.00			1040 402000	380	101000
		Total for Vendor:		400.00					
10182	REIMBURSEMENT-FIRE ENGINE DRIVERS LICENSE	1140 Daniel Fay		38.88					
	DMV 07/08/21 REIMB-DMV ENGINE DRIVERS LICEN			38.88*			1040 402000	345	101000
		Total for Vendor:		240.00					
10195	2nd Qtr 2021Points	1140 Daniel Fay		240.00					
	Qtr2-2021 06/30/21 2nd Qtr 2021 Points			240.00			1040 402000	380	101000
		Total for Vendor:		278.88					
10208	2nd Qtr 2021 Points	1162 David Wolfe		20.00					
	Qtr2-2021 06/30/21 2nd Qtr 2021 Points			20.00			1040 402000	380	101000
		Total for Vendor:		20.00					
10189	HOSE & LADDER TESTING	1070 DCS Testing & Equipment		1,757.10					
	18926 07/13/21 HOSE & LADDER TESTING			1,757.10*		725093	1040 403000	520	101000
		Total for Vendor:		1,757.10					
10179	June Fingerprint apps	460 DEPT. OF JUSTICE		32.00					
	521714 06/30/21 Fingerprint apps			32.00			1070 402000	392	101000
		Total for Vendor:		32.00					
10173	DYED DIESEL	42 DON R ERICKSON OIL		402.44					
	178489 07/05/21 DYED DIESEL 125 GAL @ 2.999			402.44*			1010 403000	420	101000
		Total for Vendor:		402.44					

* ... Over spent expenditure

Claim/	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund	Org	Acct	Object	Proj	Cash
10192	2ND QTR 2021 POINTS	1136 Jack Borden		300.00								
		Qtr2-2021 06/30/21 2ND QTR 2021 POINTS		300.00			1040		402000	380		101000
		Total for Vendor:		300.00								
10198	2nd Qtr 2021 Points	1137 Jeff Gray		30.00								
		Qtr2-2021 06/30/21 2nd Qtr 2021 Points		30.00			1040		402000	380		101000
		Total for Vendor:		30.00								
10199	2nd Qtr 2021 Points	1121 Jessie Gray		250.00								
		Qtr2-2021 06/30/21 2nd Qtr 2021 Points		250.00			1040		402000	380		101000
		Total for Vendor:		250.00								
10194	2nd Qtr 2021 Points	1173 JOE DeWITT		170.00								
		Qtr2-2021 06/30/21 2nd Qtr 2021 Points		170.00			1040		402000	380		101000
		Total for Vendor:		170.00								
10176	SADDLE-WATER HU-RAIL ROAD LOT	395 JW WOOD		111.77								
		r725062 06/23/21 SADDLE-WATER HU-RAILROAD LOT		111.77			3000		403000	400		101000
10190	REPLACE VANDALIZED-WALL-MOUNT-PARK TOILET	396 JW WOOD		140.82								
		R727999 07/13/21 WALL MOUNT TOILET		140.82			1070		403000	510		101000
		Total for Vendor:		252.59								
10206	2nd Qtr 2021 Points	1131 Kirk Thomsen		103.95								
		Qtr2-2021 06/30/21 2nd Qtr 2021 Points		103.95			1040		402000	380		101000
		Total for Vendor:		103.95								

* ... Over spent expenditure

Claim/	Check	Invoice #/	Vendor #/Name/	Document \$/	Disc \$	PO #	Fund	Org	Acct	Object	Proj	Cash
			Date/Description	Line \$								Account
10177		71	FIRST BANKCARD - DIRECTORS 2	1,118.12								
	Vehicle Fuel @ Reginato's; Truck Rental for EE Class B Lic. Test											
	008775 06/11/21 Park Mix Can 2 gal Fuel @ 4.25			8.54					403000	520		101000
	009273 06/14/21 F350 Svc Trk 34 gal @ \$4.25			143.20					403000	430		101000
	008409 06/15/21 Truck Rent for EE Class B Lic			800.00					402000	345		101000
	009531 06/16/21 F150 Slvr Ford 77,758 mi			85.79					403000	430		101000
	10833 06/24/21 F150 Slvr Ford 78,003.5 mi			80.59					403000	430		101000
	Total for Vendor:			1,118.12								
	*** Claim from another period (6/21) ****											
10178		70	FIRST BANKCARD - DISTRICT CARD	1,136.88								
	Enplan, Msft IT Svcs; Reginato Weed Eater Fuel; USPS (stamps);											
	06/07/21 ENPLAN			29.00*					1010	396		101000
	06/09/21 REGINATO'S GAS FOR WEED EATER			42.60		724966			403000	430		101000
	06/21/21 MICROSOFT			200.00*					402000	396		101000
	06/21/21 USPO-Stamps for Util. Billing			550.00					403000	411		101000
	8837 06/21/21 Cascade Glass-F150 Window Rplc			268.03		725082			403000	530		101000
	07/02/21 MS Radio Shack-Scan Disks, Thm			47.25					403000	400		101000
	Total for Vendor:			1,136.88								
	*** Claim from another period (6/21) ****											
10180		69	FIRST BANKCARD - FIRE DEPT	500.61								
	Fire Dept. Supplies											
	SMALLPDF 06/08/21 OFFICE SUPPLIES			108.00					403000	410		101000
	SIGNARAMA 06/15/21 STICKERS/LOGOS FOR VEHICLES			225.36*					403000	530		101000
	SOLANO'S 06/18/21 RAZOR KNIFE BLADES			6.42*					403000	400		101000
	AMAZON 07/06/21 SCBA & RADIO BATTERIES			160.83*					403000	400		101000
	Total for Vendor:			500.61								
	*** Claim from another period (6/21) ****											
10187		1103	General Equipment Company	1,609.23								
	Side-Load Refuse Truck Equipment Repair											
	76806 06/07/21 Wire Harness Adapter			98.84*		725095			403000	520		101000
	76914 06/18/21 Mother-Board Contril Computer			1,510.39*		725095			403000	520		101000
	Total for Vendor:			1,609.23								

* ... Over spent expenditure

Claim/	Check	Invoice #/Name/ Vendor #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
10167	July IT Services	416 MT SHASTA IT SERVICES	800.00					
		inv-0144 07/01/21 July IT Services	800.00		1010	402000	396	101000
		Total for Vendor:	800.00					
		*** Claim from another period (6/21) ****	343.70					
10197	2nd Qtr 2021 Points	1159 Nate Girard						
		Qtr2-2021 06/30/21 2nd Qtr 2021 Points	343.70		1040	402000	380	101000
		Total for Vendor:	343.70					
		*** Claim from another period (6/21) ****	1,349.02					
10160	June electric bill for Streetlights	126 PACIFIC POWER - 007 4 STREET						
		21851-007 07/01/21 June electric bill for Stre	1,349.02		1060	403000	450	101000
		Total for Vendor:	1,349.02					
		*** Claim from another period (6/21) ****	525.00					
10161	Legal Services	1092 Prentice Long, PC						
		4391 07/01/21 Legal Services	525.00		1010	402000	390	101000
		Total for Vendor:	525.00					
		*** Claim from another period (6/21) ****	180.00					
10184	FIRE DEPARTMENT PHYSICAL	102 SHASTA CASCADE HEALTH CENTER						
		MEMMER, J 06/23/21 FIRE DEPARTMENT PHYSICAL	180.00		1040	402000	345	101000
		Total for Vendor:	180.00					
10171	Monthly WordPres Maintenance Fee	1048 Silver Rockets						
		000923 07/10/21 Monthly Wordpress Maint Fee	50.00		1010	402000	396	101000
		Total for Vendor:	50.00					
		*** Claim from another period (6/21) ****	117.90					
10200	2nd Qtr 2021 Points	1182 Steve Marques						
		Qtr2-2021 06/30/21 2nd Qtr 2021 Points	117.90		1040	402000	380	101000
		Total for Vendor:	117.90					

* ... Over spent expenditure

Claim/	Check	Invoice #/Name/ #/Inv Date/Description	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
10159	3rd Quarter Monitoring	27950 06/18/21 3rd Quarter Monitoring	443 LAWRENCE & ASSOCIATES	5,663.76			2000 402000	392 13	101000
				Total for Vendor:					
				5,663.76					
10193	2nd Qtr 2021 Points	Qtr2-2021 06/30/21 2nd Qtr 2021 Points	1156 Matthew Dalleske	40.00			1040 402000	380	101000
				Total for Vendor:					
				40.00					
10188	(4) 2-Yd Dumpsters	SO#4607 07/02/21 (4) 2 yard Dumpsters	1058 McLaughlin Waste Equip., Inc.	4,861.74		725094	1090 403000	520	101000
				Total for Vendor:					
				4,861.74					
10183	REIMBURSEMENT-FIRE ENGINE DRIVERS LICENSE	DMV 07/08/21 REIMB-ENGINE DRIVERS LICENSE	1172 MEMMER, JETTUS	38.88			1040 402000	345	101000
				Total for Vendor:					
				38.88					
10202	2nd Qtr 2021 Points	Qtr2-2021 06/30/21 2nd Qtr 2021 Points	1172 MEMMER, JETTUS	380.00			1040 402000	380	101000
				Total for Vendor:					
				380.00					
10209	2nd Qtr 2021 Points	Qtr2-2021 06/30/21 2nd Qtr 2021 Points	1163 Mike Worthington	40.00			1040 402000	380	101000
				Total for Vendor:					
				40.00					
10174	Ord. #2 Publishing	8979 06/02/21 Ord. #2 Publishing	107 MT SHASTA AREA NEWSPAPERS -	73.75			1010 402000	397	101000
				Total for Vendor:					
				73.75					

* ... Over spent expenditure

Claim/	Check	Invoice #/Name/ Vendor #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
10165		116 VYVE - FIRE Phone & Internet Service	92.72					
		Jul2020 07/02/21 Phone & Internet Service	92.72*			1040 402000	- 320	101000
		Total for Vendor:	92.72					
10166		117 VYVE - MCSD July Phone & Internet Service	299.46					
		Jul2021 07/02/21 July Phone & Internet Service	299.46*			1010 402000	- 320	101000
		Total for Vendor:	299.46					
		# of Claims	46					
		Total:	30,909.50					

