

# **EMPLOYEE HANDBOOK**

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## **IMPORTANT**

THIS HANDBOOK IS DESIGNED TO ACQUAINT YOU WITH THE PLATTE CANYON WATER AND SANITATION DISTRICT AND PROVIDE YOU WITH INFORMATION ABOUT WORKING HERE. THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE YOU WITH A SUMMARY OF SOME OF PLATTE CANYON'S GUIDELINES. THIS EDITION REPLACES ALL PREVIOUSLY ISSUED EDITIONS.

EMPLOYMENT WITH PLATTE CANYON WATER AND SANITATION DISTRICT IS AT-WILL. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE ORGANIZATION, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE ORGANIZATION HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF PLATTE CANYON., OTHER THAN THE PRESIDENT OR DISTRICT MANAGER OF THE DISTRICT, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT FOR EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE PRESIDENT OR MANAGER AND THE EMPLOYEE.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, IF YOU HAVE QUESTIONS, PLEASE TALK WITH YOUR IMMEDIATE SUPERVISOR OR THE DISTRICT MANAGER. ALSO, THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK. EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, PLATTE CANYON RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.

## **From the President**

This handbook serves as a tool to assist you in becoming familiar with the Platte Canyon Water and Sanitation District. It is also designed to give you a quick reference to necessary information about working here.

We would like you to take the time to acquaint yourself with our history, goals, services, and departments. You are important to us and it is important for you to understand how you fit into our operation.

The secret behind the success of the District is our service-oriented, hardworking, dedicated, and loyal employees. I want to thank you for becoming a member of our team.

Jack C. Dice  
President

# **EMPLOYMENT**

## **Equal Employment Opportunity**

The Platte Canyon Water and Sanitation District (District) is dedicated to the principles of equal employment opportunity in any term, condition or privilege of employment. We do not discriminate against applicants or employees on the basis of age, race, sex, color, religion, national origin, disability, or any other status protected by state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

The District will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the District. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

The District prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO or retaliation standard, **please follow the complaint procedure contained in the sexual harassment policy.**

## **Sexual Harassment**

The District strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Such conduct includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mail.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

### **EEO/Sexual Harassment Complaint Procedure**

If you believe there has been a violation of the EEO policy or harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedures. The District expects employees to make a timely complaint to enable the District to promptly investigate and correct any behavior that may be in violation of this policy.

Report the incident to the District Manager or the President of the District who will promptly investigate the matter and take appropriate corrective action. Your complaint will be kept as confidential as practicable. If you feel you cannot go to either of these individuals with your complaint, you should report the incident to the District's attorney.

If the District determines that an employee's behavior is in violation of this policy, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.

The District prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The situation will be promptly investigated.

### **Employee Status**

*Full time Employee* – an employee who is normally scheduled to work at least 40 hours per week. Full time employees are currently eligible for District benefits as outlined in this handbook.

*Part time Employee* – an employee who is normally scheduled to work less than a 40-hour workweek. Part time employees are currently eligible for vacation, holidays, sick leave and jury duty on a prorated basis.



*Temporary Employee* – an employee who is hired in a job established for a temporary period or for a specific assignment or group of assignments. Temporary employees normally are not eligible for participation in District benefits.

*Exempt Employee* – an employee who is not eligible for overtime pay.

*Non-exempt Employee* – an employee eligible for overtime pay. Non-exempt employees are eligible for paid overtime at one and one-half times their regular rate of pay for all hours worked in excess of 40 hours per workweek.

# **EMPLOYMENT BENEFITS**

## **Educational Assistance**

Full time employees may be eligible for reimbursement for the cost of registration or tuition for academic or vocational course, seminars, conferences and other educational programs which the District believes are job related or which enhance their job skills.

For courses at state accredited institutions and schools, reimbursement for tuition, fees, and books up to a maximum of \$1,000 per calendar year may be provided upon prior approval of the District Manager. Reimbursement requires verification of successful completion of the course (grade report showing a grade “C” or better) and a copy of the receipt for payment of expenses to be reimbursed.

Eligibility is limited to full time employees who have completed 90 days of continuous employment.

## **Group Insurance**

The District currently provides a comprehensive benefits package including a number of different plans for eligible full time employees. The District currently offers these plans:

- Medical Insurance Plan – helps pay covered medical expenses for yourself and your family.
- Life Insurance Plan – provides term insurance coverage up to one times your annual salary at group rates.
- Short-Term Disability Plan – helps replace your salary if you suffer a covered disability for a limited period of time.
- Long-Term Disability Plan – helps replace your salary if you suffer a covered disability for an indefinite period of time.
- Dental Insurance Plan – helps pay covered dental expenses for you and your eligible dependents.
- Vision Insurance Plan – helps pay covered vision expenses for you and your eligible dependents.

For further information, such as waiting periods, eligibility, employee contribution amounts, and detailed benefit descriptions, please contact the Assistant District Manager.

## **Holidays**

The District currently observes the following holidays as days off with pay:

- News Year's Day
- Martin Luther King Birthday
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve Day
- Christmas Day

When a holiday falls on a Saturday, it is observed on the preceding Friday. When the holiday falls on a Sunday, the following Monday is observed. Should any one of the observed holidays occur during your vacation period, an additional day of vacation is granted.

Holiday time is counted as hours worked in the computation of overtime. Full time employees receive eight hours of holiday pay at their regular rate of pay. Holiday pay for part time employees is based on their regularly scheduled work hours.

## **Retirement Plan**

Platte Canyon currently participates in a retirement program governed by the Colorado County Officials and Employees Retirement Association. Participation in the Retirement Plan is mandatory for all full time and part time employees. The Plan requires matching contributions on the part of the employee and the District.

In addition to the required contributions, employees may participate in additional voluntary contribution options. Information regarding these options may be obtained from the Assistant District Manager.

## **Sick Leave**

Full time, non-exempt employees currently are credited four hours of sick leave pay for each full month worked. Sick time may only be taken in half or full-day increments. Sick leave may be taken for illness or injury to yourself, your spouse or your children.

When unable to report to work due to illness, you must give your supervisor as much advance notice as possible before the start of the shift. Your supervisor may request medical certification for sick leave pay at any time. In the event an employee is absent for more than three days, medical certification from a healthcare provider is required.

Sick leave accumulates from year to year up to a maximum of 15 days (120 hours). After a seven day waiting period you may be eligible for the Company’s Short Term Disability program. (Contact the Assistant District Manager for more information). Neither sick leave pay nor short term disability may be used for absences covered by workers compensation insurance.

Sick leave will be counted as hours worked in the calculation of overtime. Payment will be made for unused sick leave upon termination. Part time employees are eligible for sick leave on a prorated basis.

**Social Security**

Each pay period a portion of your salary along with a matching amount provided by the District is set aside for Social Security benefits. This program is intended to provide you and your family with security for retirement benefits, disability payments, financial assistance for dependents or disabled persons, lump sum death payments, Medicare and survivor’s benefits. Specific information about personal or family situations is available through your local office of the Social Security Administration.

