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Walker River Irrigation District

About The Walker River Irrigation District

Walker River Irrigation District (WRID) was formed in April, 1919 under the authority of the Nevada Irrigation District Act; functioning, in large part, under guidelines of NRS 539. WRID encompasses approximately 235,000 acres, of which approximately 80,000 are irrigated. WRID owns and operates two storage reservoirs. Information, agendas and public notices are posted at www.wrid.us.

Employment At Will

This Personnel Policy Manual is not an employment contract. Employment with WRID is at will.

Employees are employed at the will of both the employee and WRID. This means the employee, may quit at any time, for any reason or no reason, with or without notice, and WRID may terminate the employee at any time, for any reason or no reason, with or without notice. There is no promise by either the employee or WRID that employment must or will continue for any set period of time. Nor is there any promise by either the employee or WRID that employment will be terminated only under particular circumstances or with particular notice.

Any exception to this policy of employment at will may only be made in writing signed by the General Manager and approved by the Board of Directors. Nobody has the authority to modify the status of at will employment, verbally or in writing, except for the Board of Directors. No statements, express or implied contained in this Personnel Policy Manual or any memoranda, policy, procedure, or other materials or statements provided to applicants or employees in connection with your employment, modify the at will relationship. This policy supersedes any and all written or oral or implied representations that are in any way inconsistent with it.

Manual Guidelines

This Manual is provided for the employee's use as a reference of our personnel rules, regulations and policies. Each employee is expected to read the entire Manual to have a complete understanding of the job requirements, responsibilities and rights. Some rules, regulations and policies described in the Manual may change from time to time. WRID retains flexibility in revising these rules and the right to amend, supplement or rescind any provisions of this Manual as it deems appropriate in its sole and absolute discretion. As rules, regulations and policies are revised, updated pages will be distributed as soon as possible. The current copy of this Manual is readily available in the office.

This Manual is designed to acquaint the employee with WRID and to give a reference to answer questions regarding employment with WRID.

The contents of this Manual, however, constitute only a summary of the employee benefits, personnel policies, and employment regulations in effect at the time of publication. Neither the at will agreement nor the agreement to arbitrate in this Manual should be construed as creating any kind of additional "employment contract," since WRID has the ability to add, change or delete wages, benefits, policies and all other working conditions as it deems appropriate without obtaining another person's consent or agreement.

As provided in the Acknowledgment and Agreement, nothing in this Manual creates or is intended to create a promise or representation of continued employment. Employment at WRID is employment at will and may be terminated at the will of either WRID or the employee. This Manual shall supersede any and all prior Manuals, written documents or oral representations, issued by WRID, that contradict the at will nature of employment.

Business Ethics and Conduct

The successful business operation and reputation of WRID is built upon principles of good faith, fair dealing and the ethical conduct of WRID's employees. WRID's reputation for integrity and excellence requires careful compliance with all applicable laws and regulations, as well as a scrupulous regard for the high standards of conduct and personal integrity WRID clients expect and deserve.

WRID complies with all applicable State and Federal laws, regulations and local and regional ordinances. WRID expects the General Manager and employees to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest or unethical conduct.

Compliance with this policy is the responsibility of each and every WRID employee. Disregarding or failing to comply with standards of business ethics, polite and decorous interactions and professional conduct will lead to disciplinary action to and including termination.

Each member of the WRID team is expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct and exhibit a high degree of personal integrity at all times. WRID requires sincere respect for the rights and feelings of others but also demands that both in the employee's work and personal life the employee refrain from any behavior that might be harmful to co-workers, and/or WRID. Whether an employee is on or off duty, conduct reflects on WRID. Employees are expected to observe the highest standards of professionalism at all times.

All written correspondence to persons, agencies or others outside WRID, on WRID stationery, WRID email or in the name of WRID, inside or outside the course of each employee's normal job duties, must be made with the knowledge and consent of the General Manager.

If performance, work habits, overall attitude, conduct or demeanor become unsatisfactory in the judgment of WRID, an employee will be subject to disciplinary action to and including termination.

Equal Employment Opportunity Policy

Equal Employment Opportunity Policy

WRID is committed to a policy of equal employment opportunity. WRID will not discriminate against qualified applicants or employees with respect to any terms or conditions of employment based upon race, color, national origin, ancestry, gender, sexual orientation, age, disability, religion, marital status, gender identity or expression, military service status, or any other classification protected by State or Federal Law, or local ordinance.

WRID will reasonably accommodate employees and applicants with disabilities, when necessary, if the person is otherwise qualified to safely perform all of the essential job functions.

Policy Against Harassment

WRID is committed to providing a work environment that is free of unlawful harassment. In furtherance of this commitment, WRID strictly prohibits all forms of unlawful harassment.

Sexual Harassment Policy

Sexual harassment does not refer to occasional compliments of a socially acceptable nature, unless they include express or implied sexual, racial, national origin, sexual orientation or religious content.

WRID's policy against harassment applies to all employees of WRID, including supervisors and managers. WRID prohibits managers, supervisors and employees from harassing co-workers as well as WRID suppliers, independent contractors and others doing business with WRID. In addition, WRID prohibits its suppliers, independent contractors and others doing business with WRID from harassing WRID employees.

Sexual harassment is not limited to conduct motivated by sexual attraction. It may occur between members of the opposite sex or members of the same sex, regardless of their sexual orientation. It also includes offensive non-sexual conduct directed at an employee because of his or her gender, sexual orientation or transgender status.

WRID's policy may be broader than what the law requires. This is because WRID's policy rests on the fundamental precept that each employee must treat all others with respect, dignity and professionalism. Deviation from that standard will not be tolerated.

Violation of this policy will subject an employee to disciplinary action to and including termination. Additionally, each employee working in California is advised that under California law, he/she may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act.

Examples of Prohibited Sexual Harassment

Sexual harassment includes a broad spectrum of conduct including harassment based on gender, transgender and sexual orientation (meaning one's heterosexuality, homosexuality, or bisexuality). By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- Unwanted sexual advances.
- Offering an employment benefit (such as a raise or promotion or assistance with one's career) in exchange for sexual favors, or threatening an adverse employment consequence (such as termination, demotion, or disciplinary action) for an employee's failure to engage in sexual activity.
- Visual conduct, such as leering, sexual gestures, display or circulation of sexually suggestive objects or pictures, cartoons or posters, jokes or other materials with sexual content.
- Unwelcome verbal sexual advances, propositions, requests or comments.

Policy Against Harassment (Continued)

- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading or vulgar words used to describe an individual, suggestive or obscene letters, notes or invitations.
- Physical conduct such as touching, assaulting, impeding or blocking movement.
- Verbal abuse concerning a person's characteristics such as vocal pitch, facial hair or the size or shape of a person's body, including remarks that a man is too feminine or a woman is too masculine.

Examples of What Constitutes Prohibited Harassment & Discrimination of All Types

In addition to the above listed conduct, WRID prohibits harassment or discrimination concerning race, color, religion, national origin, age, disability, identity or expression or other protected categories. By way of illustration only, and not limitation, prohibited harassment or discrimination concerning race, color, religion, national origin, age, disability, sexual orientation, gender identity or expression, marital status, pregnancy or other protected characteristic includes:

- Slurs, epithets or any other vulgar, unprofessional offensive remarks.
- Jokes; written, verbal or electronically transmitted.
- Threats, intimidation or other menacing behavior.
- Other verbal, graphic or physical conduct or gestures.
- Other conduct predicated upon one or more of the protected categories identified in this policy.