* ... Over spent expenditure

Claim/	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
10204	2nd Qtr 2021 Points	1160 Steve Richardson		231.85					
	Qtr2-2021 06/30/21 2nd Qtr 2021 Points			231.85			1040 402000	380	101000
		Total for Vendor:		231.85					
10185	Surveying around water general fund	1168 TERENCE CAMPBELL LAND SURVEYING		3,212.50					
	05/10/21 Surveying-water tank propertie			2,835.00			3000 402000	392	101000
	06/30/21 Comprehensive Findings Report			377.50			3000 402000	392	101000
	06/30/21 Reallocate Designated Receipts			3,212.50			1010 521000	392	101000
	06/30/21 Reallocate Designated Receipts			-3,212.50			3000 521000	392	101000
		Total for Vendor:		3,212.50					
		*** Claim from another period (6/21) ****		425.80					
10207	2nd Qtr 2021 Points	1161 Trent Vogus		425.80					
	Qtr2-2021 06/30/21 2nd Qtr 2021 Points			425.80			1040 402000	380	101000
		Total for Vendor:		425.80					
		*** Claim from another period (6/21) ****		30.00					
10205	2nd Qtr 2021 Points	1177 ULIANNA ROSEBERRY		30.00					
	Qtr2-2021 06/30/21 2nd Qtr 2021 Points			30.00			1040 402000	380	101000
		Total for Vendor:		30.00					
		*** Claim from another period (6/21) ****		320.13					
10163	Monthly Cell Phone Service	255 VERIZON WIRELESS - MCSD		120.03					
	9883117616 07/01/21 Jun Cell Phones			100.25			1010 402000	320	101000
	9883117616 07/01/21 Pws, On Call, GM Phone			99.85			1040 402000	320	101000
	9883117616 07/01/21 Fire Chief & Ambulance Pho			320.13					
		Total for Vendor:		320.13					
10164	Phone & Internet Service	1143 VYVE - BD@SCOUT HALL		137.14					
	Jul2021 07/02/21 Phone & Internet Service			137.14			1020 402000	-320	101000
		Total for Vendor:		137.14					

Fund/Account	Amount
1010 GENERAL	
101000 Operating Cash	\$7,857.29
1020 DIRECTORS	
101000 Operating Cash	\$137.14
1040 FIRE	
101000 Operating Cash	\$7,836.59
1060 LIGHTS	
101000 Operating Cash	\$1,349.02
1070 PARKS	
101000 Operating Cash	\$223.96
1090 REFUSE	
101000 Operating Cash	\$7,270.97
2000 SEWER	
101000 Operating Cash	\$5,663.76
3000 WATER	
101000 Operating Cash	\$570.77
Total:	\$30,909.50

The foregoing claims are approved for payment in the manner provided by Resolution #3, dated November 8, 1965."

Prepared by: Keith Anderson _____

Reviewed by: *Keith Anderson* _____

Claims Total: \$30,909.50
Signature #1 _____

Signature #2 _____

Signature #4 _____

Signature #3 _____

Signature #5 _____

McCLOUD COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: **Substance Abuse**
POLICY NUMBER: **2192**
ADOPTED: **June 14, 2004**
REVIEWED: **April 12, 2016**
AMENDED: **August 08, 2005, October 24, 2016**

TABLE OF CONTENTS

SECTION 1 – POLICY STATEMENT

2192.10 APPLICABILITY.....

2192.20 PROHIBITED SUBSTANCES.....

 2192.21 Drugs.....

 2192.22 Alcohol.....

 2192.23 Legal Medications.....

2192.30 PROHIBITED CONDUCT.....

 2192.31 Manufacturing, Trafficking, Possession and Use.....

 2192.32 Impaired/Not Fit for Duty.....

 2192.33 Alcohol Use.....

 2192.34 Compliance with Testing Requirements.....

2192.40 NOTIFYING THE DISTRICT OF CRIMINAL DRUG CONVICTION.....

2192.50 PROPER APPLICATION OF THE POLICY.....

2192.60 TESTING FOR PROHIBITED SUBSTANCES.....

 2192.61 Employee Entrance Testing.....

 2192.62 Reasonable Suspicion Testing.....

 2192.63 Post-Accident Testing.....

 2192.64 Random Testing.....

 2192.65 Employee Requested Testing.....

 2192.66 Records Retention.....

2192.70 CONTACT PERSON.....

2192.80 DEFINITIONS.....

 2192.81 Accident.....

 2192.82 Alcohol.....

 2192.83 Alcohol Concentration.....

 2192.84 Alcohol Use.....

 2192.85 Breath Alcohol Technician (BAT).....

 2192.86 Chain of Custody.....

 2192.87 Collection Site.....

 2192.88 Commercial Motor Vehicle.....

	2192.89 Confirmation Test.....
2192.90	DEFINITIONS (CONTINUED).....
	2192.91 Controlled Substance (Drug) Test.....
	2192.92 Covered Employee.....
	2192.93 Department of Transportation Guidelines.....
	2192.94 Designated Employee Representative.....
	2192.95 District.....
	2192.96 District Time.....
	2192.97 Driver.....
	2192.98 Drug (Controlled Substance) Metabolite.....
	2192.99 Evidential Breath Testing Device (EBT).....
2192.100	DEFINITIONS (CONTINUED)
	2192.101 Medical Review Officer (MRO).....
	2192.102 Performing Safety-Sensitive Function.....
	2192.103 Post-Accident Alcohol and/or Controlled Substance Testing.....
	2192.104 Employment Entrance Controlled Substance Testing.....
	2192.105 Prohibited Drugs (Controlled Substances).....
	2192.106 Prohibited Substances.....
	2192.107 Random Alcohol and/or Controlled Substance Testing.....
	2192.108 Reasonable Suspicion Alcohol and/or Controlled Substance Testing.....
	2192.109 Refuse to Submit to an Alcohol and/or Controlled Substance Test.....
2192.110	DEFINITIONS (CONTINUED)
	2192.111 Safety-Sensitive Employee (Function and/or Position).....
	2192.112 Screening (Initial) Test.....
	2192.113 Substance Abuse Professional (SAP).....
	2192.114 Supervisor.....
	2192.115 Vehicle.....

SECTION 2 – PROCEDURES

	2192.120 REASONABLE SUSPICION.....
	2192.130 RANDOM TESTING.....
	2192.140 POST-ACCIDENT.....
	2192.150 CHAIN OF CUSTODY FOR CONTROLLED SUBSTANCE SPECIMENS.....
	2192.160 SPECIMENT COLLECTION OF STRANGE AND/OR UNRECOGNIZABLE SUBSTANCES
	2192.170 ALCOHOL CONCENTRATION.....
	2192.180 DEVIATIONS FROM PROCEDURES.....

SECTION 3 - APPENDICES

- APPENDIX A – SAFETY SENSITIVE CLASSIFICATIONS AND FUNCTIONS
- APPENDIX B – VOLUNTARY PARTICIPATION IN RANDOM TESTING
- APPENDIX C – STATEMENT OF DRUG ABUSE POLICY
- APPENDIX D – ACKNOWLEDGEMENT OF TRAINING AND RECEIPT
- APPENDIX E – PREVIOUS EMPLOYER INQUIRY FORM
- APPENDIX F – KRM SERVICES*

SECTION 1

POLICY STATEMENT

The purpose of this policy is to assure worker fitness for duty and to protect District employees and the public from risks posed by the use of alcohol and controlled substances by District employees while on District business. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transportation industry. The Federal Highway Administration (FHWA) of the Department of Transportation (DOT) has enacted 49 CFR Part 382 that mandate urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The Department of Transportation has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the Department of Transportation has enacted 49 CFR Part 29, "The Drug-Free Workplace Act of 1988", which requires the establishment of drug free workplace policies and the reporting of certain drug related offenses to the Department of Transportation. This policy incorporates those requirements applicable to safety-sensitive employees and others, when so noted, and shall be deemed amended to comply with subsequent changes in applicable law or regulation.

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

All employees, including new hires, shall receive a copy of this policy and be informed of their responsibilities with respect to compliance with Federal drug and alcohol testing regulations 49 CFR 382.601. All employees are required to read and sign the acknowledgement of receipt of this policy attached hereto as Appendix D.

The District shall not be responsible for the cost of rehabilitation, treatment or to reinstate employees who test positive for controlled substances or alcohol pursuant to this policy.

2192.10 Applicability: This policy applies to all employees when they are performing any District related business, regardless of locale. Certain provisions, where identified, will apply only to safety-sensitive employees. It also applies to off-site lunch periods and breaks when an employee is scheduled to return to work.

2192.11 A safety-sensitive employee is:

2192.111 An individual in any classification requiring the use of a Class A or Class B commercial drivers license, as listed in Appendix A.

2192.112 An individual who has voluntarily driven a District vehicle requiring a commercial license within the last 12 month period, or who desires in the future to voluntarily drive a District vehicle requiring a commercial license, or

2192.113 An individual who performs safety-sensitive functions as specified in Appendix A.

2192.12 A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform or immediately available to perform any safety-sensitive function.

2192.20 Prohibited Substances: Prohibited substances addressed by this policy shall include the following:

2192.21 Drugs: marijuana, amphetamines, opiates, phencyclidine (PCP) and cocaine.

2192.22 Alcohol: The use of beverages or substances, including any medications containing alcohol, such that it is present in the body at a level in excess of that stated in DOT guidelines while actually performing, ready to perform or immediately available to perform any District business is prohibited. *Alcohol* is defined as: the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol, including methyl or isopropyl alcohol.

2192.23 Legal Medications: Using or being under the influence of any legally prescribed medication(s) or non-prescription medication(s) while performing District business is prohibited to the extent that such use or influence affects job safety or impairs an employee's effective and efficient job performance. An employee taking any medication which carries a warning label that indicates that mental functioning, motor skills and/or judgment may be adversely affected must report such use to his/her supervisor and medical advice should be sought before performing work-related duties. In the above instance, an employee using legally prescribed medication or non-prescription medication may continue to work if the supervisor determines that the employee does not pose a safety threat and that job performance is not adversely affected by such use. Failure to notify the supervisor of the use of such legally prescribed medication or non-prescription medication may result in disciplinary action up to and including termination of employment.

2192.30 Prohibited Conduct

2192.31 Manufacture, Trafficking, Possession and Use: Conviction of the unlawful manufacture, distribution or dispensing of a controlled substance, dispensing or consuming alcohol on District premises or in a District vehicle while conducting District business is absolutely prohibited and will result in termination of employment. Law enforcement shall be notified, as appropriate, where criminal activity is suspected. Engaging in unlawful possession or use of a controlled substance or alcohol on District premises or in a District vehicle while conducting District business is

absolutely prohibited. Violation will result in discipline, up to and including, termination of employment.