**Vacation**

Full time employees currently earn paid vacation after completing continuous service as described below:

<b>Vacation Granted Per Year</b>	<b>Length of Service</b>
2 weeks	The first year through 5 full calendar years of continuous employment
3 weeks	After 5 through 10 full calendar years of continuous employment
4 weeks	After 10 or more full calendar years of continuous employment

After 90 continuous days of employment, during the first non-full calendar year of employment, full time employees are eligible for vacation leave that is prorated based on the number of months worked. For example, if an employee’s employment date is March 1, vacation leave accrues beginning on June 1. June 1 through December 31 represents .58 of the year, so the employee is

eligible for 5.8 days of vacation leave (.58 x 10 days) in the first non-full calendar year of employment.

Part time employees are currently eligible for vacation pay that is prorated based on the number of hours normally scheduled to work.

All vacations must be scheduled in advance with your supervisor's approval. Vacations are to be scheduled in a manner that minimizes interruptions to District operations.

When a paid holiday falls within your vacation period, an additional day of vacation is granted. Vacation time will be counted in the computation of overtime.

Upon termination, employees will receive pay for earned unused vacation.

We encourage you to use all of your earned vacation each year. You may carry over unused vacation into the next anniversary year. However, the maximum vacation that you may accumulate is 40 hours over your annual vacation allotment. At no point can the carry over, plus the new vacation, exceed this cap. As a result, the amount of vacation that you may be granted each anniversary date may be limited by the amount carried over.

### **Worker's Compensation**

The District carries insurance to cover the cost of a work-related injury or illness. Benefits help pay for your medical treatment and may include part of your income that you may lose while recovering. Detailed information is given to you if you are injured on the job, or suffer an occupational illness.

# **LEAVES OF ABSENCE**

## **Funeral Leave**

Full time employees are currently eligible for paid leave up to three days to attend the funeral of an immediate family member. Immediate family is defined as your spouse, parents, children, sisters, brothers, grandparents, grandchildren, and your mother and father-in-law.

In the event of a death of a near relative, full time employees are currently granted up to one paid day to attend a funeral. Near relatives include your aunts, uncles, nieces, nephews and your spouse's grandparents, brothers, sisters, and other close relatives.

If more time off is needed than provided above, you may take vacation days or an unpaid leave upon the approval of your immediate supervisor.

## **Jury Duty**

The District recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, you are granted leave to perform your duty as a juror. If you are excused from jury duty during your regular work hours, we expect you to report to work promptly.

You receive regular pay for the first three days of jury duty if you were scheduled to work and you submit a juror service certificate.

Beginning the fourth day and thereafter, as a juror you are paid \$50.00 per day by the State of Colorado for state district or county court jury duty. For jury duty in excess of three days you receive the difference between jury duty pay and your regular pay.

## **Medical Leave**

A medical leave of absence of not more than three months may currently be granted to full time employees. This unpaid leave is for absences arising from illness, injury, or pregnancy.

For a medical leave to be granted, the following conditions must be met:

- The employee has completed ninety (90) days of employment with the District.
- The District Manager is notified by the employee as soon as possible of the need for medical leave.



- The employee submits to the supervisor a written statement from the attending physician outlining the reason for leave and the estimated time needed. (The District reserves the right to obtain an independent doctor's opinion).
- Approvals are obtained from the District Manager prior to the leave.
- All available sick leave and earned vacation are used at the beginning of the leave of absence.

When the estimated period of leave is less than three months, and an employee needs to extend the leave, another doctor's statement is required indicating the new estimated length of leave.

Employees who fail to return at the expiration of their authorized leave will be terminated.

An employee ready to return to work from leave must present a doctor's statement indicating ability to return to work.

The District may reinstate an employee ready to return from a medical leave of absence when, in the opinion of the District, it is practical to do so. The District does not guarantee reinstatement of an employee to their former job. When the employee is available to return to work, the employee is free to apply for any vacancy available and may be considered along with other applicants.

The District currently continues group insurance benefits for an employee on leave for a maximum of three months as long as the employee continues to pay the employee's portion of the premium.

Vacation and sick leave will not accrue during a medical leave of absence. Holidays, funeral pay or employer's jury duty pay will not be granted during the leave.

### **Military Leave**

Employees granted a military leave of absence are re-instated and paid in accordance with the laws governing veteran's re-employment rights.

### **Personal Leave**

Full time employees are eligible for two days (16 hours maximum) of paid personal leave for medical and dental appointments, children's needs and other personal needs.

Personal leave must be scheduled in advance with your supervisor's written approval. Personal leave must be scheduled in a manner that minimizes interruptions to District operations.

First year full time employees are eligible for personal leave on a prorated basis based on the number of full months employed prior to January 1 of their first calendar year of employment.

Personal leave must be used in the year it is earned. Unused personal leave will be paid at year end at the employee's regular hourly wage rate.

Part time and temporary employees may be granted unpaid personal leave with the supervisor's written permission.

# **YOUR PAY AND PROGRESS**

## **Compensation Administration**

It is Platte Canyon's objective to compensate employees for their job performance, contribution to the District's goals and objectives, and their responsibilities. We consider a number of factors including overall organizational effectiveness, our need for attracting and retaining qualified and talented employees, as well as our financial position.

In determining individual wage rates the District considers criteria such as:

- Nature of assigned position
- Contribution and sustained level of performance
- Employee participation, team performance and drive toward continuous improvement in quality and effectiveness of all District services
- Financial condition of the District
- Comparisons with other similarly situated employers
- Other factors, as appropriate

The District's salary levels are periodically assessed in order to try to remain competitive with similar employers. Salary increases are not automatic and are awarded when merited.

## **Overtime**

From time to time, your supervisor may require you to work overtime. In these instances, you are given as much advance notice as practical. Except for emergencies, overtime worked by non-exempt employees must be approved in advance by the employee's supervisor.

Non-exempt employees are paid at the rate of one and one-half (1½) times their regular hourly rate for hours worked in excess of 40 during the established workweek. The established workweek begins at 12:01 a.m. on Sunday and ends at 12:00 midnight on Saturday. Overtime worked on designated District holidays will be paid at the rate of two (2) times the employee's regular hourly rate.

For purposes of calculating overtime payments, only hours actually worked, holidays, approved sick leave, personal leave, and vacation are counted.

## **Paydays**

You are paid on the 5<sup>th</sup> and 20<sup>th</sup> days of each month by direct deposit into your bank account. If the regular payday occurs on a Saturday, Sunday or holiday, the payday is the last working day prior to the normal payday.

On each payday, you receive a statement showing gross pay, deductions and net pay.

Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans and individual savings plans may be arranged through the Financial Administrator.

## **Performance Appraisals**

Although Platte Canyon endeavors to conduct written performance appraisals of each employee's performance on an annual basis, performance reviews may be conducted at any time. If one year has passed since your last appraisal, please contact and advise your supervisor of this fact.

## **Promotions**

The District supports promotions from within whenever practical. Most positions are posted for at least three days. This allows employees time to consider their interest in the job and to be interviewed.

In considering an employee for promotion, the individual's experience, training, work related background, attendance and length of service in current position are evaluated.

