

AGENDA

**HUMAN RESOURCES COMMITTEE MEETING
LEUCADIA WASTEWATER DISTRICT**

Wednesday, December 6, 2023 – 2:00 p.m.
1960 La Costa Avenue, Carlsbad, CA 92009

1. **Call to Order**
2. **Roll Call**
3. **Public Comment**
4. **New Business**
 - A. Adopt Resolution No. 2407 approving LWD's Revised Workplace Violence Prevention Policy. (Pages 2 - 8)
 - B. Adopt Resolution No. 2405 Amending the Travel Authorization and Expense Reimbursement Policy. (Pages 9-17)
 - C. Annual Review of the Board-General Manager/Staff Relations Policy. (Pages 18-22)
5. **Information Items**

None.
6. **Directors' Comments**
7. **General Manager's Comments**
8. **Adjournment**

MEMORANDUM

Ref: 24-8611

DATE: November 30, 2023
TO: Human Resources Committee
FROM: Paul J. Bushee, General Manager
SUBJECT: **Revised Workplace Violence Prevention Policy**



RECOMMENDATION:

Staff requests that the Human Resources Committee (HRC) recommend that the Board of Directors:

1. Adopt Resolution No. 2407 approving LWD's Revised Workplace Violence Prevention Policy.
2. Discuss and take other action as appropriate.

DISCUSSION:

Tactical Goal: People/Administration Policy Reviews/Workplace Violence Prevention Policy

The Board of Directors originally adopted LWD's Workplace Violence Prevention Policy in November 2007, and it was last revised on September 11, 2013.

The purpose of this Policy is to help prevent workplace violence incident(s) and ensure the well-being of LWD's employees. The policy also strengthens basic information contained in LWD's Human Resources Policy Manual. Staff recently conducted a review of the existing policy. Based on this review, staff is recommending several changes that clarify the intent of this policy, along with clerical and formatting updates. Staff will provide a summary of the policy's revisions, which is attached to Resolution No. 2407 at the upcoming meeting.

A brief summary of the proposed revisions include the following:

Section 3 – Workplace Security Measures

Section B: Prohibited Behaviors section was added to clarify which behaviors are prohibited in the workplace.

Section 4 – Reporting and Investigation Procedures

- In this section, language was updated to clarify which staff members employees can report any concerns of violence or incidents of violence to.
- The paragraph about Inspections was moved to this section. In the prior policy, it was written as a stand-alone statement.

Section B: As with other similar policies, a section about confidentiality during an investigation was added to the policy.

Minor Change Recommendations

Throughout the policy, various minor changes were made to improve clarity, correct grammatical spelling and format inconsistencies.

Therefore, staff requests that the HRC recommend that the Board of Directors adopt Resolution No. 2407 amending the Workplace Violence Prevention Policy and provide direction as appropriate.

Attachment

th:PJB

RESOLUTION NO. 2407

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
LEUCADIA WASTEWATER DISTRICT
ADOPTING THE LEUCADIA WASTEWATER DISTRICT'S
REVISED WORKPLACE VIOLENCE PREVENTION POLICY**

WHEREAS, the Leucadia Wastewater District's (LWD) originally adopted the Workplace Violence Prevention Policy on November 14, 2007 to establish a policy that promotes a safe work environment; and

WHEREAS, the Workplace Violence Prevention Policy was last updated on September 11, 2013; and

WHEREAS, it is prudent for LWD to periodically review its Workplace Violence Prevention Policy to reflect administrative changes as well as changes in laws and regulations.

NOW, THEREFORE, it is resolved as follows:

1. The LWD Board of Directors adopts the LWD Revised Workplace Violence Prevention Policy attached hereto as Exhibit "A" and directs that it be implemented consistent with all applicable laws and related District policies.
2. This Resolution supersedes Resolution No. 2239.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Leucadia Wastewater District held December 13, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elaine Sullivan, President

ATTEST:

Paul Bushee, Board Secretary

LEUCADIA WASTEWATER DISTRICT WORKPLACE VIOLENCE PREVENTION POLICY

1. Policy

Leucadia Wastewater District (LWD) is committed to providing a safe and secure working environment for all employees. This policy aims to prevent incidents of workplace violence and ensure that everyone associated with LWD, including employees and customers, never feels threatened by the actions or conduct of any employee or independent contractor.

This policy amplifies information contained in LWD's Human Resources Policy Manual.