Nondiscrimination and Accommodation of Individuals With Disabilities

WRID complies with the Americans with Disabilities Act ("ADA") to the extent applicable under Federal, State and local laws providing for nondiscrimination in employment against individuals with qualifying disabilities. WRID also provides reasonable accommodation for such individuals in accordance with these laws.

It is WRID's policy to, without limitation:

- Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and that employees with disabilities are treated in a nondiscriminatory manner in all terms, conditions and privileges of employment.
- Keep all medical-related information confidential in accordance with the requirements of the ADA and retain such information in separate confidential files.
- Provide applicants and employees with disabilities who can perform their essential job functions with reasonable accommodation, except where such an accommodation would create an undue hardship on WRID.
- Notify individuals with disabilities that WRID will provide reasonable accommodation to qualified individuals with disabilities, by including this policy in WRID's Personnel Policy Manual and by posting the Equal Employment Opportunity Commission's poster on not discriminating against individuals with disabilities and other protected groups.

A qualified individual with a disability may make a request for reasonable accommodation to his/her supervisor. Upon receipt of an accommodation request, the supervisor or the General Manager will meet with the requesting individual to discuss and identify the precise limitations resulting from the disability and the potential accommodation WRID might make to help overcome those limitations.

What An Employee Must Do If He/She Feels There Has Been Harassment or Discrimination

An employee who feels that he/she is being harassed or has been harassed by another employee, supervisor, third party or vendor or outside contractor doing business with WRID, must immediately inform the General Manager. In addition, if the employee observes harassment by another employee, supervisor or non-employee, please report the incident immediately to the General Manager. In the event that the General Manager is the alleged harasser, the incident should be reported to the President of the Board of Directors. Appropriate action will also be taken in response to violations of this policy by any non-employee.

Notification of the problem is essential to WRID. **WRID cannot help resolve a harassment or disclaimer problem unless we know about it.** Therefore, it is each employee's responsibility to bring concerns and/or problems to our attention so that we can take whatever steps are necessary to address the situation. WRID takes all complaints of harassment seriously without penalty or retaliation in any way for reporting a harassment problem in good faith.

All complaints of harassment which are reported to the General Manager will be investigated as promptly as possible and corrective action will be taken where warranted. WRID prohibits employees from hindering internal investigations and the internal complaint procedure. All complaints of harassment which are reported to the General Manager will be treated with as much confidentiality as possible, consistent with the need to conduct an adequate investigation.

If the employee has any questions about what constitutes harassing behavior, ask the supervisor or the General Manager.

Harassment of WRID suppliers or independent contractors by WRID employees is also strictly prohibited. Such harassment includes the types of behavior specified in this policy, including sexual advances, verbal or physical conduct of a sexual nature, sexual or racially inappropriate comments and gender-based insults. Any such harassment will subject an employee to disciplinary action to and including termination.

Safety



Safety

WRID provides a safe and healthy work environment. To assist in establishing such an environment, WRID has established a safety program. By remaining safety conscious, each employee can protect his/her own interest as well as those of co-workers and visitors.

WRID provides safety and security information to employees through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos or other written communications. Each employee must read and understand the WRID Manual and all the practices and procedures. Any employee who has a question about safety procedures or written communications should contact his/her supervisor.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. It is therefore expected that each employee will obey safety rules and exercise caution in all work activities. Employees must immediately report any unsafe condition to the supervisor. An employee who violates safety standards, who causes hazardous or dangerous situations or who fails to report or remedy such situations (when possible), will be subject to disciplinary action to and including termination.

Accidents

Each employee is encouraged to communicate his/her ideas, concerns or suggestions for improved safety, anonymously or by name. All reports can be made without fear of reprisal.

Each employee must immediately report any unsafe condition to the appropriate supervisor. In the case of an accident that results in injury, regardless of how minor the injury may appear, employees should immediately notify the General Manager. Such reports are necessary to maximize workplace safety and comply with applicable State and Federal Law.

- Employee or visitor accidents, no matter how slight, must be reported immediately to the General Manager.
- An incident report must be completed for any accident or incident where injury, property damage or an altercation occurs.
- A list of all emergency telephone numbers will be posted near all WRID telephones. Each employee must be familiar with these numbers.
- First Aid kits are in every department. Each employee must know of the location of the First Aid kit.
- Any safety devices and protective gear provided for employees must be used.
- No employee may use electrical tools near the water unless he/she is properly trained and equipped to do so.
- It is the responsibility of each employee to daily check his/her work area for safety deficiencies and report said deficiencies immediately to the General Manager. Failure to act as noted will result in disciplinary action to an including termination.
- WRID provides its employees with appropriate personal safety equipment required by State and Federal OSHA regulations. If immunizations are required, such as Tetanus or Hepatitis "B," WRID will provide same through a pre-approved and pre-designated medical facility.
- Each employee must review his/her evacuation procedures and be familiar with duties during an emergency.

Workers' Compensation and Drug Testing

Each employee of WRID is covered by Workers' Compensation insurance as required by applicable law. Each employee is required to report all work injuries to your supervisor as soon as possible. Failure to do so could affect your benefits. If a work related injury requires physical examination and or treatment, a mandatory drug test will be performed and the results will be reported to WRID as well as WRID'S Workers' Compensation carrier; if the employee's drug test results are found to be positive, immediate termination of employment will result.

Workplace Violence

As part of WRID's commitment to workplace safety, WRID specifically strives to provide a workplace that is free of threats or acts of violence and to protect its employees from such conduct on its premises.

WRID has a strict policy that prohibits employees from engaging in behavior that is violent, threatening or intimidating, while on duty or on WRID business. This policy applies to all employees, including the General Manager and non-supervisory staff. WRID has zero tolerance for employees who make threats, engage in threatening behavior or commit acts of violence against others. In addition, WRID is committed to preventing violent or threatening behavior on its premises by non-employees, such as visitors, guests or family members of its employees.

Prohibited Conduct

This policy prohibits physically violent behavior, as well as threatening or intimidating behavior. Prohibited behaviors include, but are not limited to:

- Possession or use of firearms, explosives, weapons or other hazardous or dangerous devices or brandishing knives, on duty, whether on or off premises. If an employee with proper weapon(s) permit(s) feels that bringing a weapon onto the premises is necessary for personal safety from outsiders, that employee must obtain permission to do so from the General Manager, to be documented in writing. The weapon must be properly secured and removed from accessibility by other employees.
- Use of abusive or threatening language, coercion, threats or actions towards any employee or visitor.
- Disorderly conduct on organization property, including fighting, inciting/provoking another to fight, battery, attempted bodily injury or physically abusing any employee or visitor.
- Actual or threatened physical violence towards another employee or visitor.
- Violations of policy and response guidelines.

Keeping the workplace free of violence is accomplished when each employee takes personal responsibility and is aware of and reports potentially violent acts. Each employee is responsible for reporting any incident involving threats or acts of violence immediately to the General Manager. All reports will be investigated and appropriate corrective action will be taken to maintain workplace safety.

Violations of this policy will lead to disciplinary action to and including termination.

Notifications of Potential Threats

To assist WRID in its efforts to maintain a violence-free workplace, employees must notify the General Manager of any restraining order in effect by or against employees, or any potentially violent situation outside of work that could result in violence in the workplace. An employee who becomes aware of other workplace security issues, should also speak to the General Manager. An employee who reports threats pursuant to this policy will suffer no retaliation, nor will WRID tolerate such retaliation.

