

V. BAO Interpretations

Proposing to Eliminate

BAO Interpretations

of the Board's Governance Policies

Title: Human Resources
Category: BAO Interpretations

Interpretation of Policy No. EL-3 **CEO Approval: March 1, 2007** **Latest Revision: October 01, 2014**

With respect to compensation and benefits, employment, and the treatment of employees and persons doing work for or on behalf of the District, a BAO shall:

3.1. Operate with written personnel rules which: (a) clarify rules for employees, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as preferential treatment for personal reasons.

I-EL-3.1.a. The salary levels for the unclassified employee classifications will be periodically evaluated and the CEO will periodically benchmark them with comparator agencies according to the process set forth in Chapter 7 of the "At Will Policy for Employees in the Unclassified Service at the Santa Clara Valley Water District."

I-EL-3.1.b. Written work instructions that clarify rules for employees, provide for effective handling of grievances, and protect against wrongful conditions will be developed and periodically reviewed.

3.3. Inform employees with their protections under this policy.

I-EL-3.3.a. CEO will have work instructions related to this policy that will be posted on-line.

I-EL-3.3.b. CEO will provide awareness training to ensure employees are informed of their protections.

3.4. Integrate, and operate within, written ethics policies and behavioral expectations that embody fairness, dignity and respect.

I-EL-3.4.a. Maintain written ethics policies and procedures.

I-EL-3.4.b. Maintain written behavioral expectations of all district employees.

I-EL-3.4.c. Implement process(es) that promote awareness of ethics policies and expectations.

I-EL-3.4.d. Implement process(es) to report, investigate, and correct behavior.

3.5. Operate without written employee health and safety policies which (a) ensure that standards, programs, and procedures meet or exceed acceptable industry standards as written in state and federal regulations, and (b) ensure a healthful and safe work environment for all District employees.

I-EL-3.5.a. Every employee will be held accountable for effectively implementing this CEO Interpretation as well as safety program improvements within their area(s) of responsibility. To that end, the CEO Interpretation of this policy includes the following expectations:

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- ~~I-EL-3.5.a.i.~~ *Maintain an effective written management system for Health and Safety (H&S) that meets the Cal-OSHA Injury and Illness Prevention Program requirements of California Code of Regulations Title 8 §3203.*
- ~~I-EL-3.5.a.ii.~~ *Every employee's Work Plan must incorporate health and safety goals and targeted outcomes.*
- ~~I-EL-3.5.a.iii.~~ *All employees must comply with established workplace safety rules, practices and procedures. Violations are subject to disciplinary action.*
- ~~I-EL-3.5.a.iv.~~ *Managers and supervisors must immediately eliminate or effectively control known hazards that expose employees to serious injury. Hazards, other than serious, identified through observations, employee reports, inspections, audits, or risk assessments should be eliminated or effectively controlled as soon as possible but no later than 30 days from notification of the hazard. If 30 days is not sufficient time to adequately address the hazard, a written control and mitigation plan must be developed within 30 days of recognition of the hazard and agreed upon by District Health and Safety personnel.*
- ~~I-EL-3.5.a.v.~~ *Employees must attend mandatory safety training when identified and scheduled.*
- ~~I-EL-3.5.a.vi.~~ *All employees are expected to participate in maintaining job related District health and safety program elements as defined by District Policies and Procedures.*

3.6. Subject to the District's Living Wage Policy, provide persons doing work for or on behalf of the District at least a living wage, and reasonable time off.

- ~~I-EL-3.6.a.~~ *This policy will be implemented pursuant to the District's Living Wage Policy, which is maintained by the CEO's procurement designee.*

3.7. Retain no more than thirty-two (32) unclassified positions without Board approval.

- ~~I-EL-3.7.a.~~ *The BAOs retain the following number of unclassified positions (including BAO positions); CEO, 24; District Counsel, 7; and Clerk of the Board, 1. In the event of a critical business need, the BAOs may submit a request to the Board to fill an additional unclassified position.*
- ~~I-EL-3.7.b.~~ *The BAOs have the flexibility to assign existing unclassified employees to duties that best meet the interests of the District to carry out the District's mission. The CEO will inform the Board of organizational changes that involve movement at the Deputy level and above or changes to the unclassified reporting structure at the Chief level.*

3.11. Not change his or her own compensation and benefits.

- ~~I-EL-3.11.a.~~ *The Chief Administrative Officer and/or Chief Financial Officer will report directly to Board any requests or directed requests to change BAO compensation or benefits.*

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3.12. Not promise or imply permanent or guaranteed employment.

I-EL-3.12.a. Employment offer letters are clearly written and Memorandums of Understanding with employees do not promise or imply permanent or guaranteed employment.

3.15. Assure there are capable employees with knowledge and expertise in subject matter integral to the future of water resource management in Santa Clara County.

I-EL-3.15.a. Hire competent and qualified professional employees.

I-EL-3.15.b. Provide opportunities for professional development.

I-EL-3.15.c. Ensure required training is available to employees (e.g. technical training, health and safety training, other mandatory training).

I-EL-3.15.d. Ensure that there is a succession plan.

I-EL-3.15.e. Provide a rotation program for employees.

3.16. Have no fewer than two other unclassified employees familiar with Board and BAO issues and processes in order to protect the Board from sudden loss of BAO services.

I-EL-3.16.a. The BAOs will confirm annually that there are at least two other unclassified employees familiar with Board and BAO issues and processes.

3.17. Operate in an environment where there are good labor relations.

I-EL-3.17.a. Establish a mutual expectations agreement between management and the bargaining units.

I-EL-3.17.b. Establish a process to address actions inconsistent with the mutual expectations agreement.

I-EL-3.17.c. Labor contract (i.e. labor Memorandum of Understanding) negotiations are completed within established ground rules.