

MOLALLA AQUATIC DISTRICT

Personnel Policies and Procedures Manual

Welcome to employment with the Molalla Aquatic District. This Manual is intended to provide policy guidelines relating to your employment with the District. It does not provide a policy for every situation and is not intended as a complete statement of employees' rights and responsibilities.

District management reserves the right to interpret, change and administer the policies in this Manual in accordance with District needs and as required by state and federal laws. Changes will be effective on dates determined by the District, and you may not rely on policies that have been superseded. The Board of Directors may alter these policies and all such changes must be in writing. However, exceptions to these guidelines may be made, at management's discretion, as appropriate for individual situations.

These Policies and Procedures are not a contract for employment. Management reserves its right to employ at will. This means that either the employer or the employee may terminate the employment relationship at any time, with or without notice, with or without cause.

The policies in this Manual reflect the latest adoption date of _____. This Manual supersedes all previous statements, memos, policies and practices that conflict with its provisions. These Policies apply to all District employees unless specifically stated otherwise.

ARTICLE 1 - DEFINITIONS

Director: The Director, or Aquatic Director, is the chief executive officer of the District. The Director is accountable to the Board of Directors ("Board") and is subject to the policies and procedures of this Manual only as directed by the Board or as mandated by law.

District: Molalla Aquatic District.

Employee: An individual who performs services for the District in exchange for salary or wages. This definition does not include volunteers, independent contractors, or temporary hires through agencies.

- **Exempt Employee:** A salaried employee who is classified as executive, supervisory, administrative, or professional, as outlined in the Fair Labor Standards Act, and is therefore not subject to overtime requirements.
- **Non-Exempt Employee:** An Employee who is not an Exempt Employee, and who is therefore subject to overtime requirements as outlined in the Fair Labor Standard Act.
- **Regular Employee:** An employee who is hired for an indefinite tenure, is regularly scheduled to work 40 hours per week, and whose employment is not for a defined time period or for a specific project.
- **Regular Part-time Employee:** An employee who is hired for an indefinite tenure, who works in a single job classification for less than 40 hours per week, and whose employment is not for a defined time period or for a specific project.

- **Temporary Employee:** An employee who has been hired for a specific project and/or a defined period, with such limited-period employment stipulated at the time of hire.
- **Trial Service Employee.** An employee who has been employed by the District for less than six months.

Supervisor: An Employee who is responsible for direct or indirect supervision of the work of two or more other Employees, and who may conduct the supervised Employees’ performance appraisal. Unless the context suggests otherwise, in this Manual all references to “supervisor” include both the immediate supervisor and any other supervisors in the chain of command.

ARTICLE 2 - EQUAL OPPORTUNITY POLICY

It is the District’s policy to ensure employment and participation on an equal opportunity basis within all operations of the District, without discrimination as to race, color, national origin, religion, marital status, injured worker status, disability, gender orientation, gender identity, sex (including pregnancy-related conditions), age, or association with a protected class, and without discrimination to any other protected class status, except where the discrimination results from a bona fide occupational qualification reasonably necessary to the normal operation of the District’s business.

The District’s commitment to equal opportunity for all individuals not only means prohibiting any kind of discrimination listed above, but also requires management to actively ensure full compliance with legislation such as The American with Disabilities Act of 1990, Title VII of 1964 Civil Rights Act, Section 6101 of the 1975 Age Discrimination Act, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and other pertinent legislation.

Procedures:

1. Policy Statements reflecting the District’s position of Equal Employment Opportunity shall be available upon request.
2. Official Equal Employment Opportunity information documents and regulations related to persons with disabilities will be posted as required.
3. All recruitment announcements, advertisements, and employment applications shall contain the statement that the District is “An Equal Opportunity Employer.”

ARTICLE 3 – HARASSMENT AND SEXUAL HARASSMENT

It is the District’s policy that all employees have the right to a work environment free from intimidation and harassment. Harassment and sexual harassment are forms of discrimination. We expect all District employees to act responsibly to maintain a pleasant working environment that is free of discrimination, allowing each employee to perform to his or her maximum potential.

“Harassment” is defined as any frequent or severe action that is embarrassing, suggestive, or degrading to an individual. This includes, but is not limited to, harassment based on sexual, racial, or religious status, or ethnic origin.

“Sexual harassment” can be directed to the same or the opposite sex, and includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

1. Submission to such conduct is made a condition of an individual’s employment.
2. Submission or rejection of such conduct is used as a basis for making employment decisions affecting the individual.
3. Such conduct, intentionally or unintentionally, unreasonably interferes with an individual’s work performance or creates an intimidating, offensive, or hostile working environment.

The District prohibits harassment in any form, including but not limited to physical, written, verbal, or visual harassment.

Verbal harassment includes but is not limited to, epithets, derogatory comments, threats, or slurs.

Sexual harassment can also include sexually derogatory remarks, referring to a coworker in slang or gender-specific colloquialisms such as “honey,” “doll,” “babe,” etc.; whistling; and asking about or discussing sexual conduct, fantasies or dreams.

Physical harassment includes assault, threats of assault, impeding or blocking movement, or any physical interference with normal work or movement which is directed at any individual.