Performance Standards, Payroll, Compensation and Benefits

Employment Definitions

Employees fall into the following two classifications as outlined by Federal and State law:

- **Non-Exempt**

Non-exempt employees are entitled to overtime pay for hours worked in excess of 40 in a workweek.

- **Exempt**

Exempt employees are classified as being exempt from the payment of overtime. Classification are those jobs which meet certain Federal and State guidelines.

Employees who have questions about which classification applies to employment, should ask the General Manager for clarification.

Holidays

Full-time employees are eligible for the following paid holidays upon their date of hire. In order to receive holiday pay, the employee must work the day before and the day after the holiday, unless time off has been approved in advance. Part-time employees do not receive holiday pay.

The following holidays are paid for regular, full-time employees:

- | | |
|---------------------------------|-----------------------------|
| • New Year's Day | January 1st |
| • Martin Luther King, Jr.'s Day | Third Monday in January |
| • President's Day | Third Monday in February |
| • Memorial Day | Last Monday in May |
| • Independence Day | July 4th |
| • Labor Day | First Monday in September |
| • Nevada Day | Last Friday in October |
| • Veteran's Day | November 11th |
| • Thanksgiving | Fourth Thursday in November |
| • Family Day | Fourth Friday in November |
| • Christmas Day | December 25th |

Holidays listed above will be observed on the day designated by State or Federal proclamation, which means that if a holiday falls on a weekend, it will normally be observed on the Friday before or the Monday after the holiday.

An eligible non-exempt employee who works on a recognized holiday, will be paid the daily base rate for hours actually worked. In addition, that employee will be paid his/her daily base rate for the holiday. Temporary and seasonal workers are not entitled to holiday pay set forth above.

Paid Time Off

Regular full-time employees' vacation and sick time is considered "Paid Time Off." Part-time and temporary employees are not eligible for paid time off. Paid time off allows full-time employees the opportunity to address health and wellness needs. When necessary, paid time off will be used for sick, vacation or any other elected and approved leave.

Paid time off will begin to accrue the first of the month following 90 days of employment.

The following paid time off accrual rate is for full-time employees:

- Each employee shall receive 5 hours sick pay and 5 hours vacation pay per pay period. Employees who are full-time on salary shall receive 10 hours of sick pay and 10 hours of vacation pay per pay period.
- Each employee has the option to carry over up to 30 days of vacation leave into the next year, not to exceed accrual and subject to the maximum balance and payment set forth in the table below. Special circumstances may warrant an exception to this policy with approval from the General Manager.
- To properly staff all operations, each employee's paid time off should be scheduled and approved by his/her supervisor at least one week prior to the requested date(s). Whenever possible, the employee must initiate paid time off by requesting it in writing on the appropriate form and receiving written approval from his/her supervisor. All requests for paid time off will be based on business needs and staffing requirements.

- **If an employee calls in sick to his/her supervisor, accrued sick pay will be deducted for time away from work, up to the maximum accrued by that employee.** The returning employee will sign his/her paid time off request sheet to acknowledge the time away from work and the deduction.

The Accrual Policy for vacation and sick leave is as follows:

Vacation Accrual

<u>Years of Service</u>	<u>Accrual Rate per Month (Hours)</u>	<u>Accrual Per Year (Hours)</u>	<u>Maximum Balance Allowed (Hours)</u>
1 year to 5 years	10	120	240
6 yrs To 10 yrs	12	144	240
11 yrs to 15 yrs	15	180	240
16 yrs and up	16.7	200	240

Accrued vacation leave in excess of 240 hours must be used by an employee's annual hire anniversary, after which it will be forfeited.

To avoid forfeiture, a request for permission to take annual vacation leave must be submitted to the supervisor three months prior to annual hire date. Annual leave in excess of the 30 working days, which is requested by this date but denied in writing, is eligible for payment. Payment for unused vacation leave will be paid by annual hire date.

If an employee separates from WRID after 6 months of service, he/she will be paid for any unused accrued annual leave, up to the maximum balance of 240 hours as set forth above.

Sick Leave Accrual

Upon retirement or voluntary termination, an employee is entitled to payment for unused sick leave in excess of 30 days up to the following maximum amounts, provided he/she has at least 10 years of service.

<u>Accrual Rate Per Month</u>	<u>Maximum Allowed Balance</u>
10	None

In the event that an employee has accrued/unused sick leave upon separation from WRID, the amount paid will be as follows; subject to all applicable withholding and employment taxes.

<u>Years of Service</u>	<u>Maximum Payoff Amount</u>
10 but less than 15	\$2,500
15 but less than 20	\$4,000
20 but less than 25	\$6,000
25 or more years	\$8,000

Leaves of Absence

WRID provides various types of leaves of absence for the benefit of eligible employees and in accordance with Federal and State laws. Non-mandated leaves of absence may be granted at the sole discretion of WRID.

Personal Leave of Absence

A Personal Leave of Absence is defined as any leave which is not one of the following:

- Bereavement
- Jury Duty
- Military

Each employee must have completed at least twelve (12) months of continuous service with WRID from his/her most recent hire date to be eligible for an approved Personal Leave of Absence.

Length of Leave: Approved Personal Leaves of Absence for eligible employees may be granted up to six (6) weeks in any twelve (12) month period. Accrued paid time off will be used during this period, after which leave is without pay. Elected health benefits will continue during this period as long as employee health contributions have been met.

Return from Leave: Upon return from a leave of absence, the eligible employee may be reinstated to his/her former or equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if the position is no longer available due to a job elimination). If leave is planned in advance, employee must provide WRID at least thirty (30) days written notice using the appropriate WRID form. If the leave is unexpected, you should notify the General Manager by completing the appropriate WRID form as far in advance of the anticipated leave date as is practicable. Any Personal Leave of Absence is at the sole discretion of the General Manager.

Bereavement

A Bereavement Leave of Absence is time off to make funeral arrangements, attend funerals, and take care of personal affairs normally associated with a death in the immediate family. Immediate family members include: spouse, children, parents, grandparents, grandchildren, brothers, sisters, mothers-in-law, fathers-in-law, brothers in-law, sisters-in-law, stepchildren and foster children.

Bereavement Leave of Absence is available to regular full-time employees. To qualify, the employee must notify his/her supervisor prior to absence, or as soon as possible if circumstances preclude immediate notification. An employee may be required to submit proof of the death of an immediate family member. Part-time and temporary employees may be granted time off without pay, with the General Manager's approval.

Length of Leave and Compensation: An employee may take bereavement leave with pay for up to three (3) days. With the General Manager's approval, more days may be taken off using accrued paid time off. Accrued paid time off may be used to attend funerals for non-immediate family members or friends. Additional unpaid leave if necessary, may be granted at the discretion of the General Manager

Jury Duty

Jury Duty Leave is granted to employees who are summoned to jury duty or subpoenaed as witnesses.

To qualify for Jury Duty Leave, an employee must notify his/her supervisor as soon as the notice is received and must provide the supervisor with a copy of the Summons. In addition, proof of service must be submitted to employee's supervisor when the period of jury duty is completed.

Length of Leave and Compensation: Each full-time employee having successfully completed the first 90 days of employment, will receive the regular rate of pay for up to three (3) days. He/she may also use accrued paid time off if desired. Part-time employees will receive time off without supplemental pay for time away from work.