2. Prohibited Behaviors

LWD has a policy of zero tolerance for workplace violence and the following behaviors are strictly prohibited in the workplace:

- **Physical Violence:** Any form of physical assault, hitting, kicking, pushing, or other acts that cause harm or injury to another person.
- **Verbal or Emotional Abuse:** Engaging in aggressive or abusive language, including threats, insults, derogatory comments, or humiliation that may cause emotional distress.
- **Intimidation or Coercion:** using threats, manipulation, or other means to force or control another person's behavior or actions.

3. Workplace Security Measures

To fulfill this commitment to a safe work environment for employees, customers, and visitors, a few simple rules have been created. These are:

A. Limited workplace access

- Access to LWD's workplace (i.e. facilities beyond the public parking lot and reception area) is limited to those with a legitimate business interest.
- All visitors to the workplace who are not a guest of an employee or who are not attending a District-approved meeting must sign in at the reception area before entering limited areas.

B. All Weapons Banned

LWD specifically prohibits the possession or transportation of weapons by any employee while on LWD's property. This ban includes keeping or transporting a weapon in a privately owned vehicle on LWD property. Employees are also prohibited from carrying a weapon in an LWD owned vehicle or while performing their official duties on or off LWD

Adopted: November 14, 2007
Revised: September 11, 2013
Revised: December 13, 2023

property.

Weapons include guns, knives (with blades longer than 3 inches unless issued as part of District equipment), explosives, and other items with the potential to inflict harm. Appropriate disciplinary action, up to and including termination, may be taken against any employee who violates this policy.

4. Reporting and Investigation Procedures

Employees are responsible for reporting potentially violent situations in the workplace to a supervisor or manager.

If an immediate threat to personal safety exists, employees should contact local law enforcement or emergency services.

Employees are encouraged to report any incident that may involve a violation of any LWD's policies that are designed to provide a comfortable, safe, and non-hostile workplace environment. Reporting should be done without fear of retaliation, and all reports will be handled promptly.

All potentially violent situations are serious and all threats of violence against LWD employees will be reported to the appropriate law enforcement authorities immediately.

Employees are required to report:

- Any suspicious or unauthorized persons on or near LWD premises.
- Threatening communications include mail, telephone calls, electronic communications and faxes, and verbal remarks.
- Other acts by or against employees that may affect employee safety including harassment, intimidation, stalking, invasion of privacy, or the possession of prohibited items as described herein.

Concerns of violence may be presented to the employee's supervisor or any LWD Manager. There is no chain of command when contacting the General Manager; an individual does not need supervisor or manager approval to do this. If the alleged offender is the employee's supervisor or manager, the employee should report the conduct to any other supervisor, manager or the General Manager. In incidents where the General Manager is accused of violating this policy, the complaint shall be filed with the District's Legal Counsel, Worden Williams, LLP or the "We Tip" hotline at www.wetip.com. Contact information for LWD's legal counsel will be provided to each employee.

Upon receiving a report of workplace violence, LWD's management will conduct a thorough investigation to determine the facts and gather evidence. Appropriate disciplinary action against individuals found guilty of workplace violence, which may include verbal or written warnings, suspension, termination, or legal action as deemed necessary.

If an employee(s) engages in any violence in the workplace or threatens violence in the workplace, he/she employment may be terminated immediately for cause.

If necessary, LWD will implement corrective measures, such as increased security measures,

counseling services, or training programs to prevent future incidents. In accordance with SB 553, LWD will maintain a violent incident log for all workplace violence incidents.

Inspections

LWD reserves the right to search all company vehicles, workstations, work areas, desks, file cabinets, lockers, and other personal property of employees (including personal vehicles parked or operated on LWD property) and their contents for weapons. LWD will conduct searches when there is reasonable cause to believe that an employee or independent contractor has a weapon. "Reasonable Cause" is defined as facts that would lead a reasonably prudent person to believe that the employee or any other individual on District property has a weapon or that a weapon is in the area to be searched. Employees, who are found to have a weapon in violation of this policy or other LWD policies, may be subject to disciplinary action, up to and including termination of employment.

A. Incident Management

In the event of a major workplace incident that affects, or has the potential to affect, the mental health of LWD's workforce, LWD will provide initial counseling and support services.

As the crisis passes and support systems are put into place for individuals affected by the incident, LWD will make every effort to return to normal business operations. A reasonable effort will be made to notify employees, customers, and others who need to know of the status of business operations directly whenever possible. In cases where direct contact is not possible or practical, an effort will be made to communicate through the news media and other available resources.