Since education and experience are considered in making promotional decisions, you want to keep your personnel file up-to-date. This includes evidence of courses completed, degrees earned, etc. Good performance and higher education helps broaden your promotional opportunities. The District offers training and development opportunities and an educational assistance program which covers a portion of the cost of tuition and books for certain outside courses.

## **Re-employment**

The District may consider for re-employment employees who voluntarily leave the organization or who are terminated in the judgment of the District through no fault of their own. Employees who terminate employment with the District relinquish any seniority or benefits they may have had if they are re-employed. Reinstatement of employment is at the discretion of the District.

## **Standby Service**

Maintenance and operations employees are required to provide periodic 24 hour standby service. Standby service consists of being in constant contact with the District's emergency response system by use of telephone or pager. Standby employees must be capable of responding to the site of an emergency within 30 minutes.

Compensation for emergency standby service is provided in accordance with the District's wage and benefit schedule.

# **GENERAL**

## **Alcohol and Drugs**

Alert and rational behavior is required for the safe and adequate performance of job duties. Therefore, working after the apparent use of alcohol, a controlled substance or abuse of any other substance is prohibited. Furthermore, the possession, purchase, or consumption (use) or sale of a controlled substance or alcohol on District premises or while conducting District business is prohibited.

The District has issued separate policies for alcohol and drug use and testing. A copy of these policies are incorporated herein as Exhibit A.

## **Anti-Violence**

Our goal is to strive to maintain a work environment free from intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons on District property, or any other act, which, in management's opinion, is inappropriate to the workplace. In addition, bizarre or offensive comments regarding violent events and/or behavior are not tolerated. Employees should directly contact proper law enforcement authorities if they believe there is a serious threat to the safety and health of themselves or others.

## **Attendance and Punctuality**

Regardless of your position with the District, your punctuality and regular attendance are essential for the efficient operation of the business.

If you are going to be absent or late, let your supervisor know as soon as possible before the start of your shift. If your supervisor is not available, contact the Assistant District Manager or the District Manager. Leaving messages with other employees or on voice mail is not acceptable.

Failure to call in when absent for three (3) consecutive days will result in termination.

## **Bulletin Board**

The District maintains a bulletin board to notify employees of legal notices, management decisions, educational and training opportunities, and other business related matters. Employees are responsible for reviewing the bulletin boards periodically for announcements.



Employees may post personal notices such as the sale of personal items on the bulletin board so long as the notice is no larger than 8.5" x 11" in size and is dated. Matters of obscene, offensive, or illegal nature are not permitted. The District reserves the right to remove personal notices without notice.

## **Cell Phones**

The District purchases cell phones for certain employees who need them in their jobs. These phones are intended for business use and must be used in accordance with the District's cell phone policy. Personal use is permitted on a limited basis.

The District pays a maximum monthly usage fee for these telephones. If the monthly charge is greater than that amount, the individual using the telephone must pay any charges for personal calls in excess of the maximum limit. If there are no personal calls and the usage is more than the limit, the District will cover the entire cost of the service.

Cell phones remain the property of the District and must be returned upon termination of employment.

## **Civic Responsibility**

The District fulfills its responsibilities to the community it serves by encouraging employees to participate in civic affairs and to practice good citizenship. However, employee participation in community affairs must not adversely affect the employee's job performance or be detrimental to the District's interests.

Employees currently are encouraged to take an active interest in community activities of a charitable, fraternal or civic nature, and to apply for membership in service organizations. Time spent in such activities normally should be outside of the employee's working hours and is not considered hours worked for pay purposes. However, time spent in work for charitable, public or similar purposes at the District's request or under its direction or control is considered hours worked for pay purposes. Under these circumstances, reasonable expenses incurred may be reimbursed by the District. Voluntary employee participation in community affairs involving an extended period of time away from the job is subject to the District's Personal Leave of Absence Policy.

The reimbursement for membership fees and expenses in service organizations, where such membership is not required by management, is subject to the following considerations:

- Nature and purpose of the club or organization

- Benefit to be derived by the District from the employee's membership
- Extent to which the District is already represented in the club or organization
- Level of responsibility and length of service of the employee requesting reimbursement
- Cost to the District
- Time away from work
- Other issues deemed appropriate by management

Each approved membership is subject to annual evaluation by management. Employees may be asked to submit an individual activity report to the District Manager to justify continued participation in the organization.

The District does not make contributions or pay for expenditures related to an election for any political office.

If engaging in any political activity, the employee must do so as an individual and not as a representative of the District. Campaigning, fund raising and other partisan political activities must be conducted on the employee's own time.

## **Computers**

### **Systems**

During your employment, you may have access to District's computer systems through personal desktop and laptop computers, local and wide area networks, while on or off the District's premises. Use of the District's computer resources is restricted to District business only. Therefore, documents or files created thereon are the property of the District. All information regarding access to the District's computer resources, such as user identifications, modem phone numbers, modem access codes, passwords, and TELNET account codes are confidential information and may not be disclosed to non-District personnel.

All computer files, documents and software created or stored on the District's computer systems are subject to review and inspection at any time. In this regard, you should not assume that any such information is confidential, including E-mail (see e-mail section).

Computer equipment should not be removed from the District premises without written approval from a department head. Upon termination of employment, all computer hardware must be returned to the employee's immediate supervisor.

## **Software**

Employees are indirectly responsible for the on-going integrity of the District's computer data and computer security system. Access to computer files is restricted to job-related need and access must be authorized by the Assistant District Manager.

The District has numerous licenses to utilize computer software. The license agreements contain restrictions concerning the software use, duplication and federal copyright protection.

Each employee who uses the District's computer resources assumes the responsibilities listed below:

- Only software that has been authorized and purchased by the District should be loaded or used on any District computer. Personal or loaded software may contain computer viruses which could be potentially damaging to the District's systems and database.
- The District software is not to be altered in any manner, including, but not limited to, decompiling, disassembling, cross-compiling, reverse engineering, or creating derivative works.
- Computer software, or documentation should not be removed from the District premises without written approval from a department head.
- Upon termination of employment, all computer software and manuals must be returned to the Assistant District Manager.

## **Network and Internet Use**

By accepting an account password, related information, and accessing the District's Network or Internet system, an employee agrees to adhere to the District's policies regarding their use. You also agree to report any misuse or policy violation(s) to your supervisor or the District's Manager.

Use of the Network and the Internet is a privilege, not a right. The District reserves the right to suspend access at any time, without notice, for technical reasons, possible policy violations, security or other concerns.

The District, at its sole discretion, will determine what materials, files, information, software, communications, and other content and/or activity will be permitted or prohibited.

Network and Internet access is provided as a tool for the District's business. The District reserves the right to monitor, inspect, copy, review, and store at any time, without prior notice, any and all usage of the Network and the Internet, as well as any and all materials, files, information, software, communications, and other content transmitted, received or stored in connection with this usage. All such information, content, and files are the property of the District. An employee should have no

expectation of privacy regarding them. Network administrators may review files and intercept communications for any reason, including but not limited to maintaining system integrity and ensuring employees are using the system consistently with this Policy.