Postponement of Jury Duty: WRID will make no attempt to have service on a jury postponed except when business conditions necessitate such action.

Military

Military Leaves of Absence are governed by Federal law.

Length of Leave: The length of a Military Leave will coincide with the official orders of the military.

Notification: An employee planning Military Leave should endeavor to notify his/her supervisor at least six (6) months in advance of any Military Leave. An employee must give notice as soon as he/she receives orders and he/she must provide the supervisor with a copy of the orders. In addition, proof of military service must be submitted to the supervisor when the period of military duty is completed.

Compensation: Any employee who is an active member of the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Public Health Service Reserve or the National Guard shall be released from his/her duties, upon request, to serve under orders on training duty without loss of regular compensation for a period not to exceed fifteen (15) days in any one calendar year. Compensation from WRID is the difference in pay between the training duty pay and an employee's regular wage if greater. This time off is allowed for attendance at annual training and is not to be used for weekend or evening meetings. Additional time off to attend weekly or monthly meetings will be scheduled as leave without pay if not on an employee's regular day off.

Return from Military Leave: An employee returning to work will be placed in an appropriate position according to applicable law. Whenever possible, the returning employee will be placed in the same position held when the leave for military service began.

Overtime

Most WRID employees who are deemed full-time, will work 40 hours per week. However, it may be necessary to work overtime periodically. We appreciate employee cooperation in working overtime since there are times that we cannot predict business levels. A Non-exempt employee will receive compensation for approved overtime work as follows:

- Pay at the regular hourly rate of pay for all hours worked up to forty (40) hours per week (a work week starts Monday) and in addition, plus
- Pay at the rate of one and one-half (1 ½) times the regular hourly rate of pay for all hours worked beyond the fortieth hour worked in any given workweek.
- An employee will receive payment for overtime at the end of the period in which such overtime is worked, provided that time sheets are properly prepared and approved by the supervisor. **All overtime must be approved by the supervisor.**

Exempt employees on salary are not paid overtime.

Health Care Insurance

WRID makes health insurance available to regular full-time employees and their dependents in compliance with applicable State and/or Federal law, upon election and pursuant to payroll deduction. Participating employees are subject to all terms and conditions of the agreement between WRID and the health insurance carrier. An employee is allowed to elect insurance benefits on the first of the month following full-time employment.

Since health insurance is a very complex employee benefit, employees should initially consult the plan summary documents given to eligible employees. The plan itself is prepared by a third party administrator and is available to all employees. The actual plan documents, not the summary, govern the terms of the insurance.

While it is WRID's present intention to continue these benefits, WRID reserves the right to augment, modify, reduce or eliminate any benefit, in whole or in part, with or without notice. Neither the benefit programs nor their descriptions are intended to create any guarantee regarding employment or continued employment.

State or Federal Continuation of Benefits

Companies offering health insurance provide new hire employees with information explaining their right for continuation coverage of the current group health insurance for themselves and covered dependents, if elected.

Upon separation from WRID, employees eligible for State or Federal continuation of benefits who are covered under WRID's group insurance plan will receive continuation of benefits.

Performance Appraisal

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted annually, to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths and discuss positive, purposeful approaches for meeting goals.

Supervisors will meet with each employee to discuss the employee's performance. The discussion will be conducted in a positive manner, privately with no interruptions. The supervisor shall verify that the employee is familiar with his/her job duties, previous goals and the appraisal criteria or factors. Employees are encouraged to give input on their performance, share skills they would like to learn going forward and encouraged to submit comments about the appraisal that will become part of the employee's personnel file.

Formal Corrective Action

When substandard performance occurs or a specific incident occurs first warrants managerial intervention, the General Manager may apply formal corrective action levels. At each step in the formal corrective action process, a sincere effort will be made to convince the employee to take responsibility for the problem and commit to making a change. An employee may be given feedback on progress or to identify additional ongoing concerns.

Formal Levels

- **Initial Written Warning**

The Initial Written Warning involves a formal discussion be held between the supervisor and the employee. This is typically the first level of formal corrective action and should be used when a performance or attendance problem has not been corrected by coaching. It may also be used when the seriousness of the problem so warrants.

- **Advanced Written Warning**

The Advanced Written Warning is typically the next level of the formal corrective action process and may be used when continued or additional performance or attendance problems have occurred since the Initial Written Warning.

The Advanced Written Warning requires that a formal discussion be held between the General Manager and the employee. A final written warning summarizing the discussion and reinforcing the need for immediate improvement will be written. The General Manager will follow up to make sure the problem has been corrected and recognize performance improvement.

WRID utilizes a progressive discipline policy, although the Advanced Written Warning may be used immediately or termination may result when the seriousness of the problem so warrants.

Termination may occur immediately when:

- An employee does not show improvement or maintain an overall satisfactory work record.
- An employee is found to have committed an offense so serious that progressing through the formal levels of Performance Recognition is unwarranted.

Although it is not possible to provide an exhaustive list, the following are examples of conduct that are considered grounds for immediate termination, without prior progressive discipline or warning;

- Dishonesty .
- Insubordination, including refusal to perform assigned work, inappropriate behavior or disrespectful conduct.
- Reporting to work under the influence of alcohol or drugs or possessing, distributing or selling drugs on WRID property or during working hours.
- Verbal or physical violence on the job or at a WRID event.

Formal Corrective Action (Continued)

- Sexual harassment or other unlawful harassment.
- Failure to comply with WRID policy regarding attendance.
- Falsification of forms, records or reports including work logs or employment application materials, including without limitation, omitting information asked.
- Abandoning a job or leaving a job site without notice or good cause.
- Abusing, destroying, misusing or willfully damaging WRID or employee property.
- Disclosing confidential or proprietary information about WRID or a fellow employee.
- Theft or other criminal act.
- Conduct or behavior which affects overall employee morale.
- Violation of safety or health rules or practices or conduct that creates a safety or health hazard.

All employees are employed at will and may be terminated with or without cause. Nothing in this progressive discipline policy abrogates, alters or changes the at will nature of employment with WRID.

Paychecks

Full-time hourly WRID employees are paid twice per month and full-time salaried WRID employees are paid once a month. Seasonal employees are paid a salary once per month, during the irrigation season (March 1 – October 31). Reservoir tenders are paid a salary once per month throughout the year. Part-time or temporary employees are paid twice per month. Please review each paycheck for errors. If a mistake is found, the employee must report it to his/her supervisor.

Paychecks may be hand delivered at work or an employee may arrange with a bank to have pay automatically deposited. Each employee must provide written authorization to his/her supervisor if someone other than the employee is to receive the paycheck.

If a paycheck is lost or stolen, the supervisor must be notified immediately. WRID will attempt to put a stop payment notice on that check. If WRID is able to do so, another check will be issued. WRID is unable to take responsibility for lost or stolen paychecks, and if WRID is unable to stop payment on a check, the employee will be responsible for such loss. Salary advances are not permitted.

Payroll Deductions

The following mandatory deductions or withholdings will be made from each employee's gross wages: Federal Income Tax (California employees, State Income Tax.), applicable City and State payroll taxes.

Each employee must fill out and sign a Federal Withholding Allowance Certificate, IRS Form W-4, on or before his/her first day on the job. This form must be completed in accordance with Federal regulations. The employee may fill out a new W-4 at any time when his/her circumstances change.