B. Confidentiality

To the extent possible, LWD will endeavor to keep the reporting of the applicant or employee's concerns confidential; however, complete confidentiality cannot be guaranteed when it interferes with LWD's ability to fulfill its obligations under this policy. All employees are required to cooperate fully with any investigation. This includes but is not limited to, maintaining an appropriate level of discretion regarding the investigation and disclosing any information that may be pertinent to the alleged violation to the person conducting the investigation.

C. Training

As part of its commitment to preventing workplace violence, LWD will ensure that all employees are aware of this policy by establishing a biennial training requirement. Training will initially be included as part of the new employee orientation process; thereafter, it will be provided in a manner approved by the General Manager.

D. Employee Support and Resources

In addition to required training, LWD encourages employees to pursue additional training and/or courses in areas such as communication, problem-solving, building effective working relationships, stress management, etc. to minimize the risk of workplace violence. These activities may be provided at LWD's expense or supported by its tuition reimbursement program subject to General Manager's approval.

Employee assistance program

LWD provides an Employee Assistance Program (EAP) for all full-time employees. This EAP offers services to employees and their eligible dependents. While LWD receives periodic reports on the number and types of visits or calls made to the EAP, LWD does not receive information about individual contacts with the EAP.

Employees are encouraged to use the EAP whenever he/she feels the need for guidance in coping with personal difficulties. If an employee has difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service to be used when an employee needs help.

MEMORANDUM

Ref: 24-8610

DATE: November 30, 2023
TO: Human Resources Committee
FROM: Paul J. Bushee, General Manager 
SUBJECT: Travel Authorization and Expense Reimbursement Policy

RECOMMENDATION:

Staff requests that the Human Resources Committee recommend that the Board of Directors:

1. Adopt Resolution No. 2405 Amending the Travel Authorization and Expense Reimbursement Policy and/or;
2. Discuss and take other action as appropriate

DISCUSSION:

Tactical Goal: People/Administration Policy Reviews/ Travel Authorization and Expense Reimbursement Policy

The Leucadia Wastewater District (LWD) Travel Authorization and Expense Reimbursement Policy was originally adopted by the Board of Directors on February 8, 2006. Since then, the Board has periodically updated this policy as required. It was last revised on September 13, 2017.

The policy is required by California government code, if members of its legislative body are reimbursed for necessary expenses incurred while traveling for District business. In summary, the policy complies with this code, by including language that:

- establishes “reasonable reimbursement rates” for travel, meals, lodging and other actual and necessary expenses;
- establishes an expense reimbursement form that must be completed and returned within a “reasonable time” with accompanying receipts;
- specifying the types of conferences, meetings or events that qualify for reimbursement of expenses; and
- limits transportation and lodging costs to the maximum group rate published by the conference or activity sponsor or to government rates when available

Staff recently reviewed the policy to determine if any revisions are necessary. Based on this review, staff suggested the following revisions:

- 1) include CalPERS and the California Society of Municipal Finance Officers to the pre-authorized list of organizations eligible for expense reimbursement for staff,
- 2) include sexual harassment prevention training, for the purpose of complying with State law or District policy as a pre-authorized reimbursable activity for staff and the Board of Directors,
- 3) increase the maximum daily amount reimbursable for meals from \$75 to \$100 per day, the maximum daily amount reimbursable has been \$75 since 2006; and
- 4) minor grammar changes were made throughout the policy.

Proposed Resolution No. 2405, which includes the amended Travel Authorization and Expense Reimbursement Policy, is attached in bold/strikeout format for the Committee's review.

th:PJB
Attachment

RESOLUTION NO. 2405

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
LEUCADIA WASTEWATER DISTRICT (LWD)
AMENDING THE TRAVEL AUTHORIZATION AND
EXPENSE REIMBURSEMENT POLICY**

WHEREAS, LWD Directors and employees are encouraged and, at times, obligated to attend conferences, meetings, seminars and committee and other meetings on behalf of LWD; and,

WHEREAS, California Government Code Section 53232.2 requires LWD to adopt a policy that identifies occurrences for which Board members may receive reimbursement, and specifies reasonable reimbursement rates for travel, meals, lodging, and other actual and necessary expenses; and

WHEREAS, California Government Code Section 53232.3(a) requires LWD to provide expense report forms to be filled out by Board members; and

WHEREAS, the LWD Board of Directors adopted Resolution No. 2291 on September 13, 2017 amending LWD's Integrated Travel Authorization and Expense Reimbursement Policy that authorizes attendance at such meetings and provides for payment or reimbursement of legitimate expenses incurred by persons traveling on behalf of LWD.

