**October 28, 2015**

A special meeting of the Walker River Irrigation District (WRID) Board of Directors was held on October 28, 2015. The meeting was called to order at 9:00 AM at the district board room, 410 N Main St, Yerington, Nevada by President Jim Snyder.

Present were:

Jim SNYDER President

David GIORGI Vice President

Richard NUTI Treasurer

David LITTLE Director (via LL)

Bridget BANTA Secretary

Robert BRYAN General Manager

Gordon DEPOALI Legal Counsel

Ellen J WINOGRAD, Esq. Legal Counsel

Jim Shaw Water Master

Rob Martinez Water Master

Joanne Sarkisian USBWC

**Public Comment**

Director NUTI advised he would like to see GM BRYAN get some help. He mentioned possible money left in a grant that could provide some help in the office. President SNYDER advised it could be put on the next meeting agenda.

**Roll Call**

3 Directors present. (Richard NUTI, David GIORGI, and Jim SNYDER) 1 Director present via land line. (David LITTLE) Dennis Acciari absent.

**Policy Manual- Review, discussion and possible approval of WRID Personnel Policy Manual**

Counsel Ellen WINOGRAD advised she has put together a manual that provides a lot of personnel explanations regarding rules of the work place. It’s a clear set of guidelines as of this day and advises employees their rights and how they are to conduct themselves. Director LITTLE requested to know if WRID can change the manual as needed. Counsel WINOGRAD advised it can change whenever necessary and would have to be reviewed every 2 years no matter what because of changes in legislation. Director LITTLE requested to know how a situation be handled if the board was not happy with the performance of the manager regarding his managing a certain employee. Counsel WINOGRAD advised the situation would be brought to the board because the employees serve at the pleasure of the board. Director LITTLE requested to know if the manager has the power to give a raise or provide better medical benefits on his own without the board’s say. Counsel WINOGRAD advised the manual has this information covered. It is meant to deal with the day-to-day process. It does not give the manager anymore power. Gordon DEPOALI advised he is working on better defining the scope of the manager’s authority and a list of items that need to come before the board before a decision is made. President SNYDER requested to know what the insurance company does if an employee tests positive for drugs after an accident. Counsel WINOGRAD advised the urgent care/hospital facility will automatically do a drug test because that is a disqualifier of workers compensation if they are tested positive for drugs. The worker’s compensation will drug test no matter what if they seek medical assistance because it’s the law. Drug policy is a simple restatement to what employers should already know. The state law states the employee has 7 days to report an injury from work. Director NUTI requested to know if GM BRYAN has the tools he needs to do a proper investigation for harassment and if the employees are attending safety classes. GM BRYAN advised they do have safety classes but it will have to be revamped and done more often than they have previously been done. GM BRYAN advised WRID may have to comply with California OSHA.

Director NUTI inquired about California workers and if WRID is bound by California statute and laws.