Absences and Tardiness

It is each employee's obligation to notify his/her supervisor as far as possible in advance of the scheduled workday, whenever he/she will be late or absent, to state the reason for such lateness or absence, and to advise when return to work is expected. If the supervisor is not available when the call is made by the employee, that employee must leave a message on voicemail. The message should include a telephone number where the employee can be reached.

WRID may request a written medical excuse from the employee's doctor, for any absence, at the WRID's discretion. Following these steps does not excuse the absence. If an employee leaves his/her position without adequate notification to the General Manager or fails to call in and does not report for a scheduled work period, WRID may consider that the employee has abandoned his/her position and has voluntarily terminated his/her employment with WRID.

No absence is automatically considered to be "excused." Chronic, habitual, or excessive absenteeism or tardiness, as judged by WRID in its discretion, may result in disciplinary action to and including termination. Circumstances warranting discipline include:

- Frequent short-term absences and/or tardiness.
- Absence from a scheduled workday without notifying WRID during an illness or accident preventing you from working (as evidenced by written certification of a medical doctor if requested by WRID), or other satisfactory reason for such absence, as determined by WRID.
- Failure to return to work after being released for duty by a doctor, unless specifically requested not to do so by the General Manager.



Voting

Every employee is encouraged to fulfill his/her civic responsibilities by voting. Please attempt to vote either before or after regular work hours.

If an employee is unable to vote during non-working hours or there is insufficient time to do so, WRID will grant up to one hour of time off to vote if polling place is within two miles of WRID, two hours if polling place is between two and ten miles of WRID and three hours if polling place is more than ten miles from WRID. You must make arrangements in advance with WRID (prior to Election Day) and the timing of the absence on Election Day may be designated by WRID.

Advance notice is necessary so that the time off can be scheduled at the beginning or end of the workday; whichever provides the least disruption to the normal work schedule.

WRID may ask the employee to submit a voter's receipt to his/her supervisor.

Wage Attachments and Garnishment

WRID is required to accept legal garnishments on employees' paychecks if served upon WRID. In the event that garnishment or similar proceedings are instituted against an employee, WRID's payroll department will deduct the required amount from his/her paycheck. The amount deducted from the compensation will not exceed that permitted by law and attachments will not affect employment status with WRID.

General Policies

Confidential Information and Trade Secrets

During the course of employment, an employee may come into the possession of confidential information that belongs to WRID including, but not limited to: trade secrets, financial information, leases, licenses, agreements, sales figures, business plans and other proprietary information. All of this information, whether about WRID, its suppliers, contractors or employees, is strictly confidential. This information must not be disclosed to anyone, including family members or to any WRID employee who is not entitled to the information. This policy applies to situations that may arise during or after employment. Any doubts about the confidentiality of information should be resolved in favor of confidentiality.

WRID insists on the undivided loyalty of all employees, including the General Manager and non-management staff. Each employee must refrain from engaging in any conduct that would create an actual or potential conflict of interest or create the appearance of such conflict.

Confidential Information also includes, but is not limited to, the following:

- protected employee information;
- proprietary data or information;
- any information pertaining to vendors or suppliers.

Use and Disclosure of Confidential, Protected or Proprietary Information

No employee may disclose Confidential, Protected or Proprietary Information unless such disclosure has been specifically authorized in writing by the General Manager of WRID, who will handle such request in compliance with all applicable State, Federal and local law.

No Waiver of Trade Secrets Protection

Nothing contained in this Manual shall be deemed to weaken or waive any right related to the protection of trade secrets that WRID has under common law or any applicable State or Federal law.

Retention of Information

It is the responsibility of all WRID employees to safeguard sensitive WRID information. All files, records and reports acquired or created in the course of employment are the property of WRID. Originals or copies of such documents may not be faxed, copied, emailed, downloaded or removed from WRID's offices without the General Manager's approval.

Confidentiality breaches will result in disciplinary action to and including termination.

No office records of any kind may be destroyed or altered by an employee without authorization of the General Manager.



Camera and Camera Device Policy

WRID is committed to respecting the personal privacy of its employees and ensuring that confidential information is not disclosed. WRID recognizes that employees may have digital or other cameras, video cameras, cellular phones with photograph or video-recording capabilities ("Camera Devices") and measures must be adopted to protect personal privacy and confidential information. Therefore each employee must follow the following policy which:

- Prohibits an employee from using a Camera Device or taking photographs for any unauthorized purposes.
- Prohibits the unauthorized transmission of confidential information.
- Prohibits each employee from posting photographs or information regarding other employees on personal sites or social media.

Use of WRID Equipment

Equipment essential to accomplishing job duties is often expensive and may be difficult to replace. When using WRID property, each employee is expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

An employee must notify the General Manager if any equipment or machines appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects and the need for repairs could prevent deterioration of equipment and possible injury. See the supervisor or the General Manager if there are questions about responsibility for maintenance and care of equipment used on the job.

Each employee is responsible for WRID property, materials or written information issued to that employee or in his/her possession. All WRID property must be returned on or before an employee's last day of work.

Vehicle Usage

Each employee of WRID, who drives for business purposes, shall furnish to the WRID a valid Driver's License, with a Driver's License Printout obtained from DMV. Changes to Driver's License status must be immediately reported to the General Manager.

An employee must notify WRID immediately of any change in the status of his/her driving record. An employee whose duties include the operation of a WRID vehicle who is cited for driving under the influence of alcohol or drugs or for any other serious moving violation, will be considered to have an unacceptable driving record and his/her continued employment will be subject to review or termination. Any employee whose duties include the operation of a WRID vehicle who becomes uninsurable under WRID's vehicle liability policy will be considered to have an unacceptable driving record and his/her continued employment will be subject to review or termination. Failure to disclose to the supervisor the loss of a license may result in disciplinary action to and including termination.

WRID Vehicles

Only authorized employees may use WRID vehicles and certain employees will have vehicles assigned to them. If a WRID vehicle incurs any damage while in the possession of an employee, that employee will be responsible for reporting the damage immediately. The employee may be responsible to pay the deductible portion of WRID insurance.

No cell phone use or texting while driving is permitted. Seatbelt use is mandatory. Cell phone use must be in compliance with any State or Federal law. Texting while driving is never permitted. Only people authorized by the General Manager may be passengers in WRID vehicles. Permitting unauthorized passengers to ride in WRID vehicles may result in disciplinary action to and including termination. Non authorized employees and non employees are not permitted to drive WRID vehicles.

Each employee must notify WRID immediately of any change in the status of his/her driving record. Any employee whose duties include the operation of a WRID vehicle who is cited for driving under the influence of alcohol or drugs or for any other serious moving violation, will be considered to have an unacceptable driving record and his/her continued employment will be subject to review or termination. Any employee whose duties include the operation of a WRID vehicle who becomes uninsurable under WRID's vehicle liability policy will be considered to have an unacceptable driving record and his/her continued employment will be subject to review or termination.

WRID Vehicles (Continued)

If an employee receives a traffic citation while operating a WRID vehicle, the employee is responsible for paying any fine or penalty. If an employee is involved in a traffic accident while operating a WRID vehicle, he/she is required to call a police officer to the scene of the accident. The employee must report the accident to his/her supervisor immediately. Do not attempt to render medical care or assistance beyond employee's ability.

Computer/Internet Policy

WRID provides WRID property such as computers, software, electronic mail and voice mail in order for its employees to conduct business. WRID property is for business use ONLY.