NOW, THEREFORE, it is resolved as follows:

1. The LWD Board of Directors further amends the LWD Travel Authorization and Expense Reimbursement Policy attached hereto as Exhibit "A" and directs that it be implemented consistent with all applicable laws and related District policies.
2. This Resolution supersedes Resolution No. 2291.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Leucadia Wastewater District held December 13, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elaine Sullivan, President

ATTEST:

Paul Bushee, General Manager/Board Secretary



LEUCADIA WASTEWATER DISTRICT

INTEGRATED TRAVEL AUTHORIZATION AND EXPENSE REIMBURSEMENT POLICY

Ref: ~~18-555024-8542~~

1. Purpose

The purpose of this policy is to establish requirements and implement rules and regulations governing travel authorization and expense reimbursement for LWD Directors and staff.

2. Overview

- a. Directors and employees are encouraged to participate in those outside activities and organizations that in the judgment of the Board of Directors further LWD's interests.
b. Expenses incurred by Directors and employees in connection with such activities are reimbursable provided that they are permitted by this Policy or otherwise authorized by the Board of Directors or General Manager where appropriate.
c. All expenses incurred while participating in activities and organizations on LWD's behalf must be moderate, reasonable and necessary. Directors and employees are encouraged to exercise prudence in all expenditures. This policy is intended to result in no personal gain or loss to a Director or employee.
d. Reimbursement shall be made only for legitimate expenses supported by vendor provided documentation or as may be allowable under applicable Internal Revenue Service (IRS) or U.S. General Services Administration guidelines.
e. Legitimate expenses shall include: transportation to and from activity destinations; ground transportation to and from airports, train, bus or trolley stations, activity locations, and lodging; overnight accommodations; meals; car rental, and certain related miscellaneous expenses described in this Policy.
f. The most economical mode and class of transportation reasonably consistent with scheduling and cargo requirements shall be used.
g. All reimbursements shall be made pursuant to a signed Travel Expense Report conforming to applicable requirements stated in this Policy.
h. Reimbursements and expenses paid by LWD shall be reported monthly to the LWD Board of Directors. This report shall state the payee, the amount and provide a description of the expense(s) to include a break-down of expenses when charges are to be split among directors or employees.

Policy Adopted: February 8, 2006
Policy Amended: October 11, 2006
November 14, 2007
January 22, 2008
August 13, 2014
September 13, 2017
December 13, 2023

3. Authorization

a. LWD shall ~~pay reimbursement Directors~~ for reasonable expenses incurred for attendance at such meetings, conferences and seminars budgeted by the Board, concerning official district business, from which the District derives a benefit through the attendance of a representative. ~~Reimbursement is authorized for attendance at meetings, conferences, and seminars held by the following organizations or associations within the state of California:~~

- Batiquitos Lagoon Foundation
- California Association of Sanitation Agencies (CASA)
- California Special Districts Association (CSDA)
- California Sanitation Risk Management Authority (CSRMA)
- ~~California Special Districts Association (CSDA)~~
- ~~California Sanitation Risk Management Authority (CSRMA)~~
- California Water Environment Association (CWEA)
- ~~WaterReuse Association~~
- Carlsbad Chamber of Commerce
- Encinitas Chamber of Commerce
- Local Agency Formation Commission (LAFCO)
- ~~Southern California Alliance of Publicly Owned Treatment Works (SCAP)~~
- ~~Batiquitos Lagoon Foundation~~
- WaterReuse Association
- Water Environment Federation (WEF)

Also authorized for reimbursement are expenses associated with attendance at a conference or organized educational activity, ~~such as ethics or sexual harassment prevention training, required by State law or Board policy, conducted in compliance with California statutory codes, such as subdivision (c) of Government Code Section 54952.2, including, but not limited to, ethics and sexual harassment preventing trainings, required by Government Code Sections 53234-53235.5.~~

Attendance at other meetings, conferences and seminars not specifically authorized by this Policy, including those held outside the state of California by the above listed organizations, must be approved by the Board of Directors prior to attendance for reimbursement of expenses. ~~In the event that a meeting, conference or seminar not specifically authorized above occurs before the next regular meeting of the Board of Directors, a Board member may attend such meeting at his/her own discretion. However, reimbursement of expenses for such meetings, conferences or seminars will not be approved until attendance at the meeting has been authorized by the Board of Directors.~~

b. The General Manager or his/her designee shall authorize all employee travel prior to departure. ~~LWD shall pay reimbursement for reasonable expenses incurred by the General Manager and/or staff at meetings, conferences and seminars for the following organizations or associations:~~