2192.32 Impaired/Not Fit for Duty: Any employee who is reasonably suspected of being impaired, under the influence of a prohibited substance or not fit for duty shall be removed from job duties and be required to undergo a reasonable suspicion controlled substance or alcohol test. Employees failing to pass, receiving a negative dilute controlled substance test result or refusing to take this reasonable suspicion controlled substance or alcohol test shall remain off duty and shall be subject to disciplinary action up to and including, termination of employment.

2192.33 Alcohol Use: No safety-sensitive employee may report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol or when his/her breath alcohol concentration is 0.02 or greater. No employee shall use any alcohol during working hours or operate any District vehicle or equipment while under the influence of alcohol regardless of the amount. No safety sensitive employee shall use alcohol within four (4) hours of reporting for duty. Violation of this provision will subject the employee to disciplinary action up to and including, termination of employment.

2192.34 Compliance and Testing Requirements: All employees are subject to employment entrance, reasonable suspicion and post-accident controlled substance testing and breath alcohol testing. In addition, all safety-sensitive employees are subject to random controlled substance testing and breath alcohol testing. Any employee who refuses to submit to a required test, who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration or substitution shall be removed from duty immediately and subject to disciplinary action up to and including, termination of employment. Refusal to submit to a test can include an inability to provide a urine specimen or breath sample as well as a verbal declaration, obstructive behavior or physical absence resulting in the inability to conduct the test.

2192.40 Notifying the District of Criminal Drug Conviction: Pursuant to the *Drug Free Workplace Act of 1988*, any employee who fails to notify the District prior to reporting to work of any criminal controlled substance statute conviction shall be subject to disciplinary action up to and including, termination of employment.

2192.50 Proper Application of the Policy: The District is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy or who is found to deliberately misuse the policy with respect to his/her subordinates, shall be subject to disciplinary action up to and including, termination of employment.

2192.60 Testing for Prohibited Substances: Analytical urine controlled substance testing and breath testing for alcohol will be conducted as required under DOT guidelines. All employees shall be subject to testing prior to employment and for reasonable suspicion of unlawful use and following an accident defined in the DOT guidelines during employment with the District. All safety-sensitive employees shall also be subject to testing randomly as defined in the DOT guidelines *per most current KRM Policy/Contract; see Appendix F.*

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and, using up to date techniques, equipment and laboratory facilities which have been approved by the Department of Health and Human Services (DHHS) under the National Laboratory Certification Program, including split-sample testing. All testing will be conducted consistent with the procedures put forth in the DOT guidelines. An initial controlled substance screen will be conducted on each specimen. For those specimens that are positive, a confirmation test will be performed. The test will be considered positive if the controlled substance levels present are above the minimum thresholds established in the DOT guidelines.

Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). If the initial test indicated an alcohol concentration of 0.02 or greater, a confirmation test will be performed to confirm the result of the initial test. The employee being tested may request that a urinalysis or blood analysis be performed for the alcohol confirmation test. A safety-sensitive employee who has a confirmed alcohol concentration of 0.02, but less than 0.04, will be removed from his/her position for at least twenty-four (24) hours unless a re-test results in an alcohol concentration of 0.02 or less. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of DOT guidelines and this policy.

Circumstances under which employees may be tested:

2192.61 Employment Entrance Exam: All job applicants who have been offered District employment shall undergo urine controlled substance testing prior to employment. Receipt of a satisfactory test result is required prior to employment and failure of a controlled substance test will disqualify the candidate from further consideration for employment. Current employees, who promote, demote or transfer from non-safety-sensitive to safety-sensitive positions must test negative prior to assignment to a safety-sensitive classification. The District will obtain records from previous employers of new safety-sensitive employees in conformance with DOT guidelines. Job applicants for safety-sensitive positions are required to complete an authorization form allowing previous employers to release the results of alcohol and controlled substance testing records obtained while under their employ. The release authorization form is attached to this policy as Appendix E. Job applicants who refuse to release prior employment alcohol and controlled substance testing results or have received a positive alcohol and/or substance abuse test within the two (2) years prior to submitting a job application to the District will be disqualified for consideration for District employment.

2192.62 Reasonable Suspicion Testing: All employees will be subject to urine and/or breath testing when there is a reason to believe that controlled substances or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made by a trained supervisor on the basis of documented objective facts and circumstances which are consistent with the effects of substance and/or alcohol abuse. Examples of reasonable suspicion include, but are not limited to, the following:

2192.621 Adequate documentation of unsatisfactory work performance or on-the-job behavior.

2192.622 Physical signs and symptoms consistent with prohibited substance or alcohol use.

2192.623 Occurrence of a serious or potentially serious accident that may have been caused by human error.

2192.624 Fights (i.e. physical contact), assaults and flagrant disregard or violations of established safety, security or other operational procedures.

Reasonable suspicion determinations will be made by a supervisor or other employee who is trained to detect the signs and symptoms of controlled substance and alcohol use and when he/she reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to prohibited substance abuse or misuse.

2192.63 Post-Accident Testing: Employees are required, as a condition of employment, to notify the General Manager or his/her designee as soon as possible following any accident in a District vehicle. All employees will be required to undergo controlled substance and/or breath alcohol testing as soon as possible if they are involved in an accident while on District business that results in a serious injury or a fatality. In addition, post-accident tests will be conducted if an accident results in injuries requiring transportation to a medical treatment facility, or where one or more vehicles incurs disabling damage that requires towing from the site, or the employee receives a citation under state or local law for a moving traffic violation arising from the accident.

2162.631 Any employee who leaves the scene of the accident without authorization from the General Manager or his/her designee prior to submission to controlled substance and alcohol testing will be considered to have refused the test and be subject to disciplinary action up to and including, termination of employment as set forth herein. All post-accident controlled substance and alcohol testing will be conducted in accordance with DOT guidelines *at KRM Services*.

2192.64 Random Testing: Employees working in safety-sensitive classifications will be subjected to randomly selected, unannounced testing. The random selection will be by a scientifically valid method. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. Safety-sensitive employees will be tested either just before departure, during duty or just after the safety-sensitive employee has finished performing his/her duty.

2192.641 When safety-sensitive employees are off work due to long-term lay-offs, illness, injury or vacation, the employee's name will be placed back into the pool and another employee name selected.

2192.642 The number of safety-sensitive employees selected for random testing will be determined pursuant to DOT guidelines.

2192.65 Employee Requested Testing: Any employee who questions the result of a required controlled substance test may request that an additional test be conducted. This additional test may be conducted at the same laboratory or at a different DHHS certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are to be paid by the employee unless the second test invalidated the original test. The method of collecting, storing and testing the split sample will be consistent with the procedure set forth in the DOT guidelines. The safety-sensitive employee's request for a retest must be made to the General Manager or his/her designee within seventy-two (72) hours of notice of the initial test result. Requests after seventy-two (72) hours will only be accepted if the delay was due to documentable facts that were beyond the reasonable control of the employee.

2192.66 Records Retention: The District shall maintain complete records of alcohol and/or controlled substance test results for each employee in a secure location with access restricted to the Designated Employee Representative (DER). For the purposes of this policy, the District General Manager is designated as the DER. Employee records are confidential and will be available only to the DOT or any state or local officials with regulatory authority over the District or any of the District's employees. Records will be kept for a minimum of:

2192.661 Five (5) years regarding the following: employee alcohol tests, positive controlled substance tests, documentation on refusals to take alcohol or controlled substance tests and employee evaluations and referrals.

2192.662 Two (2) years regarding the alcohol and controlled substance collection process.

2192.663 One (1) year regarding the following: collection process, collection logbooks, documents of random selection process, calibration documents for breath testing device and documentation of breath alcohol technician training.

District employees may request access to review or receive copies of records contained in their personnel files. All employee requests for copies of personnel information shall be submitted in writing on forms provided by the District.

2192.70 Contact Person: Any questions regarding this policy should be directed to the following District representative: Title: General Manager

Address: P.O. Box 640, McCloud, CA 96057

Telephone: (530) 964-2017

Fax: (530) 964-2872

2192.80 Definitions:

2192.81 Accident: An unintended happening or mishap where there is loss of human life, regardless of fault, bodily injury or significant property damage.

2192.82 Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

2192.83 Alcohol Concentration: The alcohol in a volume of breath, blood or urine.

2192.84 Alcohol Use: Consumption of any beverage, mixture or preparation, including any medication containing ethyl alcohol. Since ingestion of a given amount of alcohol produces the same alcohol concentration in an individual whether the alcohol comes from a mixed drink or cough syrup, the DOT prohibits the use of any substance containing alcohol, such as prescription or over-the-counter medication or liquor-filled chocolates. Prescription medications containing alcohol may have a greater impairing effect due to the presence of other elements (e.g., antihistamines).

2192.85 Breath Alcohol Technician (BAT): A person trained to proficiency in the operation of the Evidential Breath Testing (EBT) device that the technician is using in the alcohol testing procedures. BATs are the only personnel authorized to administer the EBT tests.

2192.86 Chain of Custody: The procedures to account for the integrity of each urine or blood specimen by tracking its handling and storage from point of collection to final disposition.

2192.87 Collection Site: A place designated by the District where individuals present themselves for the purpose of providing a specimen of urine and/or breath.

2192.88 Commercial Motor Vehicle: A motor vehicle, or combination of motor vehicles, used in commerce to transport passengers or property if the motor vehicle:

2192.881 has a gross combination weight ratio of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds, or

2192.882 has a gross vehicle weight rating of 26,001 or more pounds, or

2192.883 is designed to transport sixteen (16) passengers, including the driver, or

2192.884 is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the hazardous materials regulations.

2192.89 Confirmation Test: For alcohol testing, a second test following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. For controlled substances testing, this is a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry ,GC/MS, is the only authorized confirmation method of cocaine, marijuana, opiates, amphetamines and phencyclidine.)

2192.90 Definitions Continued:

2192.91 Controlled Substance (Drug) Test: A method of detecting and measuring the presence of alcohol and other controlled substances, whether legal or illegal, in a person's body. A controlled substance test may be either an initial test or confirmation test. An initial controlled substance test is designed to identify specimens having concentrations of a particular class of drug above a specified concentration level. It eliminates negative specimens from further consideration.