- Files are not to be downloaded from the Internet without the prior authorization of management. Any files authorized for download from the Internet must be scanned with virus detection software before being opened. Employees are reminded that information obtained from the Internet is not always reliable and should be verified for accuracy before use.
- Employees are prohibited from using the District's e-mail system, network, or Internet/Intranet access for the following activities:
- Downloading software without the prior written approval of the District Manager of Assistant Manager.
- Printing or distributing copyrighted materials. This includes, but is not limited to, software, articles and graphics protected by copyright.
- Using software that is not licensed by the manufacturer or approved by the District.
- Sending, printing, or otherwise disseminating the District's proprietary data, or any other information deemed confidential by the District, to unauthorized persons.
- Operating a business, soliciting money for personal gain or otherwise engaging in commercial activity outside the scope of employment.
- Searching for outside employment.
- Making offensive or harassing statements based on race, color, religion, national origin, veteran status, ancestry, disability, age, sex, or sexual orientation.
- Sending or forwarding messages containing defamatory, obscene, offensive, or harassing statements. An employee should notify their supervisor immediately upon receiving such a message. This type of message should not be forwarded.
- Sending or forwarding a message that discloses personal information without District authorization. This shall also include accessing, transmitting, receiving, or seeking confidential information about clients or fellow employees without authorization.
- Sending ethnic, sexual-preference or gender-related slurs and/or jokes via e-mail. "Jokes", which often contain objectionable material, are easily misconstrued when communicated electronically.

- Sending or soliciting sexually oriented messages or images.
- Attempting to access or visit sites featuring pornography, terrorism, espionage, theft, or drugs.
- Gambling or engaging in any other criminal activity in violation of local, state, or federal law.
- Engaging in unethical activities or content.
- Participating in activities, including the preparation or dissemination of content, which could damage the District's professional image, reputation and/or financial stability.
- Permitting or granting use of an e-mail or system account to another employee or person outside the District. Permitting another person to use an account or password to access the Network or the Internet, including, but no limited to, someone whose access has been denied or terminated, is a violation of this policy.
- Using another employee's password or impersonating another person while communicating or accessing the Network or Internet.
- Introducing a virus, harmful component, corrupted data or the malicious tampering with any of the District's computer systems.

### **Conflict of Interest**

Platte Canyon Water and Sanitation District requires that you protect District information and avoid outside activities or relationships which do or could adversely influence your decisions or actions on the job.

Examples of conflict of interest could be: holding financial interest in an organization the performs services for Platte Canyon, Southwest Metropolitan, Columbine, or Bow Mar or being self-employed in an occupation which provides services to the Districts, or has ownership, partnership or personal involvement in supplier companies or distribution outlets related to District business.

No employee or member of the employee's immediate family should accept gifts from any person or firm doing or seeking to do business with the District, if by doing so might infer the gift was given to influence the employee in conducting business with the donor. Such gifts should be returned with a note of explanation. However, employees are not prohibited from accepting advertising novelties such as pens, calendars, and other gifts of nominal value when circumstances clearly show that the gifts are offered for reasons of personal esteem and affection.

If you have any questions whether a situation is a conflict of interest, discuss the matter with your supervisor. If it remains unresolved, refer the matter to the District Manager for a final determination.

### **Credit References**

All requests for employment status must be submitted in writing to the District Manager. The District will provide information relative to your hire day, current wage rate, and wages earned to date. The District will not respond to request for information relative to possible promotions, salary increases, or the likelihood of continued employment.

### **Credit Union**

Employees are currently eligible to join the Colorado State Employees Credit Union. As a credit union member, you may apply for loans or participate in the credit union savings and checking account plans. Payments to the credit union can be made by payroll deduction. Employees may obtain further information from the Assistant District Manager.

### **Discipline/Discharge**

An employee's conduct is a major factor affecting productivity and the ability of the District to provide essential services. It is also an important aspect of the District's image in the community.

Occasionally, performance or other behavior falls short of our standards and/or expectations. When this occurs, management takes action which, in its opinion, seems appropriate.

Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances.

### **Dress Code**

At Platte Canyon, personal appearance, hygiene, and attire are very important. A professional image must be maintained to instill confidence in the minds of our customers and business associates. This helps insure our District's success. Your appearance should be consistent with good hygiene, safety and what the District considers appropriate business attire. Shorts, tank tops, halter tops, T-shirts,

etc. are not considered acceptable business dress. Jeans are not permitted to be worn by office/administrative employees.

Some employees are required to wear specific types of clothing as a standardized means of identification and/or as protection from working hazards. Employees are required to take reasonable care of these items and are responsible for keeping them in a state of good repair. District identified wearing apparel is for on-the-job use and is to be worn during working hours only. While working, the employees involved must wear District logos on the outermost garment.

### **Driver's License**

For those employees authorized to operate District vehicles, a copy of your current driver's license must be on file with the District. When a driver's license changes for any reason, including any violation affecting the status of the license, or renewal, you must immediately notify the District Manager. Operation of District vehicles is only to be done by authorized employees who possess the appropriate driver's license for operation of the particular vehicle.

### **E-Mail**

The District's e-mail system is designed to improve service to our customers, enhance internal communications, and reduce paperwork. Employees using the District's e-mail system must adhere to the following policies and procedures:

- The District's e-mail system, network, and Internet/Intranet access are intended for business-use. Employees may access e-mail and the Internet for personal use during non-working hours, but strictly in compliance with the terms of this policy.

All information created, sent, or received via the District's e-mail system, network, Internet, or Intranet, including all e-mail messages and electronic files, is the property of the District. Employees should have no expectation of privacy regarding this information. The District reserves the right to access, read, review, monitor, copy all messages and files on its computer system at any time and without notice. When deemed necessary, the District reserves the right to disclose text or images to law enforcement agencies or other third parties without the employee's consent.

- Caution must be exercised to ensure that the correct e-mail address is used for the intended recipient(s).
- Any message or file sent via e-mail must have the employee's name attached.

- Personal e-mail accounts are not permitted unless expressly authorized in advance by the District's Manager or Assistant Manager.
- Alternate Internet Service Provider connections to the District's internal network are not permitted unless expressly authorized by the District and properly protected by a firewall or other appropriate security device(s) and/or software.
- Confidential information should not be sent via e-mail unless encrypted by District approved encryption software and according to established District procedure in effect at the time of transmittal. This includes the transmission of Social Security numbers, employee health records, or other confidential material.
- Employees must provide the District with all passwords.
- Only authorized management personnel are permitted to access another person's e-mail without consent.
- Employees should exercise sound judgment when distributing messages. Client-related messages should be carefully guarded and protected. Employees must also abide by copyright laws, ethics rules, and other applicable laws.
- E-mail messages must contain professional and appropriate language at all times. Employees are prohibited from sending abusive, harassing, intimidating, threatening, and discriminatory or otherwise offensive messages via e-mail. Sending abusive, harassing, intimidating, threatening, discriminatory, or otherwise offensive messages via e-mail may result in disciplinary action up to and including termination.
- E-mail usage must conform to the District's harassment and discrimination policies.
- Use of the District's e-mail system to solicit for any purpose, personal or otherwise, without the consent of the District is strictly prohibited.
- Chain messages and executable graphics and/or programs should be deleted. Any employee engaging in the inappropriate e-mails, as determined by management, may be subject to disciplinary action, up to and including termination.
- Employees should archive messages to prevent them from being automatically deleted. All messages archived in the District's computer system shall be deemed District property, as is all information on the District's systems.
- Misuse and/or abuse of electronic access, including but not limited to excessive personal use during working hours, copying or downloading copyrighted materials, visiting pornographic sites or sending abusive e-mail messages may result in disciplinary action, up to and including termination.