Policy Adopted: February 8, 2006
 Policy Amended: ~~_____~~ October 11, 2006
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- Batiquitos Lagoon Foundation
- California Association of Sanitation Agencies (CASA)
- California Public Employees' Retirement System (CalPERS)
- California Society of Municipal Financial Officers (CSMFO)
- California Special Districts Association (CSDA)
- California Sanitation Risk Management Authority (CSRMA)
- California Water Environment Association (CWEA)
- Local Agency Formation Commission (LAFCO)
- ~~WaterReuse Association~~
- ~~Southern California Alliance of Publicly Owned Treatment Works (SCAP)~~
- Clean Water SoCal
- ~~Batiquitos Lagoon Foundation~~
- WaterReuse Association
- Water Environment Federation (WEF)

LWD shall also authorize travel and pay reimbursement for reasonable expenses incurred by the General Manager and/or staff for attendance at a conference or organized educational activity for the purpose of complying with requirements of training or educational requirements of State law or District policy.

Other meetings, conferences and seminars not specifically authorized by this Policy must be approved by the General Manager prior to attendance for reimbursement of expenses.

- c. No travel shall be authorized unless sufficient appropriated funds are available.

4. **Reimbursement of Authorized Transportation Expenses**

- a. Attendees traveling by airplane shall fly using the lowest cost mode and class reasonably consistent with scheduling requirements.—Attendees shall take the most direct and time-efficient route reasonably available.—In the event a more expensive mode or class of air transportation is used, or a less direct route is taken, the reimbursable amount shall be limited to the cost of the lowest cost commercial airfare available via the most direct route.
- b. Attendees driving their personal vehicle to an activity shall be limited to the IRS specified rate in an amount not exceeding the lowest cost airfare plus normal ground transportation costs for the trip taken by personal vehicle.—Where an LWD vehicle is used gasoline and other necessary maintenance or repair expenses shall be reimbursable.
- c. Where practical and reasonable, attendees may elect to travel by train via the most economical mode and class reasonably consistent with scheduling requirements and shall be reimbursable at the lesser of: the actual amount paid, the lowest cost airfare plus normal ground transportation costs, or, LWD's costs to reimburse for the use of a personal vehicle.

3

Policy Adopted: February 8, 2006

Policy Amended: ~~_____~~ ~~_____~~ October 11, 2006

~~_____~~ ~~_____~~ November 14, 2007

~~_____~~ ~~_____~~ January 22, 2008

~~_____~~ ~~_____~~ August 13, 2014

September 13, 2017

December 13, 2023

- d. Only the most economic form of ground transportation reasonably consistent with scheduling requirements shall be reimbursable.—Public transportation including buses, light rail, commuter trains and commercial vehicles including shuttles, taxicabs, and ride sharing apps should be used in lieu of car rental.—
- e. Rental car expenses for the lowest priced class of vehicle appropriately suited for the use intended and traveling conditions shall be reimbursable where other modes of transportation are not reasonable or practical considering destination and scheduling requirements.—Rental cars should, whenever possible, be reserved in advance to ensure the choice of vehicle class most appropriately suited is available. The purchase of rental car insurance above that required by the agency is not reimbursable.
- f. Airport and train station parking shall be reimbursable at long-term rates for travel exceeding twenty-four (24) hours.—Destination parking for personal, LWD and rental vehicles shall be reimbursable at self-parking rates where available.
- g. The use of promotional or discounted fares, corporate or government rates and, in the case of multiple attendees, ride and rental car sharing, shall be utilized when available. The cost for tolls, ferries, short-term parking, and other expenses reasonably related to the authorized activity shall be reimbursable.

5. Reimbursement of Authorized Overnight Accommodations

- a. Expenses for overnight accommodations incurred within the LWD Service Area shall not be reimbursable.—
- b. Overnight accommodations for multi-day conferences within a 50-mile radius of the Leucadia Wastewater District may be reimbursable, on a case-by-case basis, considering attendee specific factors, scheduling factors, and other factors reasonably related to the authorized activity that are not within the attendee’s control.
- c. LWD shall reimburse for prearranged overnight accommodations at single room rates using discounted conference, government, or corporate rates at locations reasonably proximate to the activity for which the overnight accommodations were authorized. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director/employee at the time of booking. If the group rate is not available, the Director/employee shall use comparable lodging that is consistent with the activity’s government or group rates.—~~Where attendees share a room, reimbursement shall be made at the double occupancy rate.~~
- d. Overnight accommodations shall be reimbursed when the authorized activity starts too early to permit a reasonable travel itinerary on that day or when the authorized activity concludes too late to permit a reasonable travel itinerary that evening.