2192.911 Controlled substances will be tested under the DHHS guidelines. The primary (initial or screening) controlled substance test thresholds (subject to change based on DHHS guidelines) for a verified positive test result are those that are equal to or greater than:

Marijuana Metabolites	50 ng/ml
Cocaine Metabolites	300 ng/ml
Phencyclidine (PCP)	25 ng/ml
Opiates Metabolites ¹	2000 ng/ml

Amphetamines 1000 ng/ml

¹ 25 ng/ml if immunoassay

2192.912 A confirmation drug testing is a second analytical procedure to detect the presence of a specific drug or its metabolite. The confirmation procedure is conducted independent of the initial test and uses a different technique and chemical principle in order to confirm reliability and accuracy. The confirmatory controlled substance test thresholds for a verified positive test result are those that are equal to or greater than:

Marijuana Metabolite (THC) ²	15 ng/ml
Cocaine Metabolite ³	150 ng/ml
Phencyclidine (PCP)	25 ng/ml
Opiates – Morphine	2000 ng/ml
Codeine	2000 ng/ml
Amphetamines – Amphetamine	500 ng/ml
Methamphetamine ⁴	500 ng/ml

² Delta-9-tetrahydrocannabinol-9-carboxylic acid

³ Benzoylecgonine

⁴ Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/ml

2192.92 Covered Employee: A person, including a volunteer or applicant, who performs any function for the District.

2192.93 Department of Transportation Guidelines: The controlled substance and alcohol testing rules – 49 CFR Part 382 (FWHA-Commercial Motor Vehicle) – setting forth the procedures for controlled substances and alcohol testing (49 CFR Part 40) in all transportation industries.

2192.94 Designated Employee Representative: The District employee responsible for direct contact with the testing laboratories and Medical Review Officer in the receipt, review, processing and retention of controlled substance and alcohol testing records. For the purposes of this policy, the Designated Employee Representative is the General Manager of the District or his/her designee.

2192.95 District: McCloud Community Services District.

2192.96 District Time: Any period of time in which an employee is actually performing a District function. Any period of time in which a safety-sensitive employee is actually performing, ready to perform or immediately available to perform any safety-sensitive functions.

2192.97 Driver: Any person who operates a commercial motor vehicle for the District. ~~who operates a District owned vehicle or commercial vehicle.~~ This includes full-time, regularly employed drivers and casual, intermittent or occasional drivers.

2192.98 Drug (Controlled Substance) Metabolite: The specific substance produced when the human body metabolizes (changes) a given drug (controlled substance) as it passes through the body and is excreted in urine.

2192.99 Evidential Breath Testing Device (EBT): The device to be used for breath alcohol testing which shall be compliant with current industry standards.

2192.100 Definitions Continued:

2192.101 Medical Review Officer (MRO): A licensed physician responsible for analyzing laboratory results generated by the District's substance abuse policy testing program. The MRO is knowledgeable about substance abuse disorders and has appropriate medical training to interpret and evaluate positive test results.

2192.102 Performing a Safety-Sensitive Function: A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which the safety-sensitive employee is actually performing, ready to perform or immediately available to perform such function(s).

2192.103 Post-Accident Alcohol and/or Controlled Substance Testing: Testing conducted after accidents on employees whose performance could have contributed to the accident.

2192.104 Employment Entrance Controlled Substance Testing: Testing conducted after an offer to hire has been extended to a job applicant, but before actually performing District functions as an employee. Also required when employees transfer to a safety-sensitive position.

2192.105 Prohibited Drugs (Controlled Substances): Marijuana, cocaine, opiates, amphetamines or phencyclidine.

2192.106 Prohibited Substances: Synonymous with drug abuse and/or alcohol misuse or abuse.

2192.107 Random Alcohol and/or Controlled Substance Testing: Testing conducted on District time on a random, unannounced basis just before, during or just after performance of safety-sensitive functions.

2192.108 Reasonable Suspicion Alcohol and/or Controlled Substance Testing:

Testing conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol use or controlled substance abuse.

2192.109 Refuse to Submit (to an Alcohol and/or Controlled Substance Test):

Failure by an employee to provide an adequate breath or urine sample for testing after that employee received notice of the requirement to be tested or engages in conduct that clearly obstructs the testing process (i.e., verbal declarations, obstructive behavior or physical absence resulting in the inability to conduct the test).

2192.110 Definitions Continued:

2192.111 Safety-Sensitive Employee (Function and/or Position): An employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform or immediately available to perform any safety-sensitive function(s). A complete list of safety-sensitive classifications and function is listed in Appendix A of this policy.

2192.112 Screening (Initial) Test: An analytical procedure in alcohol testing to determine whether an employee has a prohibited concentration of blood alcohol. A controlled substance test is an immunoassay screen to eliminate negative urine specimens from further consideration.

2192.113 Substance Abuse Professional (SAP): A licensed physician (Medical Doctor or Doctor of Osteopathy) or a licensed or certified psychologist, social worker (with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders, the license alone does not authorize this), Certified Employee Assistance Professional (CEAP) or addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) with knowledge of a clinical experience in the diagnosis and treatment of alcohol and controlled substances related disorders.

2192.114 Supervisor: General Manager and/or management level employees in accordance with DOT guidelines that has had one ~~(1)~~ (2) hour of training on the signs and symptoms of alcohol abuse and an additional ~~(1)~~ (2) hour training on the signs and symptoms of controlled substance abuse.

2192.115 Vehicle: Bus, electric bus, van, automobile, truck, rail car, trolley bus or vessel used for mass transportation.

SECTION 2
PROCEDURES

2192.120 Reasonable Suspicion Testing: An employee who may possibly be under the

influence of alcohol and/or controlled substances is observed by a supervisor. Any employee may report someone suspected of alcohol and/or controlled substance abuse to any supervisor. Employees should realize, however, that it is against District policy to make false or malicious statements about other employees and doing so can result in disciplinary action. The supervisor trained to detect the signs and symptoms of controlled substance and alcohol use must witness first-hand the employee's signs and symptoms.

2192.121 The supervisor trained to detect the signs and symptoms of controlled substance and alcohol use is then obligated to ensure that the matter is immediately investigated. If possible, two (2) supervisors determine (independently or together) that the employee in question may be under the influence of alcohol and/or controlled substances.

2192.122 When the supervisor(s) suspect and believe that the employee may be under the influence of alcohol and/or controlled substances, the employee is then immediately suspended from duty (with pay) and driven by a District employee (or others designated) to the District specified collection site. Because of a testing facility requirement, the employee in question must show proof of identification such as a driver's license photo or state-issued photo identification card.

2192.123 At the collection site, the employee will be required to submit a urine sample in the event that controlled substances are suspected or a breath sample in the event that alcohol intoxication is suspected by the on-duty technician, or both. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample. Confirmation tests for alcohol shall be EBT unless urine or blood analysis is requested by the employee being tested.

2192.124 The District will take precautions to prevent the employee being tested from going back to work and driving their own car home if any of the tests are positive. Instead, the employee will be taken home from the collection site by a District employee (or other designated).

2192.125 The employee whose alcohol test results are negative (less than 0.02 alcohol concentration) will be reinstated immediately. The employee whose confirmation test results indicate an alcohol concentration of 0.02 or greater but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for twenty-four (24) hours after administration of the test. The employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater for alcohol will be subject to disciplinary action up to and including termination of employment and provided information regarding the educational and/or treatment options readily available to him/her.

2192.126 The employee whose controlled substance test results are verified negative will be reinstated immediately. The employee whose controlled substance test is

verified negative dilute by the Medical Review Officer will not be allowed to return to duty during his/her current shift and will not be subject to recollection. The employee whose controlled substance test is verified positive by the Medical Review Officer will be subject to disciplinary action up to and including termination of employment and provided information regarding the educational and/or treatment options readily available to him/her.

2192.130 Random Testing: ~~The compliance company~~ *KRM Services* notifies the General Manager or his/her designee who, in turn, directs the safety-sensitive employee to go to the collection site for alcohol and/or controlled substance testing.

2192.131 The General Manager or his/her designee notifies the safety-sensitive employee to go to the collection site for alcohol and/or controlled substance testing immediately. Because of a testing facility requirement, the safety-sensitive employee sent to the collection site must have proof of identification such as a driver's license photo or state-issued photo identification card.

2192.132 At the collection site, the safety-sensitive employee will be required to submit a urine sample (in the event that controlled substances are to be tested for) or a breath sample (in the event that alcohol is being tested for) to the on-duty technician. Care will be taken to provide the safety-sensitive employee with maximum privacy without compromising the integrity of the sample. Confirmation tests for alcohol shall be EBT unless urine or blood analysis is requested by the employee being tested.

2192.133 The safety-sensitive employee whose test results are negative (0.02 alcohol concentration or less) will be released to return to work. The safety-sensitive employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for twenty-four (24) hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater will be subject to disciplinary action up to and including termination of employment and provided information regarding the educational and/or treatment options readily available to him or her.

2192.134 The safety-sensitive employee whose controlled substance test results are verified negative will be released to return to work. The safety-sensitive employee whose controlled substance test is verified dilute negative shall be re-tested. The safety-sensitive employee whose controlled substance test is verified positive or positive dilute by the Medical Review Officer will be subject to disciplinary action up to and including termination of employment and provided information regarding the educational and/or treatment options readily available to him or her.

2192.140 Post Accident: As soon as possible following the accident, the employee shall notify the General Manager or his/her designee that an accident has occurred.

2192.141 The General Manager or his/her designee determines that the circumstances of the accident warrant a post-accident test. Thereafter, the General Manager or his/her designee directs the employee to carry his/her photo identification and immediately go to the collection site for alcohol and controlled substance testing. Because of a testing facility requirement, the employee in question must have proof of identification such as a driver's license photo or state-issued photo identification card.

2192.142 If law enforcement is on scene at the accident, the employee is to notify the investigating police officers that it is a condition of his/her employment to undergo a drug and alcohol screening test as soon as possible after such an accident, ask the officer to include that information in the accident report and request the investigating officers to utilize their radios to assist the employee in arranging for testing. If that is unsuccessful, the employee shall contact the testing facility as soon as possible to arrange for such testing.

2192.143 At the collection site, the employee will be required to submit a urine sample for controlled substances and a breath sample for alcohol testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample. Confirmation tests for alcohol shall be EBT unless urine or blood analysis is requested by the employee being tested.

2192.144 The employee whose test results are negative (less than 0.02 alcohol concentration) will be released to return to work. The employee whose confirmation test results indicate an alcohol concentration of 0.02 or greater but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for twenty-four (24) hours after administration of the test. The employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater will be subject to disciplinary action up to and including termination of employment and provided information regarding the educational and/or treatment options readily available to him or her.

2192.145 The employee whose controlled substance test results are verified negative or dilute negative will be released to return to work. The employee whose controlled substance test is verified positive by the Medical Review Officer will be subject to disciplinary action up to and including termination of employment and provided information regarding the educational and/or treatment options readily available to him or her.

2192.150 Chain of Custody for Controlled Substance Specimens: Prior to the time a specimen is collected, the employee will be given a copy of the specimen collection procedures.