## **Voice Mail**

The District's voice mail system is intended for transmitting business-related information. Although the District does not monitor voice messages as a routine matter, the District reserves the right to access and disclose all messages sent over the voice mail systems for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

## **Expense Reimbursement**

### **Business Expenses**

Platte Canyon provides reimbursement for authorized expenses incurred by employees on behalf of the District. Employees should obtain approval from their supervisor before incurring expenses.

Employees request reimbursement by filing an Expense Report with the Assistant District Manager. Receipts supporting the expenses must accompany the Expense Report.

Employees authorized to travel by personal vehicle for business purposes are reimbursed at the Internal Revenue Service's allowable rate per mile. A mileage log must be submitted with the expense report. Tolls and parking fees are also reimbursable.

### **Travel Expenses**

All travel expenses must be pre-authorized by your supervisor and the District Manager. Travel expenses are reimbursed in accordance with the provisions at the District's Purchasing Manual.

### **Garnishments**

By court action, a creditor can require the District to withhold a certain percentage of your pay. If garnishments or similar proceedings are instituted against an employee, the District will deduct the required amount from the employee's paycheck. Garnishment actions are conducted in compliance with appropriate federal and state laws.

### **Inclement Weather**

In the event of inclement weather, office closings will be announced on radio station KOA – 850 AM and television station KUSA – channel 9. If you are uncertain whether the office is open, contact your supervisor.

If the District office remains open, each employee should decide whether it is safe to travel to work. We expect all employees to make a determined effort to report to work, even if late. Those employees who do not report to work will not be paid, but may take vacation or personal leave.

### **Inspections**

We reserve the right to conduct searches and inspections of any employee or District owned property without notice. Any employee who refuses to submit to a search will be subject to disciplinary action up to and including termination.

### **Lunch and Break Periods**

Employees working a normal eight hour shift receive an unpaid half hour lunch period during each shift. Lunch periods may be scheduled by your supervisor.

Full time employees may take two ten minute paid break periods per shift if work demands permit. Your break periods may be scheduled by your supervisor to provide for proper coverage of assigned duties.

### **Mail**

Personal mail and packages should not be sent from, or received at, the District office. Since personal mail is not to be sent to the office, employees should not have any expectation of privacy with respect to correspondence sent to their attention. Mail is assumed to be for the District and may be subject to opening by the District.

### **No Solicitation Rule**

Non-employees are not permitted to solicit or distribute literature on the District's premises.

Employees are not permitted to solicit during working time or in customer services areas. An employee may not solicit another employee during the latter's work time. Working time does not include meal, break or rest periods or other specified times during the work shift when employees properly are not engaged in performing their work tasks. Working areas are defined as areas of the premises where employees perform their work tasks, but do not include break rooms, rest rooms, parking lots or other non-work areas.

## **Operator Certification Program**

All maintenance and operations employees are required to be certified in accordance with the District's Operator Certification Policy. Contact the District's Operations Supervisor for details on this policy.

## **Operator Certification Incentive Program**

Maintenance and operating employees are eligible to participate in the District's current Operator Certification Incentive Program. Details about the program are available from the District's Operations Supervisor.

## **Outside Employment**

Other employment outside the District must not interfere with your present job, or involve a conflict of interest, or give that appearance.

## **Parking**

The District currently provides free parking for employees in designated areas. When you enter the parking lot, please follow directions and not park in reserved areas.

The District is not liable for fire, theft, damage or personal injury involving employee's automobiles. Protect your property by locking your car.

You are expected to drive safely. Speed limits are enforced on District property.

## **Personnel Records**

The District keeps a personnel file as a record of your employment. It is important for this record to be up-to-date and complete. This enables us to reach you in an emergency, forward you mail and properly maintain your insurance and other benefits. It also helps keep track of your payroll deductions and many other things which concern you as an individual.

Notify the Assistant District Manager immediately if you have changes in any of the following areas: name, residence, telephone, marital status, insurance changes, tax exemptions or person to notify in case of an emergency and other relevant information.

Additionally, you should notify the Assistant District Manager if you complete educational or training courses. This information may be considered with your other employment records as job opportunities arise in the District.

If you want to look at your file or discuss it with someone, contact the District Manager.

### **Problem Solving**

Employees who disagree or are dissatisfied with a District practice should promptly discuss the matter with their immediate supervisor, where appropriate. Normally, this discussion should be held within 3-5 days of the incident, or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns while it's fresh in everyone's mind. The majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to the supervisor, then employees are encouraged to take the problem to the District Manager. If the problem still cannot be resolved, employees may submit a written complaint to the District Board of Directors for review and final decision about the situation.

### **References**

All request for letters of recommendation must be referred to the District Manager. If you receive a call inquiring about a former employee, please refer it to the District Manager. Only the District Manager has the authority to respond to such inquiries.

### **Safety/Reporting of Accidents and Injuries**

The District is committed to a safe work environment for employees. Report any unsafe practices or conditions to your supervisor.

Although precautions are taken to provide safe working conditions, the responsibility of accident prevention rests with each employee. All employees should observe the simple rules of common

sense and good behavior, the best means of preventing accidents. All employees are required to become familiar with the District's "Safety Manual" and to observe all rules and procedures contained therein.

If you are injured on the job, no matter how minor, you must immediately report this fact in writing to the Assistant District Manager.

If medical treatment for an on-the-job injury is needed, it must be obtained from the District's designated physician. If not, you may be responsible for the cost of medical treatment.

Accidents involving District vehicles must be reported immediately to your supervisor and the appropriate police/sheriff's department. Instructions on appropriate response to, and reporting of vehicle accidents is contained in the District's Safety Manual.

All District maintenance and operations employees are required to wear approved safety shoes during working hours. Employees required to wear safety shoes may seek reimbursement for the cost of one pair of safety shoes per year up to a maximum of \$100.00. A dated store receipt is required for reimbursement.

## **Security**

Employees are provided with a security identification card and a building access code to disable and enable the security system. The security access code should not be shared with or given to anyone else. If the code becomes known to someone else, notify your supervisor so that it may be changed.

Keys are provided to specified employees to provide access to secured areas for business purposes. Keys are not to be lent to others nor duplicated without the written approval of your supervisor.

Lost or stolen keys or security identification cards should be immediately reported to your supervisor.

## **Smoking**

It is our objective to provide a smoke-free environment within District facilities. However, employees may smoke in the designated smoking area. Smoking is prohibited in all other areas of the building and property. This restriction applies to all employees and visitors, at all times, including non-business hours.

## **Telephones**

District telephones need to be available during working hours for effective communication with the District's customers and business associates. Accordingly, the District facilities should not be used for personal telephone calls except in cases of emergency.