6. Reimbursement of Authorized Meals

- a. Expenses for meals, including non-alcoholic beverages and tips ordinarily associated with normal eating customs, shall be reimbursable.—The reimbursable amount shall be limited to the typical cost of meals in the region during the course of travel and while attending the authorized activity.—The IRS-U.S. General Services Administration

4

Policy Adopted: February 8, 2006
 Policy Amended: ~~_____~~ October 11, 2006
 _____ November 14, 2007
 _____ January 22, 2008
 _____ August 13, 2014
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- publishes locally calculated meal and incidental expense guidelines that shall provide a basis for analyzing the reasonableness of meal expense reimbursement requests.—
- b. The maximum daily amount reimbursable for meals, including beverages and tips, is ~~\$75~~100.00.
- c. Exceptions to these limitations shall be made in situations where participation in the authorized activity makes it necessary to eat at a specific place or to attend special meal functions.
- d. Expenses incurred by paying for another guest's meal shall be reimbursable provided that the guest's presence at the meal is reasonably related to the authorized activity.

7. Reimbursement of Authorized Miscellaneous Expenses

- a. The following miscellaneous items are also reimbursable:
 - reasonable costs for internet access to conduct LWD business;
 - reasonable transportation costs to local restaurants or other destinations related to participation in the authorized activity;
 - customary and usual tips for baggage handling, transportation and other travel, lodging and meals related services; and,
 - other unavoidable, necessary and reasonable expenses related to the authorized travel.
- b. The use of cellular telephones, if available, is encouraged when conducting LWD business or calling home.—If a cellular telephone is not available, LWD will reimburse telephone calls to conduct LWD business and one telephone call home for each overnight stay while on authorized travel.
- c. LWD shall not pay or reimburse expenses for entertainment, movies, recreational activities, laundry services, parking or traffic violation fines, non-business related tours, side trips or any other similar activities.
- d. All Director expenses that do not fall within this travel reimbursement policy shall be approved by the Board of Directors, in a public meeting before the expense is incurred.
- e. All employee expenses that do not fall within this travel reimbursement policy shall be approved by the General Manager before the expense is incurred.

8. Travel Advance

- a. A travel advance, in a sum equal to the estimated expenditures chargeable to the District for the trip, may be made if requested by the Director or employee.—The amount of the advance shall be approved by the General Manager.—

Policy Adopted: February 8, 2006
 Policy Amended: ~~_____~~ October 11, 2006
~~_____~~ November 14, 2007
~~_____~~ January 22, 2008
~~_____~~ August 13, 2014
~~_____~~ September 13, 2017
~~_____~~ December 13, 2023

9. Expense Reimbursement Claim Form

- a. Within twenty-one (21) working days of return, all persons requesting reimbursement for LWD authorized business travel expenses shall fill out and deliver to the General Manager a Travel Expense Report Form (this "Form" is Attachment 1 to this Policy).
- b. All items for which reimbursement is requested must be supported by receipts except for tips and published rates paid to public transportation systems that do not provide receipts or where the receipt document may be used in lieu of cash to acquire other public transportation services. Receipts, provided for reimbursement, shall show an itemized summary of services provided or items purchased.
- c. Transportation expenses shall be supported by documentation provided by the carrier including flight or route numbers, dates and cost.
- d. Lodging expenses shall be supported by detailed documentation provided by the vendor.
- e. Meals expenses shall be supported by documentation provided by the restaurant or activity host, or, a credit card billing stating the date, location and amount of the meal.
- f. Where an attendee pays or shares any expenses of another person (including other LWD Directors and employees) the receipt submitted shall note the name of the individual and his or her public agency or affiliation to the authorized activity.
- g. In no event shall expenses incurred by a personal guest be reimbursed by LWD.—
- h. Advances, or other credits such as a prepayment by LWD, must be included as a deduction on the Form.—
- i. In the event a travel advance exceeds the amount chargeable to the District, the Director or employee shall refund the District the difference between the travel advance and the expenditures chargeable to the District.
- j. Incomplete forms, including forms not supported by documentation as required by this Policy shall be returned to the attendee unprocessed along with written communication specifying the documentation required.