2192.151 Urine will be collected in an appropriate clinical specimen container which

will remain in full view of the employee until split, transferred to, sealed and initialed in two (2) tamper-resistant urine bottles.

2192.152 Immediately after the specimens are collected, the urine bottles will, in the presence of the employee, be labeled and then initialed by the employee. If the sample must be collected at the site other than the controlled substance and/or alcohol testing laboratory, the specimens will then be placed in the secured transportation container. The container will be sealed in the employee's presence and the employee will be asked to initial or sign the container. The container will be sent to the designated testing laboratory on that day or the earliest business day by the fastest available method.

2192.153 a chain of custody form will be completed by the on-duty technician during the specimen collection process and attached to and mailed with the specimen.

2192.160 Specimen Collection of Strange and/or Unrecognizable Substances: An employee is observed with a strange and/or unrecognizable substance.

2192.161 The supervisor, in the presence of a witness, places the strange and/or unrecognizable substance into a clear plastic bag. The bag is sealed, labeled and signed by both the supervisor and the witness.

2192.162 An incident report is written by the supervisor and signed by both the supervisor and the witness.

2192.163 The plastic bag containing the specimen and a copy of the incident report is taken to the collection site for transportation to the laboratory for analysis.

2192.170 Alcohol Concentration: The employee and the on-duty Breath Alcohol Technician (BAT) complete the alcohol testing form to ensure that the results are properly recorded.

2192.171 After an explanation of how the breathalyzer works, an initial breath sample is taken.

2192.172 If the results of the initial test show an alcohol concentration of 0.02 or greater, a second or confirmation test must be conducted. If the employee chooses an EBT for the confirmation test, such test must not be conducted less than fifteen (15) minutes after, nor more than twenty (20) minutes after, the screening test.

2192.173 The confirmation test will utilize Evidential Breath Testing (EBT) devices that print out the results, date and time, a sequential test number and the name and serial number of the EBT device to ensure the reliability of the results. If a urine or blood analysis the chosen by the employee, such test shall be conducted as soon as possible following the positive initial test.

2192.180 Deviations from Procedures: Unless otherwise provided in DOT guidelines, minor deviations from the foregoing procedures shall not invalidate the results of any prohibited substance tests verified positive by the Medical Review Officer.

APPENDIX A

SAFETY-SENSITIVE CLASSIFICATIONS AND FUNCTIONS

McCloud Community Services District Safety-Sensitive Classifications

Utility Worker I and II
Interim Utility Worker
Maintenance Worker
Park Maintenance Worker
*Refuse Operator**
*Firefighters**

**subject only if employee has a Class A or Class B license*

Safety-Sensitive Function: Operating any vehicle where a Class A or Class B driver's license would be required.

McCloud Community Services District Supervisors Classification

General Manager
Public Works Supervisor
Finance Officer
Fire Chief

APPENDIX B

VOLUNTARY PARTICIPATION IN RANDOM TESTING

In accordance with Appendix A of the District's Substance Abuse Policy, my classification is not considered safety-sensitive. Therefore, I am not required to participate in the random testing for controlled substances even though I may have a Class A or Class (commercial) driver's license.

However, for the convenience of the District, and because I would like to have the opportunity to operate District vehicles and equipment requiring a commercial license designated as safety-sensitive functions in the District's policy, I hereby request that I be included, during the current calendar year, in the pool of safety-sensitive employees for the purpose of controlled substance random testing, in conformance with the District's Substance Abuse Policy.

Date: _____

Employee's Printed Name: _____

Employee's Signature: _____

APPENDIX C

STATEMENT OF DRUG ABUSE POLICY

The McCloud Community Services District has a firm commitment to its employees and their families to provide a safe work environment and to its customers to safely provide municipal services. For these reasons, the McCloud Community Services District strives to achieve and maintain a drug free workplace. The use of illegal drugs is not condoned by the McCloud Community Services District.

To achieve the goal of a drug free workplace, we have developed an on-going education program. On the date of adoption of this policy, the District will begin employment entrance testing pursuant to this policy. All applicants will be tested prior to starting employment and prior to assignment to a safety-sensitive position. Additionally, the McCloud Community Services District will screen employees when there is reasonable suspicion to believe they are under the influence of drugs or alcohol, when they return to work following any drug or alcohol rehabilitation program, when they have been involved in an accident while engaged in District business and a fatality has occurred or the driver received a citation for a moving traffic violation and a person involved in the accident needed medical care away from the scene, or if a vehicle is towed from the scene of an accident. In addition, all employees who hold safety-sensitive positions will be subject to Federal Highways Administration's (FHWA) mandated drug and alcohol regulations as prescribed by the 49 CFR Part 40.

Applicants and employees will be tested for the following drugs: Cocaine, Methamphetamines, Amphetamines, Marijuana, Opiates, PCP and Alcohol.

Conviction of a District employee for the possession, transfer, use or sale of illegal drugs while on District business is prohibited and is grounds for immediate discharge. In addition, the use of alcohol during assigned work hours, lunch or rest periods is prohibited and is grounds for immediate discharge.

The McCloud Community Services District's drug testing philosophy and policies should be communicated by the manager or his/her designee to both applicants and employees. It is not the intent of the McCloud Community Services District to intrude into the private lives of its employees. However, the District must take steps to ensure that employees report to work in the mental and physical condition necessary to perform their jobs safely and efficiently. Similarly, any employee reporting to work with measurable alcohol content in excess of the applicable statutes is in violation of the McCloud Community Services District's Substance Abuse Policy.

To be successful, we must all do our part to contribute and ensure that the McCloud Community Services District is a drug free workplace.

APPENDIX D

ACKNOWLEDGEMENT OF TRAINING AND RECEIPT

My signature below acknowledges that I have been informed of the McCloud Community Services District's Substance Abuse Policy through District training. I have received a copy of the Substance Abuse Policy and I have been offered an opportunity to review the McCloud Community Services District's Substance Abuse Policy and Procedures.

Furthermore, I understand that employment entrance, reasonable suspicion and post accident employee testing is a condition of continued employment in all positions with the District and, in addition, that random employee testing is a condition of continued employment for all safety-sensitive personnel. I agree to comply with the rules and regulations as described in the policy and that failure to do so may lead to disciplinary action being taken against me up to and including termination of employment.

Date: _____

Applicant's Signature: _____

Applicant's Printed Name: _____

APPENDIX E
PREVIOUS EMPLOYER INQUIRY FORM

Date: _____ Applicant' Full Printed Name: _____

I authorize _____ to release and forward all information on my alcohol and controlled substance testing/training records to the McCloud Community Services District.

Signature of Applicant: _____

To Previous Employer: The above named individual has advised us that he/she has worked for your company in a safety-sensitive position or that he/she has applied to work for your company in a safety-sensitive position after _____ (date).

Regulations of the Federal Highways Administration (FHWA) 49 CFR 382.413 require our district to obtain from your company, and require you to provide us, information concerning the above name applicant's drug and alcohol test results for the past ~~two (2)~~ *three (3)* years including refusals to be tested. In accordance with FHWA's regulations, we are providing you with the applicant's written authorization requesting your company provide us with the following information concerning this applicant:

1. Has this person tested positive for a controlled substance in the past ~~two (2)~~ *three (3)* years?
Yes ____ No ____

2. Has this person had an alcohol test with a breath alcohol concentration of 0.04 or greater in the past ~~two (2)~~ *three (3)* years? Yes ____ No ____

3. Has this person refused a required test for drugs or alcohol in the past ~~two (2)~~ *three (3)* years?
Yes ____ No ____

If the answer is "Yes" to any of the above questions, please give the Substance Abuse Professional's name, full address and telephone number: _____

Signed: _____ Title/Company: _____

Date: _____

APPENDIX F

KRM SERVICES CONTRACT

**KRM SERVICES
1288 SOUTH MAIN STREET
YREKA, CALIFORNIA
PO BOX 387 96097
Phone 530/331/3906
Fax 530/331/3876
E-MAIL krmservices@snowcrest.net**

This policy has been written for MC CLOUD COMMUNITY SERVICES DISTRICT hereafter referred to as "the company" throughout this policy. Any reproduction of this policy for any other company or persons, than the above MC CLOUD COMMUNITY SERVICES DISTRICT company, without consent from KRM SERVICES, is prohibited.

Due to the constantly changing nature of government regulations, it is impossible to guarantee accuracy of the material contained in this policy. KRM SERVICES has tried to provide reasonably accurate and authoritative information regarding the subject matter covered. KRM Services, therefore, cannot be held responsible for any errors, misprinting, or omissions within this policy and shall not be liable for any loss or injury caused by any errors, misprinting, or omissions.

This policy is designed to meet the DOT/FMCSA requirements and to establish the company's Drug-Free Workplace. Any new DOT/FMCSA Regulations or amendments will be considered to be automatically applied to this policy.

MC CLOUD COMMUNITY SERVICES DISTRICT may add any state, county, or city rules or regulations to this policy to comply with any rules and regulations not covered by the 49 CFR part 40 and part 382.

MC CLOUD COMMUNITY SERVICES DISTRICT is reminded that they are ultimately responsible for the implementation of their company policy. Employers may contract out their drug and alcohol testing functions but may not contract away their responsibility to comply with DOT rules.

DRIVER DRUG AND ALCOHOL AFFIDAVIT

As prescribed by 49 CFR Section 382.601, all employees to be assigned to safety-sensitive functions shall execute this form and the original shall be placed in the employee's qualification file.

By my signature below, I do hereby certify that I have received a copy of the Drug and Alcohol policy for MCCLOUD COMMUNITY SERVICES DISTRICT and that I have read it.

I understand its contents, including the dangers of alcohol and drug abuse, and the consequences which I can expect if I should be in violation of this policy or of Federal Regulations 49 CFR part 40 and 49 CFR part 382 regarding use of drugs or alcohol in connection with the performance of my duties.

Signature _____ Date _____

Witness _____ Date _____

Definitions

Adulterated specimen - A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol - The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol.

Alcohol concentration - The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under this part.

Alcohol confirmation test - A subsequent test using an EBT, following a screening test with a result of 0.02 or greater, that provides quantitative data about the alcohol concentration.

Alcohol screening test - An analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

Alcohol testing site - A place selected by the employer where employees present themselves for the purpose of providing breath or saliva for an alcohol test.

Breath Alcohol Technician (BAT) - A person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

Cancelled test - A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which this part otherwise requires to be cancelled. A cancelled test is neither a positive nor a negative test.