Counsel WINOGRAD advised California does not take an active interest in things such as workers compensation as long as you have workers compensation. Subjects such as overtime, wage rates, benefits and harassment issues, California gets very involved with. For the most part, California will probably leave WRID alone, however, if it’s a harassment issue, it will be handled by a separate California board. Water Master SHAW advised the employee they have in common with WRID is paid as an independent contractor, according to USBWC. Water Master SHAW requested WRID counsel talk to USBWC counsel before WRID opens the California can of worms. If employee is an independent contractor, then you wouldn’t have to report to the State of California. It is possible to make people into 10-99 nonemployee independent contractors. WRID will not dictate what the independent contractor does or when. Gordon-there is nothing in the manual that decides anything. It just states if there is an employee in California, we will comply with California state laws. Counsel WINOGRAD continued to go over the California state laws regarding employees working in California and whether they are independent contractors or actual employees. Counsel DEPOALI advised there is nothing in the manual that decides anything regarding California employees working for WRID. Director NUTI requested to know if the weapons policy includes pocket knives. Counsel WINOGRAD advised she isn’t concerned about a pocket knife, however she is concerned if the person with the pocket knife is violent. The policy is all about workplace violence with or without a weapon and the wording can be changed if necessary. Director NUTI asked if the wording can change to brandishing instead of in possession of. Counsel WINOGRAD advised that was appropriate wording that could be easily changed. Director NUTI requested to know what the difference is between exempt and nonexempt employee. Counsel WINOGRAD explained exempt employees are usually salary and managerial employee. Director NUTI went over the holidays in the policy manual and asked if they were state approved holidays. GM BRYAN advised that was a list of holidays approved by the board. GM BRYAN advised one holiday approved by the board was not listed. Columbus Day was approved in 1992 and never taken away. Director LITTLE believes that the holiday pay is very generous. Director NUTI requested to know if the board is going to set the amount of carry over for the vacation and sick leave. GM BRYAN advised there are a few employees that have accrued quite a bit of sick and vacation hours. He has the most with another employee holding a large amount of vacation leave as well. GM BRYAN requested the board to set those numbers. GM BRYAN advised currently the employees earn 5 hours of sick and 5 hours of vacation each pay check for hourly employees and 10 hours of sick and 10 hours of vacation for salary employees. Counsel WINOGRAD brought up the situation when an employee quits or is fired or retired, and what will happen with that accrued time. GM BRYAN advised he has checked into several different agencies state and countywide. Director GIORGI requested to know what other agencies do for their employees and the accrued leave. Secretary BANTA advised Lyon County allows 1,250 hours of accrued sick leave and it is nice to have the accrual if and when you have a major medical event in your life. Secretary BANTA advised the county has a use it or lose it policy and after a certain amount of accrued hours, you cannot accrue anymore. Director LITTLE clarified the current vacation and sick leave and paid holidays. GM BRYAN explained the current process. Director LITTLE felt it was very generous with the sick leave and vacation accrual and pay. Director NUTI suggested to possibly think about rolling accrued sick pay into the HSA account. Secretary BANTA stated if the money is put into the HAS account from accrued sick leave instead of allowing accrual, the employee wouldn’t have the time off that he/she had accrued. The money in the HSA account cannot be used on just anything, ie power bills, rent, etc. Director LITTLE requested Secretary BANTA and GM BRYAN’s opinion regarding medical insurance. He believes the employees should be able to weigh in and give their opinion regarding pay and benefits. Secretary BANTA advised her major reason for accepting the job at WRID was because of the benefits. She took an $11.00 per hour pay cut because the benefits package made it comparable to what she was making at her previous job. Director LITTLE confirmed benefits are more important than cash with Secretary BANTA and GM BRYAN. GM BRYAN stated the medical benefits were very important to him as well. Director LITTLE inquired as to if this was the general consensus for all employees. Secretary BANTA stated she believed it depended on whether they had a family with kids or not. Director NUTI advised the county has a policy where there is stepping stones as far as how much employees can accrue in vacation leave. The longer the employee works there, the more vacation they can accrue. The county allows accrual up to 240 hours maximum carry over. Counsel WINOGRAD advised the employee who is just starting does not automatically get 15 days of sick leave. It accrues at each pay period. Counsel DEPOALI advised the policy manual will be approved from this day moving forward. As far as what to do with the accrued time already on the books, that will have to be decided at a later date.

President SNYDER called a recess at 11:12.

President SNYDER reconvened at 11:25.

Attempted to contact Director LITTLE with no answer.

Director LITTLE back on the phone at 11:30.

President SNYDER suggested to give each employee up to 30 days into the next year which would include both sick and vacation leave. Director LITTLE suggested the vacation and sick leave be on a use it or lose it basis. If you don’t use the vacation or sick leave in that year, you lose it. Director LITTLE also suggested to revisit this at a later date. Director LITTLE suggested to determine amount of accumulation of vacation and sick pay by longevity and give an incentive to stay as an employee.

Director GIORGI moved to approve the policy manual with the following changes: workplace violence changing the wording to “brandishing” instead of possessing and paid time off is 30 days total accrual of paid time off. Director NUTI seconded the motion. Motion was voted on and passed unanimously.

**Health Insurance Coverage-Employee and Dependent Coverage**

GM BRYAN went over the cost of health insurance with and without dependents. The current insurance group WRID has is not going to cover small businesses any longer. GM BRYAN had to look into different insurance. Assurant Health will be dropping WRID December 31, 2015. GM BRYAN gave all the new numbers for Hometown Health and advised the board they will be saving a total of $30,588.00 per year if dependents are covered compared to Assurant. Director LITTLE stated happy employees are important to him and he understood Secretary BANTA and GM BRYAN believe the dependent coverage is very important to them. GM BRYAN stated he was correct. Director LITTLE requested when annual reviews come up, he would like the numbers broken down to each employee to what the benefit package is worth.

Director LITTLE moved to approve the healthcare package with Hometown Health to include dependents. Director GIORGI seconded the motion. The motion was voted on and passed unanimously.

**Director’s Comments**

None

**Public Comment**

None

Director NUTI moved to adjourn the meeting. Director GIORGI seconded the motion. The motion was voted on and passed unanimously. Meeting was adjourned at 12:20.

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Jim Snyder, President David Giorgi, Vice President

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Richard Nuti, Treasurer David Little, Director

\_\_\_ABSENT\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dennis Acciari, Director