Use of the District's telephone lines should be confined to business calls. Personal telephone calls should be limited to those which are absolutely necessary and should be as brief as possible. This restriction on the use of telephones also applies to making unnecessary personal calls to fellow employees with the District.

When necessity requires that an employee make a personal long distance call, the call should be placed through the telephone company operator and charged to the individual's home number, or placed collect, unless prior approval has been obtained from your supervisor.

Business related long distance calls and faxes must be recorded on a long distance telephone call log and given to the District's Financial Administrator at the end of shift when the call is made.

## **Termination of Employment**

If you decide to leave Platte Canyon, we request that you give your supervisor two week's notice in writing, specifying the reason for your resignation. After you give notice, the Financial Administrator can arrange for payment of your final paycheck and earned vacation and sick leave.

On or before your last day of work, all District property must be returned to your supervisor and all debts settled.

## **Time Reporting**

Non-exempt employees must record time worked on a daily basis. The District uses a computerized time keeping system for reporting your time and calculating your pay and leave time.

Include on your time keeping report the total hours worked excluding meal periods, your work activities, and paid days off, such as vacation or sick leave.

You are responsible for submitting your time keeping report to the designated District employee on a weekly basis for approval and submittal to payroll.

## **Use of District Vehicles, Property, and Equipment**

Except as authorized by the District Board of Directors, all vehicles owned or leased by the District are to be used for business purposes only. All vehicles are to be kept on District property when not in business use unless otherwise specifically authorized in writing by the District Manager or as a requirement of the job.

From time to time certain employees are required to keep a service vehicle at home for the purpose of responding to emergencies during nighttime hours, weekends and Holidays. Under current IRS Regulations, the use of such vehicles (properly identified and equipped) for commuting to and from work is considered to be a working condition fringe benefit, not as personal use. With the exception of “de minimis” use, all other personal use of the vehicle is prohibited. (Examples of “de minimis” use might include stopping for lunch between two business stops or a personal errand (not significantly out of the way) between a business stop and home).

Operation of District-owned property and/or removal of same for personal use must be pre-approved in writing by your immediate supervisor.

## **Visitors**

Visitors are welcome, but their presence can be a distraction to other employees. The presence of personal visitors may present safety and liability problems for the visitor, employees and the District. For these reasons, your visitors must check in and be met at the reception desk.

Tours of District facilities or accompanying an employee during work activities must be pre-approved by the employee’s supervisor.

## **Voting**

Voting is an important responsibility we all assume as citizens. We encourage you to exercise your voting rights in all municipal, state and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for you to arrive late or leave work early to vote in any election, you should make arrangements with your supervisor no later than the day prior to Election Day.

## **Work Schedule**

Normal business and working hours for the District are 8:00 a.m. to 4:30 p.m., Monday through Friday. It may be necessary for employees to work at times other than the regularly scheduled hours, depending on the needs of the District. When this occurs, you will be notified by your supervisor.

From time to time, employees may be required to work overtime. For the purposes of calculating overtime, the workweek begins Sunday at 12:01 a.m. and ends Saturday at 12:00 p.m.



## ACKNOWLEDGMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE EMPLOYEE HANDBOOK DATED \_\_\_\_\_ . I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- EMPLOYMENT WITH PLATTE CANYON WATER AND SANITATION DISTRICT IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH THE ORGANIZATION, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE ORGANIZATION HAS THE SAME RIGHT.
- THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.
- THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE ORGANIZATION'S GUIDELINES.
- THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE ORGANIZATION THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.
- NO REPRESENTATIVE OF PLATTE CANYON WATER AND SANITATION DISTRICT, OTHER THAN THE DISTRICT MANAGER OR PRESIDENT OF THE DISTRICT HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE PRESIDENT AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

\_\_\_\_\_  
EMPLOYEE NAME

\_\_\_\_\_  
DATE

**(EXHIBIT A)**  
**DRUG AND ALCOHOL POLICY**

# PLATTE CANYON WATER AND SANITATION DISTRICT

## Alcohol and Drug Policy

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### A. **Purpose**

Platte Canyon is committed to a safe, healthy, and productive work environment for all employees free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision making.

### B. **Scope**

This policy applies to all employees of Platte Canyon Water and Sanitation District.

### C. **Statement of Policy**

To ensure a safe and productive environment Platte Canyon prohibits the use, sale, dispensation, manufacture, distribution, or possession of alcohol or controlled substances on any District premises or work-site. Controlled substances shall include all drugs listed in schedules I through V of Section 202 of the federal Controlled Substances Act. This prohibition includes District owned vehicles being used for District business or parked on District's property.

No employee shall report to work with any detectable amount of any illegal drug in their system.

No employee shall report to work while having an alcohol concentration of .02 or greater grams of alcohol per 210 liters of breath.

Employees who must use a medically prescribed or over-the-counter drug that may adversely affect their ability to perform work in a safe, productive, and efficient manner must notify their supervisor or the District manager prior to starting work. The employee may be required to take personal or sick leave for the duration of the use of the prescription.

### D. **Testing Provisions**

If facts or circumstances exist giving rise to a reasonable suspicion that an employee is in violation of this policy, the District may require the employee to submit to an appropriate test

for alcohol or substance abuse. Refusal to submit to a test may result in disciplinary action, up to and including termination.

The District may require an employee to submit to an appropriate test for alcohol or substance abuse following any job-related accident, regardless of injury to person or damage of property.

The District may conduct unannounced inspections for violations of this policy in the workplace, work-site, or District premises. Employees are expected to cooperate in any inspection.

E. **Consequences of Violation under Company Policy**

Any violation of this policy will result in disciplinary action which may include termination for the first offense.

F. **Treatment**

The District supports sound drug and alcohol abuse treatment efforts. When practical, the District will assist employees in overcoming drug, alcohol, and other problems which may affect employee job performance, as long as this policy has not already been violated. Information regarding availability of treatment resources and possible insurance coverage is available from the District manager.

This policy in no way modifies the at-will status of the District's employees and in no way infers or guarantees continued employment for any definite term.

# PLATTE CANYON WATER AND SANITATION DISTRICT

## Alcohol and Drug Policy in Compliance with the Federal Omnibus Transportation Employee Testing Act

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### A. **Purpose**

The use of controlled substances (“use of illegal drugs” or “drugs possessed or used illegally”) and the misuse of alcohol increases the risk of an accident, jeopardizes a safe work environment, and causes potential harm to an individual's health and life. The goal of Platte Canyon Water and Sanitation District's Drug and Alcohol Abuse Policy in Compliance With the Federal Omnibus Transportation Testing Act (Policy) is to prevent drug and alcohol related accidents, injuries and damage to property, and to establish procedures to comply with Federal safety standards for safety sensitive duties regulated by the United States Department of Transportation (Federal Omnibus Transportation Employees Testing Act and regulations) promulgated thereto.

### B. **Scope**

This Policy shall apply to all employees required, as a condition of employment, to possess a valid Colorado Commercial Drivers License (CDL Employee or CDL Employees).

### C. **Statement of Policy**

This Policy is adopted in order to comply with the requirements of the Federal Omnibus Transportation Employees Testing Act, and to promote the health and safety of the District employees and prevent disruption of the work area and damage to District property.