Chain of custody - The procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

CMV - Commercial Motor Vehicle

Commercial Driver (as defined by part 383)

- (a) This part applies to every person and to all employers of such persons who operate a commercial motor vehicle in commerce in any State, and is subject to:
- (1) The commercial driver's license requirements of part 383 of this subchapter;
 - (2) The Licencia Federal de Conductor (Mexico) requirements; or
 - (3) The commercial driver's license requirements of the Canadian National Safety Code.

Consortium/Third-party administrator (C/TPA) - A service agent that provides or coordinates the provision of a variety of drug and alcohol testing services to employers. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members. C/TPAs are not “employers” for purposes of this part.

Designated employer representative (DER) - An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of this part. Service agents cannot act as DERs.

DOT (The Department, DOT agency) - These terms encompass all DOT agencies, including, but not limited to, the United States Coast Guard (USCG), the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). These terms include any designee of a DOT agency.

Drugs-The drugs for which tests are required under this part and DOT agency regulations are marijuana, cocaine, amphetamines, phencyclidine (PCP), and opioids.

Employee - Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under this part, the term employee has the same meaning as the term “donor” as found on CCF and related guidance materials produced by the Department of Health and Human Services.

Employer - A person or entity employing one or more employees (including an individual who is self-employed) subject to DOT agency regulations requiring compliance with this part. The term includes an employer’s officers, representatives, and management personnel.

FMCSA – Federal Motor Carrier Safety Administration

MRO – Medical Review Officer

Negative result - The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

Non-negative specimen - A urine specimen that is reported as adulterated, substituted, positive (for drug(s) or drug metabolite(s)), and/or invalid.

Prohibited Conduct Under DOT Regulations and Drug/Alcohol Policy

Engaging in any of the following conduct will **immediately** subject a driver to being removed from safety-sensitive functions [382.501], and discipline up to and including immediate termination.

1. For any driver to use, possess, manufacture, sell, trade, offer for sale, offer to buy, or make arrangements to distribute illegal drugs, or to otherwise engage in the illegal use of drugs while at work or on company property.
2. For any driver to report to duty requiring the performance of safety-sensitive under the influence of alcohol (0.04 or greater), or any illegal drugs [382.201, 382.213]. It is also prohibited conduct to report to duty with an alcohol concentration of 0.02 or greater. [382.505]
3. For any driver to remain on duty that requires the performance of safety-sensitive functions, while under the influence of illegal drugs or alcohol. [382.213]
4. For any driver to use prescription drugs illegally or fail to inform the Company of the therapeutic drug to use that might adversely affect the driver's ability to perform or continue to perform a safety-sensitive function [382.213] (However, nothing in this policy precludes the appropriate use of legally prescribed medications.) Such prescription drugs brought to work should remain in the original labeled container and show both the prescribing doctor's **MCCLOUD COMMUNITY SERVICES DISTRICT** and expiration date.
5. For a driver to ingest hemp food products or coca food products. (Recent studies indicate the ingestion of hemp seed oil and hemp food products can result in a positive test for marijuana.) In accordance with 40.151, a Medical Review Officer (CMRO) may not accept consumption of hemp products, coca teas, or medical marijuana as an excuse for a positive drug test.
6. For a driver use alcohol within four hours before performing a safety-sensitive activity. [392.207] The Company will provide an opportunity for each such on-call employee to acknowledge the use of alcohol at the time he/she is called to report for duty, and it is the employee's responsibility to inform his/her supervisor at the earliest possible time of any potential impairment from alcohol.
7. Refusal by a driver to submit to an alcohol or controlled substance test, including:
 - A. Failure to appear for any test (except a pre-employment test) within a reasonable time, but no longer than two hours of being ordered. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/PTA [40.61 (a)].
 - B. Failure to remain on the testing site until the testing is complete. Provided that an employee who leaves the testing site before testing process commences [40.63 (c)] a pre-employment test is not deemed to have refused the test.

Types of Testing to be Conducted:

Compliance mandatory:

Under 49 CFR Part 382 of the FMCSA Regulations it is mandatory that a driver submit to alcohol and controlled substance tests administered pursuant to those regulations.

All DOT testing for controlled substances and alcohol to be conducted in accordance with requirements of 49 CFR Part 40. These procedures are designed to protect the driver and the integrity of the testing process, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver.

1. Pre-Employment Tests:

Drug Testing:

Before a new hire can perform any safety-sensitive functions or where a person transfers into a safety-sensitive function from elsewhere in the company, employer must have negative test results.

Alcohol Testing:

Pre-Employment alcohol tests are optional. Although if pre-employment alcohol testing is required by the employer, all employees that are subject to testing must be tested.

2. Random Tests:

Drug Testing:

Unannounced random testing is required on a certain percentage of drivers each year. (DOT may change the testing rates for a given year). These random tests must be spaced reasonably throughout the year. A random selection must make sure each driver has an equal chance of being selected each time there is a selection. Testing can be done anytime the driver is working for the employer. Once the driver has been notified that he/she was selected for testing, they must proceed immediately to the collection site.

4. Reasonable Suspicion Testing:

Drivers who appear to be under the influence of drugs or alcohol can be immediately tested. Employers must train CDL driver supervisors to detect the symptoms of driver impairment. The training required is one hour on the specific, contemporaneous, physical, behavioral, and performance indicators of probable drug use, and one hour on the specific, contemporaneous, physical, behavioral, and performance indicators of probable alcohol use. Documentation of driver's behavior and conduct must be prepared and signed by a witness within 24 hours of the observed behavior or before the test results are released, whichever comes first.

Drug Testing:

An employer shall require a driver to submit to a controlled substances test when the employer has reasonable suspicion to believe that the driver is under the influence of controlled substance. The employer's determination that reasonable suspicion exists to require the driver to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

Alcohol Testing:

Alcohol testing is authorized by this section only if the observations required are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this part. A driver may be directed by the employer to only undergo reasonable suspicion testing for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions. If an alcohol test required by this section is not administered within two hours following the determination, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered.

If an alcohol test required by this section is not administered within eight hours following the determination, the employer shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test. The trained supervisor who made the observation and determination that reasonable suspicion testing should be done, may not conduct the alcohol test on the driver.

6. **Follow-Up Testing:**

Drug Testing:

Required for drivers who tested positive, refused, or otherwise violated the prohibitions and who have completed the return-to-duty process with a DOT-qualified substance abuse professional, and have tested negative for a return-to-duty test. This testing is prescribed by the substance abuse professional for a minimum of 6 directly observed tests in 12 months, but can be extended an additional four years.

Alcohol Testing:

Required for drivers who tested positive, refused, or otherwise violated the prohibitions and who have completed the return-to-duty process with a DOT-qualified substance abuse professional, and have tested negative for a return-to-duty test. This testing is prescribed by the substance abuse professional for a minimum of 6 directly observed tests in 12 months, but can be extended an additional four years.

- Taking the prescription medication and performing your DOT safety-sensitive functions is not prohibited by agency drug and alcohol regulation. However, other DOT regulations may have prohibitive provisions, such as medical certifications.

Remember: Some agencies have regulations prohibiting use of specific prescription drugs, e.g. methadone, etc.... If you are using prescription or over-the-counter medication, check first with a physician, but do not forget to consult your industry-specific regulations before deciding to perform safety-sensitive tasks.

EDUCATIONAL AND SAP INFORMATION

At the end of this policy statement you will find information on the effects of alcohol and controlled substances and a list of Substance Abuse Professionals (SAP) who can help you. Unless otherwise covered by an Employee Assistance Program, medical benefits, state statutory requirements or other agreements, such consultation and treatment is at driver's expense.

- Collector checks the Split specimen collection box. If the collection is observed, Collector checks the “observed” box and enters a remark in Step 2.

STEP 3:

- Donor watches Collector pour the specimen from the collection container into the specimen bottles, place the caps on the specimen bottles, and affix the labels/seals on the specimen bottles.
- Collector dates the specimen bottle labels after placement on the specimen bottles.
- Donor initials the specimen bottle labels after placement on the specimen bottles.
- Collector turns to Copy 2 of the COC (Medical Review Officer Copy) and instructs the Donor to read and complete the certification statement in Step 5 of the COC., date, phone numbers, and date of birth). If Donor refuses to sign the certification statement, Collector enters a remark in Step 2 of the COC on Copy 1.

STEP 4:

- Collector completes Step 4, on the COC, Copy 1 , date, time of collection, and name of delivery service), places the sealed specimen bottles and Copy 1 in a leak-proof plastic bag, seals the bag, prepares the specimen package for shipment, and distributes the remaining CCF copies as required.
- Donor is advised to list any prescription medications, on the back their copy of COC form, to provide to the Medical Review Officer, if needed.

Shipping/Positives/Confirmation Tests:

- The test is shipped to the Laboratory for a screening test to be performed on the primary sample. If this test is positive for controlled substances, a confirmation test is required.
- The confirmation test must use a specialized procedure call “gas chromatography mass spectrometry”.
- If the first test is positive, the Medical Review Officer (MRO) will notify you to find out if there is a medical reason for the drug use. If you can document why the substance is being taken and if the MRO finds it is a legitimate medical use, the test may be reported as negative to the employer.
- After being notified that the first test was positive, you have 72 hours to request a test of the “split” specimen. If you make this request, the split specimen is sent to another DHHS-certified laboratory for the test. Note: If you do not

How Alcohol Testing is Conducted

1. All alcohol testing is done by a trained technician in a private setting where no one but you and the technician can see or hear the test results. A breath or saliva-testing device, approved by the DOT, must be used.
2. The technician will ask for your identification, you may ask for the technician's identification as well. You will be instructed to read, sign, and date the employee certification statement in step 2 of the alcohol testing form.
3. A screening test is done first. If a breath testing device is used, you must blow forcefully into the mouthpiece of the testing device. If a saliva testing device is used, you or the technician will insert the swab into your mouth and allow it to saturate with saliva. After the saliva is collected, the swab will be inserted into the testing device.
4. The technician must show you the test result on the breath or saliva testing device.
5. If the reading is less than 0.02, the technician will sign the certification and fill in the date on the form.
6. If the reading is 0.02 or over, a confirmation test must be done using an approved evidential breath testing device (EBT). The test must be done after 15 minutes but within 30 minutes of the first test. You will be asked not to eat, drink, belch, or put anything in your mouth, to ensure any mouth alcohol will be dissipated.
7. If the screening and confirmation test results are not the same, the confirmation test results are used.

****Note:** If you refuse to be tested or sign the testing form, the technician will immediately notify your employer/DER. This will be treated as a refusal to test and the driver must comply with the consequences.