Each employee using WRID business equipment should have no expectation that any information stored on the computer or WRID server, whether the information is contained on a computer hard-drive, computer disks, downloads or in any other manner – will be private. WRID reserves the right and the ability to enter into any of these systems and to inspect and review any and all data recorded in or removed from those systems and to use discovery agents as necessary. Although WRID reserves the right to access information, employees are strictly prohibited from accessing another employee's personnel file and e-mail messages without the latter's express permission. WRID also prohibits the use of its electronic mail and other information systems in a way that is disruptive, offensive to others, or harmful to morale or WRID business interests.

Computer equipment used by an employee, whether owned by the individual employee or WRID, must regularly run WRID approved virus-scanning software with a current virus database. Due to the risk of computer viruses, an employee must not open electronic mail attachments received from unknown senders. All material downloaded from the Internet or from computers or networks must be scanned for viruses and other destructive programs before being placed onto WRID computer system.

Equipment or software loaded on to or connected to WRID equipment must first be authorized by the General Manager. The use of unlicensed software is strictly prohibited. No user may view, copy, alter, delete or destroy another's personal electronic files or any WRID file without permission (unless authorized or required to do so by law or regulation). Copyright violations are strictly prohibited and therefore use or dissemination of material copyrighted by another person or entity is prohibited unless authorized or licensed in writing.

The communications system, computer network and software operating on those systems, including, but not limited to, the e-mail system, are the property of WRID and are to be used for WRID business only. WRID has the right, but not the duty, to monitor any and all aspects of its communications and computer systems, including, but not limited to, monitoring voice mail, monitoring sites employees visit on the Internet, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded by employees, and reviewing e-mail sent and received by employees for purposes including ensuring that communications and computer resources are not abused, ensuring confidential information is not disclosed, investigating complaints of harassing or offensive materials, and responding to potential information requests. Each employee waives any right to privacy in anything he/she creates, stores, sends, or receives on WRID equipment or the Internet.

An employee shall not view, send, receive, display, print, browse or otherwise disseminate material that is fraudulent, harassing, illegal, embarrassing, sexually explicit, obscene, intimidating, copyright protected or defamatory. Only web sites authorized by the General Manager may be visited on WRID computers. WRID discrimination and harassment policies apply in full to voice mail, email, Internet and network components of WRID's communications and computer systems. An employee encountering such material should report it to the General Manager immediately. An employee may not use WRID electronic systems, email or the Internet to access, download or transmit games or post communications to chat rooms, bulletin boards or online chat services without prior approval.

Computer/Internet Policy (Continued)

No employee may use WRID voice mail, Internet or e-mail resources for non-WRID commercial or personal advertisements, solicitations, promotions, destructive programs (i.e., viruses and/or self-replicating code), political material or any other unauthorized or personal use. No WRID information may be posted on the Internet or any social media site without prior approval from the General Manager.

Each employee must exercise the same care in drafting e-mail as he/she would for any other written communication.

Telephone/Cell Phone Use

WRID understands that occasionally personal calls during work hours are necessary. However, except in an emergency, personal phone calls should only be made and received during appropriate break/lunch times. Personal calls should be kept to a minimum. Please ask family and friends to refrain from calling, unless it is an emergency.

Complaint Procedure

Problems may arise within any group of people working together. It is important to try to resolve such problems quickly. If a workplace challenge occurs, keep these simple steps in mind when presenting the complaint:

- Talk it over with the General Manager, unless the the General Manager's inappropriate conduct is the perceived cause of the issue. If it is, report the problem to the President of the Board of Directors.

WRID maintains an open door policy to facilitate conflicts between and among employees when other channels have failed to resolve a problem.

- Please remember: WRID cannot begin to correct a situation that is troubling an employee unless the WRID General Manager is made aware of the situation, conflict or problem.

Personnel Records

WRID maintains a personnel file on each employee. To ensure that each personnel file is always current, each employee must notify the General Manager of any changes in name, telephone number, home address, marital status, number of dependents, beneficiary designations, licenses and certifications, scholastic achievements, the individuals to notify in case of an emergency and so forth.

Personal employee information including phone numbers, pager numbers, addresses and working schedules is confidential. Anyone who discloses employee information without prior approval shall be subject to disciplinary action to and including termination.

Each WRID employee has the right to review his/her official employment records. Such review must be conducted in the presence of the General Manager at prearranged times. Each employee may request a copy of his/her current employment file but the documents must not be altered, removed, added to or in any way changed by the employee.

Requests for Employee References

Employee References - Verification of current and previous employees as well as work references will be addressed only by the designated supervisor. The only information supplied is hire date, position title and the last day worked

WRID assumes no responsibility for the loss or theft of personal belongings while at work. Employees are advised not to carry large sums of cash or other valuables.



Venue and Choice of Law

This Manual and its interpretation shall be governed and construed in accordance with the laws of the State of Nevada. Any action pertaining to this Manual shall be brought in a court of competent jurisdiction in Lyon County, Nevada.

DRUG FREE WORKPLACE POLICY

This Drug Free Workplace Policy should not be construed as creating any kind of "employment contract," since WRID has the ability to add, change or amend benefits, policies and all other working conditions as it deems appropriate without obtaining consent or agreement. Nothing contained in this Policy creates or is intended to create a promise or representation of continued employment and nothing contained in this Policy changes, amends or in any way alters the at will status of an employee.

Purpose

WRID maintains a strong commitment to providing a safe, efficient, and productive work environment for its employees and the general public. Employee involvement with alcohol or drugs can be extremely disruptive and harmful to the workplace. It can adversely affect the work quality and performance, pose serious safety and health risks to the user, co-workers and the public, and have a negative impact on work efficiency and productivity. WRID values the health and well-being of its employees and makes safety the highest priority, creating and maintaining an environment that allows each employee to perform his/her duties safely and efficiently.

It is the purpose of this policy to prevent substance use and abuse and their effects in the workplace. Accordingly, WRID has developed the following policy statement regarding substance abuse in the workplace:

"The unlawful manufacture, distribution, dispensation, possession or the unlawful use of alcohol or a controlled substance is prohibited in WRID workplace and employees may not work while impaired."

The Drug Free Workplace Policy shall apply to all full-time, part-time, management and temporary employees of WRID.

Alcohol

Possession of open containers, use or being under the influence of alcohol by any employee in the course and scope of employment, including lunch breaks, is prohibited. Failure to pass an alcohol test will be grounds for disciplinary action up to and including termination.

Illegal Drugs

The unlawful manufacture distribution, dispensation, possession or use of controlled substances or being under the influence of controlled substances is prohibited. Failure to pass a drug test will be grounds for disciplinary action up to and including termination.

Legal Drugs

Except as provided below, use or being under the influence of any legal drug by any employee while on WRID property or any job site, in route to any job site, returning from any job site or while performing WRID's business, is prohibited

An employee who has been prescribed a legal drug, has an obligation to determine whether the medication being taken may affect his/her ability to safely and efficiently perform his/her job duties. An employee using a prescription or legal drug is responsible for inquiring of his/her health care provider, whether that drug is likely to interfere with an employee's ability to perform the duties of his/her position.

Off-Duty Possession or Use of Drugs

Off-duty possession or use of illegal drugs is also prohibited to the extent such possession or use adversely affects WRID legitimate interests or impedes the ability of an employee to safely and efficiently perform his/her job duties.