Policy Adopted: February 8, 2006
Policy Amended: _____ October 11, 2006
_____ November 14, 2007
_____ January 22, 2008
_____ August 13, 2014
_____ September 13, 2017
_____ December 13, 2023

MEMORANDUM

DATE: November 30, 2023
TO: Human Resources Committee
FROM: Paul J. Bushee, General Manager 
SUBJECT: **Board-General Manager/Staff Relations Policy Annual Review**

RECOMMENDATION:

Staff requests that the Human Resources Committee (HRC) recommend that the Board of Directors:

1. Receive and file the Annual Review of the LWD Board-General Manager/Staff Relations Policy; or,
2. Discuss and take other action, as appropriate.

DISCUSSION:

Tactical Goal: People/Administrative Policy Updates-Reviews/Board-General Manager/Staff Relations Policy

In January, 2007, the Board of Directors (Board) adopted Leucadia Wastewater District's (LWD) Board-General Manager/Staff Relations Policy. The policy, which was last amended on March 8, 2023, calls for an annual review by the Board of Directors.

Staff recently conducted an annual review of the existing policy. Based on this review, staff is not recommending any changes. This item has been placed on the agenda for the HRC's review and comment. If the HRC concurs with staff, this item will be placed on the December consent calendar for the Board to receive and file.

th:PJB

Attachment

**LEUCADIA WASTEWATER DISTRICT
BOARD - GENERAL MANAGER/STAFF RELATIONS POLICY**

Ref: 23 8294

I. General Provisions

A) The Board of Directors, acting as a Board, is the governing body of the Leucadia Wastewater District (District) and is accountable to the public for the District's services, finances, establishment of policy and District performance. All powers of the Board shall be exercised and performed by the Board as a body, and no individual Director, except as otherwise authorized by the Board, shall have the power to alter or amend Board policy or directions. Public statements of Board policy and direction should reflect the viewpoint of a Board majority, notwithstanding a minority position. Directors acting within the scope and authority of their position enjoy strong legal protections from personal liability. Directors could lose some of these protections and risk personal liability if they act independently in excess of their authority.

B) The General Manager serves at the pleasure of the Board and is accountable to the Board for the implementation of Board policy and directions. The General Manager is the official spokesman for the District and is responsible for its day-to-day operation and administration. Unless directed otherwise by the Board, letters that express policies or positions of the District shall be from the General Manager.

C) The staff is responsible for performing administrative and operational functions assigned by the General Manager, or his or her designee, in implementing Board policy and directions. Direction to staff shall come through formal job descriptions or by directives from the General Manager or his or her designee.

D) District Counsel is retained by the Board, and is solely accountable to the Board.

E) The District's Financial Auditor is directly accountable to the Board. The Investment and Finance Committee (IFC) shall serve as the Board's delegated point of contact and meet with the Financial Auditor as required during the audit process.

II. Board to General Manager

A) The Board shall hire a General Manager, establish his or her compensation and define the conditions of his or her employment. The General Manager shall serve at the pleasure of the Board.

B) The General Manager is responsible for performing those functions, specific or general, assigned by the Board, either in the form of job description or Board direction.

C) The General Manager shall recommend, and the Board shall approve, the organizational structure of the District.

D) The General Manager shall hire all personnel with the exception of General Counsel at his or her sole discretion. The General Manager shall recommend and the Board shall approve the District's organizational chart and compensation ranges.

Policy Adopted: January 10, 2007

Amended: October 12, 2012, November 12, 2014, January 9, 2019, January 8, 2020, January 13, 2021, March 8, 2023 (approved via minutes)

E) The Board of Directors shall ultimately approve district Policy. The General Manager may recommend and provide information regarding policy matters, including information relating to the technical, administrative and fiscal ramifications of the policies being considered.

F) The General Manager shall take direction only from a Board majority, or from a duly appointed committee, acting within the scope of the District's policies.

G) The General Manager shall act as the primary point of contact between the Board and the staff.

H) The General Manager shall provide such reports for the Board as requested, including but not limited to:

- 1) Status reports on Board directed activities.
- 2) Financial reports.
- 3) Updates on operations, maintenance, construction and personnel matters.
- 4) Emergency reports.

III. Board to Staff

A) Administration of staff is the direct responsibility of the General Manager. The General Manager shall provide policy and administrative direction to staff. Directors shall not direct staff regarding their employment duties.