Drug and Alcohol Effects / Symptoms

ALCOHOL

Alcohol, a central nervous system depressant, is the most widely abused drug. About half of all auto accident fatalities in this country are related to alcohol abuse.

Facts: A 12 ounce can of beer, a 5 ounce glass of wine, and a 1-1/2 ounce shot of hard liquor all contain the same amount of alcohol. Coffee, cold showers, and exercise do not quicken sobriety. Each 1-1/2 ounce of alcohol takes the average body about one hour to process and eliminate. Alcohol impairs almost every aspect of the brain's informational processing. As a result impaired drivers use only a small part of the information required for the safe operation of a vehicle. Results of many studies show that with as little as 0.02 breath alcohol content the ability to devote attention to the problems of driving are greatly reduced. Alcohol first acts on those parts of the brain that affect self-control and other learned behaviors. Low self-control often leads to the aggressive behavior associated with some people who drink. In large doses, alcohol can dull sensation and impair muscular coordination, memory, and judgment. Taken in larger quantities over a long period of time can damage the liver and heart and can cause permanent brain damage. On the average, heavy drinkers shorten their life span by about ten years.

Signs and Symptoms: Dulled mental process, odor of alcohol, slowed reactions, lack of coordination, sleepy or sluggish behavior, and slurred speech.

Health Effects: Cancer of liver and/or esophagus, heart attack, stroke, ulcers, hypertension, and brain damage.

Other Effects: Greatly impaired driving ability, reduced coordination and reflex action, impaired vision and judgment, inability to divide attention, and lowering of inhibitions.

Overindulgence (hangover) can cause: Headache, unclear thinking, nausea, unsettled digestion, and dehydration.

COCAINE

Cocaine is a stimulant drug, which increases heart rate and blood pressure. As a powder, cocaine is inhaled (snorted), ingested, or injected. It is known as "coke", "snow", "nose candy", and "lady". Cocaine is also used as free-base cocaine known as "crack" or "rock", which is smoked. It acquired its name from the popping sound heard when it is heated.

Facts: The number of cocaine overdose deaths has tripled in the past few years. Treatment success rates are lower for cocaine than other drugs. Crack cocaine has the strongest mental dependency of any known drug. Strong psychological dependency can occur with one hit of crack. The crack high is reached in 4 to 6 seconds and lasts about 15 minutes. The most dangerous effects of crack are that it can cause vomiting, rapid heartbeat, tremors and convulsive movements. All of this muscle activity increases the demand for oxygen, which can result in a cocaine- induced heart attack. Since the heat regulating center in the brain is also disrupted, dangerously high body temperatures can occur. With high doses, brain functioning, breathing, and heartbeat are depressed leading to death. Cocaine is used medically as a local anesthetic. The entire central nervous system is energized by cocaine. Heart rate and blood pressure are elevated. The brain experiences exhilaration caused by a large release of neuro-hormones associated with mood elevation.

Signs and Symptoms: Runny nose, fatigue, anxiety and agitation, insomnia, sweating and dry mouth, high blood pressure, heart palpitations, irregular heartbeat, dilated pupils.

Health Effects: High blood pressure and high heart rate may cause spasms in the vessels of the heart or brain leading to stroke and/or heart attack. Mental dependency on crack cocaine occurs within days and may upset the chemical balance of the brain, causing the aging process to speed up. Death due to overdose is rapid and the effects are not easily overcome with medical aid.

Other Effects: Rush of pleasurable sensations, heightened, but momentary, feeling of confidence, strength and endurance, accelerated pulse, blood pressure and respiration, impaired driving ability, paranoia, which can trigger mental disorders in users prone to mental instability, talkativeness, hallucinations, wide mood swings, increased physical activity, repeated snorting/sniffing, compulsive behavior.

OPIOIDS

Opioids are narcotics including codeine, heroin, morphine, and many other synthetic drugs used to reduce pain, and depress body functions. Common street name are "horse", "china white", "sugar", "morph", "brown", "harry", and "dope".

Facts: Sometimes narcotics found in medicines are abused. This includes pain relievers containing opium and cough syrups containing codeine. Heroin is illegal, and cannot be obtained with a physician's prescription. Most medical problems are caused by the uncertain dosage level, use of unsterile needles, contamination of the drug, or combination of a narcotic with other drugs. These dangers depend on the specific drug, its source, and the way it is used.

Signs and Symptoms: Impaired coordination, impaired vision, impaired mental alertness, mood changes, constricted pupils.

Health Effects: High risk of hepatitis and HIV due to sharing needles. Narcotics decrease pain, allowing the user to injure themselves and fail to seek medical attention. Using narcotics with any other depressant drug or alcohol increases the chance of a fatal overdose.

Other Effects: Impaired driving ability, sleeplessness and drug craving, drowsiness followed by sleep, constipation, depression and apathy, nausea and vomiting.

OVER THE COUNTER AND PRESCRIPTION MEDICATION

Many of the prescriptions and over the counter medications have warnings about the use of equipment and driving while taking them. They may interfere with the Drug and Alcohol Regulations so check with your physician about any side effects or problems these medicines may cause. Make sure to read and follow the directions on any over-the-counter drug you use. Remember they are **DRUGS** and may affect your work. Make sure to tell your doctor what you do for a living, they can prescribe something that won't affect your ability to drive safely. Repeated drug and alcohol use can lead to addiction that is hard to overcome without help. They both will have a devastating effect on your health, your personal life, and your job if you abuse them.

If you are concerned about your or someone else's drug or alcohol abuse, here is a list of who to contact for help.

Where to go for help:

Siskiyou County Behavioral Health: Phone 1-800-842-8979 www.co.siskiyou.ca.us

Alcoholic Anonymous Northern CA Intergroup: Phone 530-225-8955

Narcotics Anonymous: Phone 1-818-773-9999 www.na.org

Al-Anon: Phone 1-888-425-2666 www.al-anon.org

800 Cocaine: Phone 1-800-559-9503 www.800cocaine.com

National Council on Alcoholism & Drug Dependence: Phone 1-800-622-2255 www.ncadd.org

Addiction Recovery Center in Medford OR: Phone 1-541-779-1282

Addiction Recovery Center in Medford OR: Website www.addictionsrecovery.org

Onarheim Services: (For more options and information) Phone 530-842-1395

The alcohol and drug rules requires that your company advise you of the resources available for treatment, the rules do not, however, require an employer to pay for rehabilitation or to hold your job open for you. How these issues are handled depends on your company's policy.

MCS D 2301A
GENERAL MANAGER EMPLOYMENT AGREEMENT
DRAFT

This Agreement is made by and between the McCloud Community Services District, Siskiyou County, California, a community services district formed under applicable provisions of the Government Code of the State of California (hereinafter referred to as "District") and Amos McAbier, an individual and an employee of the District (hereinafter referred to as "General Manager"). This Agreement is made with reference to the following facts:

- a) The District is desirous of employing a qualified person to render the particular and special services of a professional nature with respect to the administration of the affairs of the District.
- b) California Government Code Section 61000 et seq. requires the District's Board of Directors to appoint a General Manager of the District and authorizes the execution of an employment contract following such appointment.
- c) The District's Board of Directors wishes to enter into an employment contract with Amos McAbier to secure his/her professional services on behalf of the District.

IT IS AGREED:

DUTIES: The General Manager shall perform the duties as prescribed by the Board of Directors in Policy 2300. The General Manager shall execute all powers and duties in accordance with the policies adopted by the Board, the provisions of the Government Code and all other applicable provisions of law.

GENERAL MANAGER AND BOARD RESPONSIBILITIES: The General Manager shall have the primary responsibility for the execution of District policy, including the day-to-day operation of the District's facilities, services and programs, whereas the Board shall retain the responsibility of formulating and adopting said policy

PERSONNEL MATTERS: The General Manager shall act as the employee relations officer for the District as detailed in Policy 2300.

TERM OF EMPLOYMENT AND COMPENSATION: Subject to the provisions for termination of this Agreement set forth below, the General Manager shall begin his/her employment with the District for a term of three years and shall be paid the annual sum \$75,000.00 Dollars for his/her full-time services, accruing neither overtime nor compensatory time, prorated and payable bi-weekly, subject to the following adjustments:

- a) Following the annual performance evaluation of the General Manager, he/she may negotiate for a salary increase effective the following fiscal year.

- b) On July 1 of the initial year of this agreement and each year thereafter, the General Manager shall be entitled to and shall receive a cost of living salary increase if afforded to the other regular employees of the District as approved by the Board.
- c) The Board of Directors may approve an increase in the General Manager's salary for exemplary performance and/or securing additional District funding sources (above and beyond) the current fiscal year budget.

FRINGE BENEFITS: The General Manager shall be afforded such fringe benefits of employment as are granted to the District's regular employees, as may be specified in the Personnel Policy of the District's Policy Manual.

PERFORMANCE OBJECTIVES: No later than May 1 of each year, under this Agreement, the General Manager shall meet with the Board to identify the General Manager's performance objectives for the following year. Said performance objectives shall be proposed by the General Manager in writing and submitted to the Board for approval. If the Board does not approve said performance objectives, they shall establish reasonable performance objectives following consultation with the General Manager. Performance objectives shall be consistent with the duties and responsibilities set forth in this Agreement.

EVALUATION: The Board shall evaluate the performance of the General Manager annually. The evaluation shall be based on the duties and agreed upon performance objectives.

TERMINATION AND DISMISSAL: The General Manager shall serve at the will and pleasure of the District's Board of Directors and may be terminated at any time, with or without cause. Nothing in this Agreement shall be construed to prevent the District from terminating this Agreement and the services of the General Manager in its sole discretion. The following provisions shall apply to termination and dismissal:

- a) The General Manager may be terminated after four months of physical or mental disability that prevents the General Manager from performing his essential job duties. Under such circumstances, the Board of Directors reserves the right to terminate this Agreement without providing any severance pay or continuation of health benefits.
- b) Except as provided in the preceding paragraph, if the Board of Directors terminates the employment of the General Manager without cause, the District shall pay the General Manager severance pay in an amount equal to his total monthly compensation for three months plus continuation of health benefits at District expense for two months.
- c) The Board of Directors shall have the right to discharge the General Manager and terminate this Agreement for cause in the event of any willful breach of duty by the General Manager in the course of his employment or in the case of the General Manager's habitual neglect of his duties, or upon conviction of a felony or a crime involving moral turpitude. In the event of the General Manager is terminated for cause, the General Manager shall not be entitled to any severance pay or continuation of health benefits.