Co-Workers' Obligations

Any employee who has observed or has personal knowledge that another employee is using or possessing drugs or alcohol in violation of this policy must report that use in good faith to WRID or a supervisor designated by WRID. After the initial report, the employee will refrain from discussing the matter with anyone except WRID or anyone authorized by WRID to investigate. The employee may choose to report anonymously.

Scope

Compliance with this Policy is mandatory for all WRID employees.

Standards of Conduct. The following standards of conduct apply to all employees:

- (a) An employee is prohibited from working while unfit for duty which may include but is not limited to impairment through the use of legal or illegal drugs or alcohol.
- (b) The use, possession, transportation, purchase, promotion or sale of contraband or illegal drugs on WRID property, while performing WRID business is strictly prohibited. In addition, WRID prohibits an employee from being at work under the influence of alcohol or illegal drugs. Illegal drugs are those drugs, including but not limited to:
 - (i) Cocaine
 - (ii) Opiates
 - (iii) Amphetamines
 - (iv) Phencyclidine
 - (v) Alcohol

This definition is not exhaustive and does not apply to legal drugs defined above.

Definitions

- (a) "Illegal Drugs" means any controlled substance or drug, the sale, possession or consumption of which is illegal. The term also includes prescription drugs not legally obtained and prescription drugs not being used in the manner, combination or quantity prescribed or by the person to whom a drug is prescribed.
- (b) "Legal Drugs" include prescription drugs and over-the-counter drugs which have been legally obtained and are being used in the manner, combination or quantity for which they were prescribed or manufactured.
- (c) "Positive Alcohol and Drug Test" means, for the purposes of this policy, that the employee has ingested a drug which causes the employee's drug threshold level to be above the Federal Department of Health and Human Services (DHHS) guidelines as reported by the certified drug testing facility.
- (d) "Reasonable Suspicion" means:

- (i) The employee has been involved in a workplace accident or an incident resulting in personal injury or damage to the property, or workplace circumstances which could have resulted in personal injury or damage to WRID property, and a supervisory employee has reasonable suspicion to believe that the employee's acts or omissions contributed to the occurrence or severity of the accident, incident or circumstances; or
 - (ii) The employee has behavioral conduct currently affected by alcohol, drugs or a controlled substance, based upon specific personal observations of the supervisor concerning behavior, speech, or body odors; or circumstances which could indicate that the employee is reporting to work in other than a sober and reliable state, free from the effects of alcohol or drugs; or
 - (iii) The employee manifests evidence of other specific contemporaneous physical, or performance indicators of probable substance abuse or impairment.
- (e) "WRID property" means all premises, real or personal property owned, leased or otherwise under the control of WRID. This includes, but is not limited to, buildings, facilities, vehicles, offices, parking lots, desks, cabinets, lockers, closets, etc. This Drug Free Workplace Policy also pertains to employees while on a job site or in route to or from a job site or in any situation in which an employee is driving a WRID vehicle or using WRID equipment.

Violation of Policy

Violation of the Drug Free Workplace Policy will result in disciplinary action up to and including discharge.

- (a) An employee who tests positive for illegal drugs or alcohol pursuant to the procedures set forth in this policy is subject to discipline up to and including immediate discharge.
- (b) No negative sanctions will be taken by WRID if an employee presents a reasonable explanation or medical opinion indicating the positive test results were not caused by the illegal use of drugs or illegal alcohol consumption. This explanation must be given to WRID and confirmed as a reasonable explanation, resulting in the rendering of the test as negative.
- (c) Refusal by an employee to submit to initial testing, follow-up testing, or random testing will subject the employee to immediate discharge.
- (d) An employee who tampers with drug or alcohol test samples is subject to immediate discharge.

Types of Testing

Pre-employment testing will occur at the discretion of WRID any time a new or existing employee accepts a position not previously held with WRID. This testing may be urine testing at the sole discretion of WRID.

In addition, WRID will perform the following types of testing for illegal drugs and alcohol:

- (a) Fitness for duty, reasonable suspicion testing of an employee.

- (b) Post-accident testing of an employee involved in a work-related incident causing death, personal injury or property damage. This includes all injuries for which a Workers' Compensation claim is being made or can be made.

Fitness For Duty Reasonable Suspicion Testing

An employee may be subject to a fitness for duty drug test, to include appropriate current methodologies for drug and alcohol testing when any supervisor determines there are reasons to believe that an employee is or was at work while unfit for duty or if WRID has reason to believe that an employee has negatively impacted WRID reputation via after hours use of illegal drugs and/or alcohol. Testing methodologies include but are not limited to: urinalysis, saliva, hair testing and breathalyzer testing. A fitness for duty reasonable suspicion referral for testing will be made on the basis of objective documented, specific, contemporaneous, articulable observations concerning an employee's appearance, behavior, and speech including:

- Abnormally dilated or constricted pupils
- Dulled mental processes
- Glazed stare - redness of eyes (sclera)
- Change of speech (e.g. faster or slower)
- Redness under nose
- Needle marks
- Change in personality (e.g. paranoia)
- Poor concentration
- Slurred speech
- Smell of alcohol
- Excessive, unexplained absences
- Slowed reaction rate
- Difficulty walking
- Performance issues

Reasonable suspicion determinations will be made by any supervisor who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance or cause a safety concern to himself/herself or others. A fitness for duty evaluation, including drug testing, may be conducted anytime while an employee is on duty. While awaiting drug test results, the employee may be reassigned to other duties at the discretion of WRID.

Prohibited Alcohol Concentration Level

An employee who tests positive for alcohol concentration at or above .04 or who is physically impaired will be subject to sanctions to and including termination.

Testing Procedures

Testing will be conducted at WRID designated local medical offices, clinics or hospitals as available. WRID has contracted with state-approved drug and alcohol testing service companies to perform all testing which may involve urinalysis, saliva, hair testing and breathalyzer, or any other current methodology utilized by licensed testing facilities, including any other industry available tests that may be developed.

Positive tests will be reviewed by a medical review officer (MRO) and WRID prior to the imposition of sanctions against an employee. The initial test will be at WRID expense and employees will be paid at his/her regular rate, including benefits, for time attributable to the testing procedure.

All testing results are confidentially maintained by WRID. A copy of the testing protocols are available from WRID or its designated medical testing facilities.

Confidentiality Requirements

All information, interviews, reports, statements, memoranda, and test results shall be confidential and shall not be disclosed to anyone, except:

- (a) The tested employee.
- (b) WRID Administrator or a supervisor, and to the extent necessary.
- (c) In connection with any legal or administrative claim arising out of the implementation of sanctions, or in response to inquiries relating to a work-related accident involving death, personal injury, or property damage, whenever there is reason to believe that the employee may have caused or contributed to the accident.
- (d) Information obtained in the testing process that is unrelated to the use of illegal drugs or alcohol may not be released by WRID.

Chain of Custody Requirements

The collection, transportation and confirmation testing of any drug test samples will be performed in accordance with applicable State and Federal law.

DRUG AND ALCOHOL TESTING

WRID will implement the following types of drug and alcohol testing:

1. Reasonable Suspicion Testing

WRID may require a medical examination, breath test and/or urinalysis when there is reasonable suspicion to believe that the employee is using drugs and/or alcohol at work or where circumstances or workplace conditions justify it.

Prescription drugs prescribed by the employee's physician may be taken during work hours. The employee should notify their Manager if the use of properly prescribed drugs could affect their work performance. Abuse of prescription drugs will not be tolerated.