B) If a Director is requesting the creation of a particular report or analysis, the matter shall be brought to the General Manager or, if appropriate, the Board of Directors. However, Directors may obtain copies of existing reports and analysis from staff.

C) Individual Directors may contact Management Staff directly for the purpose of asking questions about, or seeking clarifications of, issues related to the District's official business. For the purposes of this policy, Management Staff includes the Director of Finance and Administration, the Director of Technical Services and the Field Services Superintendent. Travel questions may be directed to the Executive Assistant. The General Manager should be notified by staff of such contacts. This access may be in person or via telephone, e-mail or other forms of written or verbal requests.

D) Individual Directors intending to use more than 30 minutes of any staff member's time for issues relating to the District's business, should make an appointment with the staff member at a mutually agreed time and date. Contact with staff members should not generally exceed one (1) hour in any one week. Contact between Directors and the General Manager is not limited.

E) Individual Directors shall be granted access to all existing public documents at the District.

F) Staff members are not precluded from speaking with Directors. However, all complaints or matters of internal discipline should follow the established chain of command.

IV. Board and Employee Political/Election Related Activities

A) Government Code § 3204 prohibits elected public officials, such as District Board Members, from directly or indirectly “using any office, authority or influence” to persuade an individual to vote, exert political influence, or take political action on behalf of any candidate, officer, or party, in exchange for aiding or obstructing that individual’s ability to secure “any position, nomination, confirmation, or promotion.” It is unlawful, therefore, for Board Members to use their positions to force employees to perform political or election related tasks, or to retaliate against employees for refusing to do so.

B) In the event that District employees volunteer to help Board Members with election or political activities, the District prohibits such conduct while at work or while on District property. The basic rule is that public entities cannot use public funds or resources to influence voters to support a political position. This prohibition naturally extends to a public employee’s use of his or her time on the job for political or election activities. Employees may not participate in political or election activities while in uniform or at work.

V. Board, General Manager and Staff to Attorneys

A) The Board may hire Attorneys as needed and establish their compensation. Attorneys shall work under the direction of the Board or its designee and shall serve at the pleasure of the Board or its designee.

B) Attorneys shall not become involved in policy decisions, except to comment on the legal ramifications of the policies being discussed or considered.

C) Attorneys shall take direction from a Board majority, or from a duly appointed committee acting within the scope of the District’s policies.

D) Any Director may request a verbal opinion from Attorneys on matters relating to District business, including, but not limited to, clarification of potential conflicts of interest which may bear on the Director’s ability to participate in a vote. Any advice Attorneys provide shall be as legal counsel for the District and not individual Directors. Attorneys shall inform the Board if they become aware of any potential conflict of interest that may require withdrawal, disclosure, or abstention of a Director or otherwise impact the actions of the Board.

Directors may consult independent counsel on conflict of interest matters. If a potential conflict between an individual Director and the Board arises, the Director is encouraged to consult independent counsel.

E) Attorneys shall not respond to individual requests of a personal nature.

F) The General Manager is the primary point of contact between the staff and Attorneys for the assignment of work.

G) The General Manager shall be authorized to contact Attorneys at his or her discretion.

VI. Board to Other Agencies

- A) Directors may contact elected officials, or staffs of other Agencies, on behalf of the Board. However, when representing the Board, Directors' comments should reflect approved Board policies or, in areas where no policy has yet been developed, the viewpoint of a majority of the Board. If the Board's viewpoint is unclear or not known, this should be stated.
- B) If a Director expresses an opinion before another agency regarding District business that is inconsistent with established Board policy or is simply not covered by Board policy or action, it is requested that the Director state that he or she is expressing their own opinion and not representing the Board as a whole.
- C) Directors shall not offer testimony or comments, regarding District business, at a formal meeting of another official body, without express consent from the Board.

VII. Emergency Situations

- A) The General Manager or his/her appointee shall notify Directors of an emergency as soon as reasonably practical. The General Manager or his/her appointee shall follow-up with a written report to the Board at the next scheduled Board meeting following the emergency.

VIII. Access to the Agenda

- A) The Board may request items to be placed on future agendas at its regular meetings. In addition, each and every Director may place any item on the agenda provided the request is made no later than Tuesday of the week before the meeting.
- B) Items placed on the agenda by an individual Director, accompanied by material submitted by that Director, shall be included in the agenda packet.

IX. Policy Review

- A) This policy shall be reviewed annually by the Board of Directors.