No CDL employee shall unlawfully manufacture, sell, purchase, possess, transport, use, or distribute controlled substances as defined in 49 CFR Part 382, Section 107.

No CDL employee shall report to work or perform safety sensitive duties with any controlled substance present in their body. Safety sensitive duties shall include, but not necessarily be limited to operation of District equipment, operation of District vehicles, assisting in the operation of District equipment and vehicles or performance of any function or duty which may result in injury to oneself, another party, or damage to property.

No CDL employee shall perform safety sensitive functions within four (4) hours of consuming alcohol.

No CDL employee shall consume alcohol while performing safety sensitive functions.

No CDL employee shall possess alcohol while on duty.

No CDL employee shall report to work or perform safety sensitive functions while having an alcohol concentration of 0.02 grams of alcohol per 210 liters of breath or greater. CDL employees alcohol concentration will be determined by testing performed in accordance with this Policy.

No CDL employee shall leave the scene of an accident, without a valid reason, before arranging to have both a controlled substance and alcohol test performed.

No CDL employee shall consume alcohol after an accident unless:

- a. Eight (8) hours have expired.
- b. The employee has been tested.
- c. The District has determined that the employees performance could not have contributed to the accident.

No CDL employee shall refuse to be tested for controlled substances or alcohol when requested in accordance with the terms of this Policy.

D. **Consequences of Violation under Company Policy**

Any violation of this policy will result in disciplinary action which may include termination for the first offense.

If a CDL employee tests positive for a controlled substance or has an alcohol concentration of .04 or greater, the employee will be immediately suspended from work without pay.

The District may consider removing the employee from suspension and returning him/her to work with pay only after the following conditions are met.

1. The employee has been evaluated by an approved DOT Substance Abuse Professional (SAP) and a copy of the SAP's evaluation and recommendations has been submitted to the District.

2. The employee has complied with the requirements specified in the Return-to-Duty Testing Section below.
3. The District agrees to return the employee to work.

Any CDL employee who adulterates or otherwise interferes with accurate testing required pursuant to this Policy is in violation with this Policy.

The District will not hire applicants who test positive for controlled substances.

The District will provide any CDL employee who violates a DOT drug and alcohol test, a listing of Substance Abuse Professionals (SAP) readily available to the employee.

E. **Consequences of Violations as Mandated by DOT**

If a CDL employee tests positive for a controlled substance or has an alcohol concentration of .02 or greater, the employee will be removed from safety-sensitive functions.

To be eligible to return to work or a safety-sensitive function after testing at an alcohol concentration of .02 to .039, the employee must be off duty until the employee can provide a test result with an alcohol concentration of less than .02 or be off duty for 24 hours.

To be eligible to return to work after a positive controlled substance test or a test indicating an alcohol concentration of .04 or greater, the employee must be evaluated by a SAP. If the SAP determines that additional treatment is necessary, the employee must complete such treatment and be subject to follow up testing and a return-to-work test with a result indicating a verified negative result.

**THE ABOVE CONSEQUENCES IN SECTION E ARE MINIMUM REQUIREMENTS AS SET OUT BY THE D.O.T. COMPLIANCE AND DO NOT GUARANTEE AN EMPLOYEE WILL BE RETURNED TO WORK FOLLOWING A VIOLATION OF THIS POLICY. CDL EMPLOYEES WILL BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION, REGARDLESS OF ELIGIBILITY TO RETURN TO WORK UNDER THE D.O.T. REGULATIONS.**

F. **Testing**

The U.S. Department of Transportation (DOT) has issued regulations to comply with the *Federal Omnibus Transportation Employees Testing Act*. These regulations govern the use of controlled substances and alcohol for employees that hold a

commercial drivers license (CDL), and require the District to conduct mandatory drug and alcohol testing of CDL employees at the times and under the conditions described in this Policy. The District is required by DOT to conduct tests for CDL employees under the following conditions or times:

1. Before a driver is hired (pre-employment testing)
2. Reasonable suspicion.
3. Following an accident (post accident).
4. On a random basis.
5. Return-to-duty.
6. Follow-up.

A CDL employee will be in violation of this Policy if said employee has 0.04 or greater grams of alcohol per 210 liters of breath. Any CDL employee testing positive for an illegal drug and illegal use of drugs will constitute a violation of this Policy.

The District's drug and alcohol testing procedures and requirements for this Policy are listed below.

#### **Pre-Employment Testing**

This test, for controlled substances, is required before any driver-applicant required to have a CDL is hired. The applicant will also be required to execute a general consent and release to be tested for drugs. All offers by the District to hire an applicant for a CDL employee position are conditioned upon the applicant executing the general consent and release form to be tested for drugs, taking a drug test, and passing said test.

#### **Post-Accident Testing**

A CDL employee must submit to a post-accident drug and post-accident alcohol test as soon as possible after an accident that involves a death of a human being, or bodily injury to a person who must receive immediate medical treatment away from the scene, or one or more of the vehicles involved is towed away from the scene, or a citation is issued to the CDL employee for a moving violation. If a driver is directed to submit to a drug and/or alcohol test at the scene of an accident by a federal, state, or local law enforcement officer, the employee is to contact his or her supervisor immediately to report this and to provide the name and badge number of the officer who conducted the test. The District may use the results from the test at the scene to determine if the driver has violated this testing requirement.

Alcohol tests under this testing requirement will be performed as soon as possible after the accident.

Drug tests under this testing requirement will be performed as soon as possible after the accident.



Any employee tested under this testing requirement having an alcohol test result of 0.02 grams of alcohol per 210 liters of breath or greater or a positive test result for illegal drugs of illegal use of drugs will be grounds for disciplinary action up to, and including termination, any alcohol test result less than 0.02 grams of alcohol per 210 liters of breath will be allowed to return to work.

Any employees subject to testing under this testing requirement will not use alcohol for eight (8) hours following the motor vehicle accident or until the employee undergoes a post-accident alcohol test, whichever occurs first.

### **Random Testing**

The District is required to test CDL employees on an unannounced random basis. Under the District's drug and alcohol policy every CDL employee will have an equal chance of being selected each and every time the selection is conducted. Whenever a driver is randomly selected to be tested, the driver will be notified in writing and instructed to report to the collection site immediately. A CDL employee having a positive drug test or alcohol test result of 0.02 grams of alcohol per 210 liters of breath will be in violation of this Policy and will subject the driver to disciplinary action up to, and including termination.

### **Reasonable Suspicion**

Every employee is subject to a drug and/or alcohol test whenever the District has a reasonable suspicion that the employee has used drugs or has consumed alcohol in violation of the D.O.T.'s regulations, or whose work is, or may be impaired by the use of drugs and/or alcohol. Reasonable suspicion will exist when an employee's appearance, behavior, speech or body odors indicate use or presence in the employees body of a controlled substance and/or alcohol as observed by a District agent that has been certified as a safety awareness person. Whenever an employee is notified that there is reasonable suspicion to be tested for drugs and/or alcohol, the employee will be escorted by an agent of the District to the collection site. Alcohol tests under the testing requirement will be performed as soon as possible after a determination of reasonable suspicion has been made. An employee who is required to take a drug and/or alcohol test on the grounds of reasonable suspicion will be considered by the District as unqualified to work pending the results. The District will attempt to contact a family member to pick up the employee under reasonable suspicion at the collection site.