- d) The General Manager may terminate this Agreement at any time upon sixty (60) days written notice to the Board of Directors. In the event that the General Manager should exercise his option to terminate this Agreement (resign from District employment), the General Manager shall not be entitled to any severance pay or continuation of health benefits.
- e) In the event of the General Manager's termination without cause, the severance pay and other benefits provided for in this Agreement shall be the General Manager's sole remedy.

APPLICABLE LAW: This Agreement shall be constructed in accordance with and governed by the laws of the State of California. Should any provision of this Agreement be determined by a court of competent jurisdiction to be invalid, the remainder of this Agreement shall nevertheless be binding and effective.

EFFECTIVE DATE AND TERM: Subject to the termination provisions provided herein, this Agreement shall be effective as of the date first written above for an initial term of three year(s). In such event, this Agreement will expire at the end of the last term.

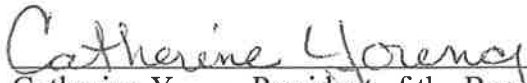
This Agreement is allowed to expire at the end of any term, the General Manager shall not be entitled to any severance pay or continuation of health benefits, as otherwise provided herein.


ENTIRE AGREEMENT: This Agreement constitutes the entire Agreement between the District and the General Manager and supersedes all prior agreements respecting the same subject, provided however, that all practices as described in the Personnel Policy of the District's Board Policy, as they now exist or may hereafter be amended shall apply to the General Manager, unless contrary to specific provisions of this Agreement.

Each party agrees and acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not intended herein and that any agreement, statement, or promise not contained in this Agreement shall not be valid or binding on either party.

AMENDMENTS: Any modifications of this Agreement will be effective only if in writing and signed by both the General Manager and the District Board.

Dated this 1st day of July, 2020.


Catherine Young, President of the Board of Directors


Amos McAbier, General Manager of the McCloud Community Services District

ATTEST: 
Teryl Smith, Secretary of the Board

McCLOUD COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Employee Compensation, Hours of Work and Overtime
POLICY NUMBER: 2010
ADOPTED: September 23, 2002
REVIEWED: 10/13/15, 04/12/16, 09/09/20
REVISED: 10/12/04, 09/12/16, 11/12/20

2010.10 This policy shall apply to all employees.

2010.20 Regular Full-Time Employees

2010.21 The Board of Directors has established a salary schedule for each full-time regular position classification within the District. At the time of hiring, an employee shall be placed on the first step of the salary schedule unless otherwise recommended by the General Manager and approved by the Board of Directors.

2010.22 Regular full-time employees shall be entitled to a percentage increase per the MOU for the ensuing fiscal year, effective July 1st, if approved by the Board of Directors in the annual budget. Employees are eligible on their anniversary date for advancement to the next step on the salary schedule within their position classifications and the limits of the salary schedule, dependent upon satisfactory performance and upon the approval by the General Manager. The General Manager position shall be entitled to the same percentage increase per the MOU as stated above.

2010.23 Employees within certain position classifications may be eligible for a 1% incentive pay increase upon successful completion of coursework approved jointly by representatives of the Union, Public Works Superintendent and the General Manager and relevant to the job, achievement of certification above and beyond that required for the position held by the employee and/or for superior performance.

2010.24 Employees successfully passing/receiving certifications from the California Department of Health Services to move to the next job classification, shall go to the step which provides the next highest salary.

2010.30 Temporary or Seasonal Employees

Temporary or seasonal employees will be paid at the hourly rate detailed in the salary schedule approved by the Board of Directors. If the temporary employee is provided by a temporary personnel service, said employee will be paid by the temporary personnel service and not the District.

2010.40 Regular Part-Time Employees

2010.41 The Board of Directors has established a salary schedule for each part-time regular position classification within the District. At the time of hiring, an employee shall be placed on the first step of the salary schedule unless otherwise recommended by the General Manager and approved by the Board of Directors.

2010.42 Regular part-time employees shall be entitled to a cost of living increase for the ensuing fiscal year, effective July 1, if approved by the Board of Directors in the annual budget. Employees are eligible on a fiscal year basis for advancement to the next step on the salary schedule within their position classification and the limits of the salary schedule, dependent upon satisfactory performance and written recommendation by the General Manager.

2010.50 Work Week and Job Assignments

The workweek shall consist of seven (7) consecutive days from 12:00 a.m. Monday through midnight Sunday. Regular office staff hours begin at 8:00 a.m. and end at 5:00 p.m., Monday through Friday. Regular field staff hours are 7:00 a.m. to 3:30 p.m. Alternative work hours may be established by the District as necessary to facilitate snow removal and/or emergency situations. The basic day of work for full-time employees is eight (8) hours, exclusive of a one-half (1/2) hour meal period, which is not compensated. Basic day of work for full time office staff employees is eight (8) hours exclusive of a one (1) hour meal period which is not compensated. Rest periods are provided on employer-paid time for a period of ten (10) minutes during each four (4) consecutive hours of work. Such rest periods will be scheduled in accordance with District business requirements and in a location acceptable to the District. Various factors such as work load, operational efficiency and staffing needs may require variations in an employee's starting and quitting times and total hours worked each day or each week. The District reserves the right to assign employees to jobs other than their usual assignments when required. When reasonable justification or public service needs require, employees may be required to work "on-call time", "call-out time", overtime or hours other than those normally scheduled. As part of its responsibility to its customers, the District expects its employees to be at work as

scheduled, to arrange their personal schedules to accommodate the District's established working hours and to notify the District prior to their schedule start time if they expect to be absent or tardy. If it becomes necessary for non-exempt employees to leave during working hours for personal business, permission to leave must be obtained from the employee's supervisor or the General Manager. A leave application form must be completed for time to be charged to accrued vacation or sick leave.

2010.60 Overtime Policy

2010.61 Employees shall be paid for their hours worked in accordance with all legal requirements. Employees who qualify as administrative, executive or professional employees within the meaning of the State and Federal Wage and Hour laws are exempt from overtime pay and are not subject to this policy. Only regular, full-time employees, other than employees who qualify as administrative, executive, or professional employees within the meaning of the State and Federal Wage and Hour laws may normally be authorized to work overtime hours within the meaning of this policy.

2010.62 Overtime should be kept to a minimum. All overtime other than overtime for "on-call duty" described below necessitates prior written authorization by the General Manager or his/her designated representative. Employees subject to this policy or authorized to work overtime shall receive overtime pay or compensatory time as provided below.

2010.63 Authorized overtime is compensated at one and one-half (1 ½) times an employee's regular rate of pay for all hours worked over eight (8) hours in one day or forty (40) hours in any single workweek. For the purposes of this overtime policy, the District's work week begins at 12:00 a.m. Monday and ends at 11:59 p.m. the following Sunday. For purposes of the overtime policy, each work day begins at 12:00 a.m. and ends at 11:59 p.m. on the same day.

2010.64 Authorized overtime shall be recorded on the timesheet by the employee in writing, along with reference to the date and time of authorization by the General Manager or his/her designated representative. The timesheet shall be initialed and dated by the General Manager. The General Manager may waive the requirement to initial for overtime authorization in order to avoid an unfair result but any such waiver shall be made in the sole discretion of the General Manager.

2010.641 Overtime is rounded out to the nearest quarter of an hour.

2010.642 Sick time, holiday and vacation hours paid but not worked are not included in calculating overtime. Overtime is based on actual hours

worked as required by law.

2010.70 Compensatory Time Off in Lieu of Overtime Pay

2010.71 Employees who qualify as administrative, executive or professional employees within the meaning of the State and Federal wage and hour laws (exempt employees) are paid a fixed salary that is intended to cover all of the compensation to which they are entitled, regardless of the number of hours worked in any work week. As such, exempt employees are not entitled to overtime pay under any circumstances. However, the General Manager may authorize compensatory time off for exempt employees under special circumstances who perform authorized work in excess of forty (40) hours during any work week.

2010.72 Full-time non-exempt employees may choose to be given compensatory time off in lieu of overtime pay for authorized work in excess of forty (40) hours per week to be computed at one and one-half (1 ½) times the excess hours worked. The District Finance Officer shall keep an accurate record of compensatory time earned and compensatory time off for all such employees. An employee may not accrue more than two hundred and forty (240) hours of compensatory time off. After two hundred and forty (240) hours have been accrued, any additional authorized overtime worked will be compensated with overtime pay at the rate of one and one-half (1 ½) times the excess hours worked over forty (40) hours in one week. Request for taking compensatory time off should be submitted to the General Manager in writing as far in advance as feasible. Accumulated compensatory time off may not be used in excess of the total amount specified in the current Memorandum of Understanding between the District and an employee organization.

2010.80 On-Call Duty

“On-call duty” is defined as that time during which a non-exempt employee of the District is assigned to be available for work after normal working hours Monday through Friday and on those Saturdays, Sundays and holidays officially designated by the District. Any District employee assigned on-call duty shall be entitled to additional pay in the amount of \$150 per week in addition to any overtime hours incurred as a result of a call-out during this period. In the event there are less than 3 field staff who are Operating Engineer members, and available on the roll, staff shall be temporarily compensated \$200 per week in addition to any overtime hours incurred as a result of a call-out during this period.

2010.90 Call Back Pay

2010. When the employee is required to return to work outside of the employee's normal work schedule after the employee has completed the employee's usual work shift and has left the work site, the employee shall earn call back pay. An employee who has been called back shall earn call back pay in an amount equal to a minimum of two (2) hours of overtime pay or the overtime pay for the hours actually worked, whichever is greater. If an employee is called back to work on a holiday, all compensated hours will be paid at double-time (2x the normal hourly wage).

2010.92 Non-exempt District employees required to return to work outside of the employees' normally assigned work shift for the purpose of attendance at District meetings or functions will receive a minimum of two (2) hours of compensation. If actual time spent in such meetings or at such functions exceeds the minimum two (2) hours, employees will receive compensation for actual time of attendance in excess of the two (2) hour minimum. Employees will be compensated at their regular hourly rate for all such time worked except to the extent that such work exceeds forty (40) hours in any work week for any particular employee, and such excess hours shall then be compensated at one and one-half (1 ½) that employee's regular hourly rate of pay by means of overtime, compensation or compensatory time off as defined in these policies. Employees who qualify as administrative, executive or professional employees within the meaning of the State and Federal wage and hour laws are not subject to this policy and shall not receive payment for call-out time in addition to their usual salary.

2010.100 Pay Date

Timesheets are due on Monday from each employee. Yearly paydays will consist of a total of twenty-six (26) pay periods with paydays being every other Friday; unless Friday falls on a scheduled holiday, in which instance the pay date shall be the last regular workday immediately prior to that holiday.