Employees who are taking prescription drugs, which may impair their ability to operate equipment, have a responsibility to report this use to management. The purpose of providing this information is:

- To protect the employee from false accusation of substance abuse.
- To protect the employee from endangering themselves or others while using WRID equipment.
- To protect the employee from harm in the event of an adverse reaction to the prescription drug while at work.

2. Post Accident Testing

Each employee will be tested for prohibited drugs and alcohol use as soon as possible after a reportable accident. WRID policy defines "reportable accident" as any accident that results in an employee requiring medical treatment that results in the filing of a worker compensation claim. Failure to report an accident immediately to management may result in disciplinary action up to and including termination.

If the test results are positive then termination will result. Employees who refuse substance testing under these circumstances will be terminated.

EMPLOYEE AGREEMENT TO TEST

I acknowledge that WRID has requested that I submit to drug and/or alcohol testing pursuant to its Drug Free Workplace Policy. I further understand that I have previously received a copy of the WRID Drug Free Workplace Policy.

I understand that the testing is voluntary on my part, that I may refuse to submit, and that such refusal will be grounds for disciplinary action, up to and including termination.

I further understand that the test results may be released to WRID and the results will be used as grounds for disciplinary action, up to and including termination.

With full knowledge of the foregoing, I hereby AGREE to submit to drug and/or alcohol testing by the medical clinic or laboratory selected by WRID.

Employee: _____

Date: _____

Witness: _____

Date: _____

Supervisor/ Manager: _____

Date: _____

This Drug Free Workplace Policy should not be construed as creating any kind of "employment contract," since WRID has the ability to add, change or amend benefits, policies and all other working conditions as it deems appropriate without obtaining consent or agreement. Nothing contained in this Policy creates or is intended to create a promise or representation of continued employment and nothing contained in this Policy changes, amends or in any way alters the at-will status of an employee.

EMPLOYEE REFUSAL TO TEST

I acknowledge that WRID has requested that I submit to drug and/or alcohol testing pursuant to its Drug Free Workplace Policy. I further understand that I have previously received a copy of the WRID Drug Free Workplace Policy.

I understand that the testing is voluntary on my part, that I may refuse to submit, and that such refusal will be grounds for disciplinary action, up to and including termination.

I further understand that the test results may be released to WRID and the results will be used as grounds for disciplinary action, up to and including termination.

With full knowledge of the foregoing, I hereby REFUSE to submit to drug and/or alcohol testing.

Employee: _____

Date: _____

Witness: _____

Date: _____

Supervisor/ Manager: _____

Date: _____

Employee Comments: _____

This Drug Free Workplace Policy should not be construed as creating any kind of "employment contract," since WRID has the ability to add, change or amend benefits, policies and all other working conditions as it deems appropriate without obtaining consent or agreement. Nothing contained in this Policy creates or is intended to create a promise or representation of continued employment and nothing contained in this Policy changes, amends or in any way alters the at-will status of an employee.

REASONABLE SUSPICION REPORT

The following steps must be followed when there is a reasonable suspicion that an employee is in violation of the WRID Drug Free Workplace Policy.

A. The first supervisor that has a reasonable suspicion will:

1. Provide the following information:

(a) Name of employee under suspicion: _____

(b) Nature of incident: _____

(c) Date and time of Incident: _____

2. State objective evidence of reasonable suspicion to believe that the employee is in possession of, using, or under the influence of drugs or alcohol (physical evidence should be retained and stored):

3. Attempt to have another supervisor corroborate the observation.

4. Contact WRID or review the evidence and approve the testing if appropriate.

B. After reviewing all the above information, and if it is determined there is reasonable suspicion, WRID and the supervisor will:

1. Call the employee to the Administration office and present him/her with the accusation and evidence.

2. Note the employee's response (investigate where appropriate):

3. Inform the employee about the WRID Drug Free Workplace Policy.

4. Request the employee to submit to drug and/or alcohol testing:

(a) If the employee agrees to testing, have him/her sign an Agreement to Test form and follow the procedures for sample collection.

(b) If the employee refuses to submit to testing:

(i) Ask the employee for the reasons why he/she refuses to submit to drug and alcohol testing.

Employee's response: _____

- (ii) Inform the employee that WRID policy requires him/her to consent to testing and that refusal is grounds for disciplinary action, up to and including immediate termination.
- (iii) Again request the employee to consent to drug and/or alcohol testing.
 - (A) If the employee agrees, have him/her sign an Agreement to Test form and follow the procedures for sample collection.
 - (B) If the employee still refuses, ask him/her to sign the Refusal to Test form and inform him that he/she is suspended without pay pending final decision.

C. WRID will then:

1. Arrange transportation for a supervisor to accompany the employee to the collection site, stay in the waiting room until notified that the collection has been completed and return the employee to the workplace.
2. After sample collection, inform the employee that he/she is on investigative suspension pending test results and WRID decision on the matter.
3. In cases where the employee is suspected of being under the influence of drugs and/or alcohol, arrange transportation (i.e., taxi) home for the employee. If the employee refuses transportation, attempt to persuade the employee to change his/her mind. Do not detain or physically restrain the employee. In cases where the employee refuses transportation and the employee's condition suggests that the employee presents a potential or actual safety risk to themselves or other drivers, notify the police. Inform the employee that you intend to call the police unless the employee accepts transportation. Seek corroborating witnesses to verify employee's refusal of transportation.

Supervisor: _____

Date: _____

WRID: _____

Date: _____

This Drug Free Workplace Policy should not be construed as creating any kind of "employment contract," since WRID has the ability to add, change or amend benefits, policies and all other working conditions as it deems appropriate without obtaining consent or agreement. Nothing in this Policy creates or is intended to create a promise or representation of continued employment and nothing contained in this Policy changes, amends or in any way alters the at-will status of employees.

RETURN TO DUTY POLICY

I understand that my continued employment by WRID shall be conditioned upon the following, to which I voluntarily agree:

1. I will provide a negative drug and alcohol test to be able to return to work.
2. I agree to submit to return-to-duty drug and alcohol testing on a random and/or periodic basis to confirm my future compliance with WRID's Drug Free Workplace Policy.
3. I understand that my violation of WRID's Drug Free Workplace Policy warrants close supervision for an extended period of time upon my return to work and I will accept such supervision as a constructive part of my employment.
4. I understand that upon return to the workplace I must meet all established standards of conduct and job performance and that I will be subject to the disciplinary procedures for any failure to meet the standards.
5. I UNDERSTAND AND AGREE THAT MY REINSTATEMENT AND EMPLOYMENT ARE CONTINGENT UPON MY SATISFACTORILY MEETING ALL THE ABOVE TERMS AND THAT MY FAILURE TO DO SO SUBJECTS ME TO IMMEDIATE TERMINATION OF MY EMPLOYMENT WITH WRID. I ALSO UNDERSTAND THAT EMPLOYMENT WITH WRID IS FOR NO FIXED PERIOD OF TIME AND MAY BE TERMINATED BY ME OR WRID AT ANY TIME FOR ANY REASON NOT SPECIFICALLY PROHIBITED BY LAW. NO ORAL REPRESENTATION TO THE CONTRARY HAS BEEN MADE TO ME, AND I FURTHER UNDERSTAND THAT NO EMPLOYEE OF WRID IS AUTHORIZED TO MAKE ANY SUCH REPRESENTATION.

Employee: _____ Date: _____

WRID : _____ Date: _____