An employee having a positive controlled substance test result or an alcohol test result of 0.02 grams of alcohol per 210 liters of breath will subject the employee to disciplinary action up to, and including termination.

### **Return-to-Duty Testing**

Before an employee can return to work following a *verified* positive drug test, or an alcohol test of 0.04 grams of alcohol per 210 liters of breath or greater, the employee must first be evaluated by a Substance Abuse Professional (SAP) chosen by the District or approved by the District, and pass a return-to-duty test. Before a return-to-duty test can be performed, the employee must be evaluated by a SAP to determine whether the employee has followed the recommendations for action by the SAP, including participation in any rehabilitation program. Any employee that fails the return-to-duty test or fails to successfully complete the requirements prescribed by the SAP will be subject to disciplinary action up to and including termination.

### **Follow-up Testing**

Once an employee is allowed to return-to-duty, he or she will be subject to unannounced follow-up testing for a period of time prescribed by the law and/or District. The frequency and duration of the follow-up testing will be recommended by the SAP, but will not exceed 60 months following the driver's return to work. Any employee that fails a follow-up test will be subject to disciplinary action up to and including termination.

## G. **Testing Procedures**

### **Controlled Substance**

Controlled substance screening shall be conducted in a laboratory certified by the Department of Health and Human Services (DHHS) and in accordance with the Procedures for Transportation Workplace Drug Testing Programs. All controlled substance screening includes split sampling which provides that a urine sample be split into two separate containers.

The substance screen will test for the following drugs - marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

The District shall retain a Medical Review Officer (MRO) who will receive the laboratory results of the test. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication.

The MRO shall also review all specimens which are found to be adulterated or contain a substituted specimen. In the instance of an adulterate or substituted specimen, the MRO may provide the driver an opportunity to present a legitimate medical explanation. If no legitimate medical explanation is provided, the MRO will report the verified adulterated or substituted specimen to the District. The District will consider the verified adulterated or

substituted specimen as a refusal to test and immediately remove the driver from performing safety functions. The driver may then be subjected to disciplinary action under the District's independent authority.

The MRO will be sent the sole custodian of the individual test results. The MRO will advise the District only of whether the results were negative or positive.

After receiving notification of a verified positive test, an adulterated or substituted specimen, a driver may request that the split sample be analyzed. Such a request must be made within 72 hours of notification of the verified positive test. If such a request is made, the sample will be tested at another DHHS certified laboratory, at the drivers expense. Upon written request within seven (7) days of a verified positive test, the driver may obtain copies of any records pertaining to their tests.

### **Alcohol Testing**

Alcohol testing shall be conducted by a Breath Alcohol Technician (BAT) using an Evidential Breath Testing Device (EBT), the driver will provide a breath sample. If an employee's alcohol concentration is greater than .02, a second confirmation test will be performed.

## **H. Refusal to Submit to Testing**

This provision regarding the refusal to submit to testing excludes applicants for employment. Refusal to submit to testing is a violation of this Policy. Any employee refusing to submit to testing will be referred to a Substance Abuse Professional and will face appropriate disciplinary action. The following behaviors constitute a refusal:

Refusal to submit is defined as:

- a. refusal to appear for testing
- b. failure to remain at the testing site until the testing process is complete
- c. failure to provide a urine specimen
- d. in instances where observed or monitored collection is required, failure to allow observation or monitoring
- e. refusal to sign the testing form
- f. failure to provide adequate breath
- g. failure to take a second test as directed
- h. otherwise fail to cooperate in the testing process
- I. perform any actions which prevent the completion of the test
- j. a test result reported by the MRO as a verified adulterated or substituted test
- k. inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation

- l. failure to undergo a medical examination or evaluation when directed
- m. tampering with, attempting to adulterate, adulteration or substitution of the specimen, or interference with the collection procedure
- n. not reporting to the collection site in the time allotted
- o. leaving the scene of an accident without a valid reason before the tests have been conducted

## I. **Voluntary Employee Self-Identification Program**

The District supports sound treatment efforts. Whenever practical, the District will assist employees in overcoming drug, alcohol, and other problems which may affect employee job performance as long as this Policy has not already been violated. An employee may not self-identify in order to avoid required testing. The following is required to participate in this voluntary program: the driver makes the admission of alcohol misuse or controlled substances use **prior** to reporting to duty to perform a safety sensitive function and the driver does not perform a safety sensitive function until the District is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements.

Employees who seek voluntary treatment prior to a violation of this Policy will not be disciplined for making a voluntary admission of alcohol misuse or controlled substances use within the parameters of the program. The employee will be allowed a sufficient opportunity to seek evaluation, education or treatment to establish control over the employee's drug or alcohol problem. Employees who seek voluntary assistance will be returned to return to safety sensitive duties only upon successful completion of an educational or treatment program as determined by a drug and alcohol abuse evaluation expert. Prior to the employee participating in a safety sensitive function, the employee shall undergo a return-to-duty test with a result indicating an alcohol concentration of less than .02 and/or controlled substance test with a verified negative test. In addition, the District may monitor any employee who voluntarily reports under this provision by conducting unannounced follow-up testing not to exceed 60 months following the driver's return to work.

If the employee elects to enter an appropriate treatment program, the employee may be placed on unpaid status but will be required to use any accrued vacation time while participating in the evaluation and treatment program so long as the employee is complying with the conditions of treatment. The District will have the right to require verification from the health care provider for a release to work and/or verification of treatment as covered by the District's medical leave policies.

## J. **Inspection and Searches**

The District may conduct unannounced inspection for violations of this Policy in the workplace, work sites, or company premises. Employees are expected to cooperate in any inspection.

**By accepting or continuing employment with the District, every employee will be deemed to have expressed consent to submit immediately to tests of the employee's breath or urine under the circumstances described herein for the purpose of determining drug and alcohol content.**

**Any employee who refuses to submit to a required test will be considered in violation of the testing requirement. Refusal to submit to testing includes, but is not limited to, refusal to take a test, inability to provide sufficient breath or urine without a valid medical explanation, tampering with or attempting to tamper with the specimen or collection procedure, not reporting to the collection site at the scheduled time, or refusal to provide the necessary authorization obtaining hospital reports and other documents.**

**Employees who must use a medically prescribed or over-the counter drug that may adversely affect their ability to perform work in a safe manner must notify their supervisor or District manager prior to starting work. The employee may be required to take a medical leave of absence or disability for the duration of the prescription**

# ACKNOWLEDGMENT

I, \_\_\_\_\_, have received a copy of Platte Canyon Water and Sanitation District's Drug and Alcohol Policy in compliance with the Federal Omnibus Transportation Employee Testing Act and understand I must abide by the terms of this Policy to continue my employment with the District.

I understand that this Policy in no way modifies my status as an at-will employee and in no way implies, infers, or guarantees my continued employment for any definite term. I may be dismissed at the discretion of the District for other reasons than failing to follow the terms of this Policy.

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

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