Visual forms of harassment include derogatory posters, sexually oriented cartoons, pictures, or drawings.

Any employee found to have engaged in harassment or sexual harassment, or who is found to condone such conduct, or who is found to have retaliated against an employee for complaining about harassment or sexual harassment, will be subject to disciplinary action, up to and including termination.

Complaints: Any employee who becomes aware of an instance or pattern of harassment or sexual harassment should report the alleged act immediately to his or her immediate supervisor. If the employee is uncomfortable discussing the matter with his or her immediate supervisor, or if the supervisor is not available, the employee should report the alleged act immediately to the Director. If the employee is uncomfortable discussing the matter with the Director, the employee should report the alleged act immediately to the Chair of the District Board.

Once a supervisor has been advised of the employee’s complaint, he/she should immediately contact the Director or Board Chair. The Director or Board Chair hearing the complaint will prepare a written description of the complaint.

Employees who file complaints of harassment or who provide information as witnesses of harassment shall be protected from any retaliation in an investigation. The District will protect the confidentiality of those involved to the extent possible, unless disclosure is necessary to investigate and resolve the problem.

As soon as the investigation is completed, management will advise the complainant of its findings

and take appropriate action. Harassment in any form is grounds for discipline, up to and including termination.

ARTICLE 4 - DRUGS AND ALCOHOL

Molalla Aquatic District is committed to ensuring safe operating and working conditions, and the efficient delivery of services. The use of drugs, alcohol, or other impairing substances, whether on or off the job, may adversely affect job performance and constitute a serious threat to the health and safety of employees and to the public we serve. Therefore, the primary goal of this policy is to establish a work environment where employees are free from the effects of drugs, alcohol, or other impairing substances, and to encourage employees to seek assistance and treatment for drug- and/or alcohol-related problems before such problems affect performance and safety.

The District is committed to maintaining a drug- and alcohol-free work environment in conformance with the provisions of the Drug-Free Workplace Act of 1988.

Covered Workers: Any individual who conducts business for the organization, is applying for a position, or is conducting business on the organization's property is covered by the District's drug-free workplace policy. Our policy includes, but is not limited to current employees, applicants, and volunteers. Contractors must adhere to same standards and may be required to pass a background check, including screening for drugs or alcohol, as part of their contract with the District.

Applicability: Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, the policy applies during all working hours. Each employee, as a condition of employment, will be required to participate in pre-employment, post-accident, reasonable suspicion, return-to-duty, and follow-up testing upon selection or request of management.

Prohibited Conduct: The District expects and requires all employees to report to work in an appropriate condition to work safely and effectively. No employee shall report to work or engage in work under the influence of alcohol, marijuana, illegal drugs, or any other disabling or controlled substance. Compliance with this policy is a condition of employment. Any violation of this policy will result in discipline, up to and including termination.

Employees are prohibited from engaging in the possession, sale, transporting, distribution, manufacture or use of alcohol, marijuana, illegal drugs or any other disabling or controlled substance at any time while on duty or while on District premises. "District premises" include, but are not limited to, vehicles and parking lots.

No employee shall consume alcohol or marijuana while performing job duties, and shall not consume alcohol or marijuana four (4) hours prior to performing job duties. Any employee with a breath alcohol concentration level of 0.02 or greater is prohibited from performing work-related functions for at least 24 hours after such alcohol concentration level is ascertained.

Prescription/Over-the-Counter Drugs: It is the employee's responsibility to ask the treating physician, pharmacist, or other health care professional whether the use of prescribed and/or over-the-counter

drug(s) may limit or impair the employee's ability to perform employment-related duties safely and efficiently, and what restrictions, if any, should be followed, and for how long. The employee must report any job-related limitations or impairment that may be caused by the prescribed or over-the-counter drug(s) to his or her supervisor. Failure to report the use of prescription or over-the-counter drugs which may limit or impair the employee's abilities while on duty may result in discipline, up to and including termination. For purposes of this policy, "prescription/over-the-counter drugs" includes medically prescribed marijuana.

Testing: All employees are subject to testing as noted under below. Employees shall be required to sign a consent form as a condition of employment. Except as otherwise provided herein, the District will be responsible for all costs directly associated with the drug and alcohol tests specified in this policy. Types of testing include, but are not limited to, the following:

- a. Pre-Employment. The District may require that any applicant for employment pass a pre-employment, post-offer screening for use of drugs or alcohol. This policy also applies to employees who have terminated employment with the District but wish to apply for re-employment.
- b. Post-Incident. If an Employee is involved in a vehicular or other accident while on duty that threatens or actually causes harm to the employee or to a third person, the District may require the employee to complete testing for drugs and alcohol before the employee is authorized to return to work.
- c. Reasonable Suspicion: Any employee may be required to submit to urine testing for drugs, and/or alcohol breath testing, when there is a reasonable-suspicion that the employee is under the influence of a drug or alcohol in violation of this policy. The authorization to administer the test will be made by a supervisor trained to identify the signs and symptoms of drug use and alcohol misuse. The authorization will be based on the supervisor's specific observations concerning the appearance, behavior, speech, or body odor of the employee, and concurrence by a second person qualified to authorize a reasonable suspicion drug and/or alcohol test. An employee who has been notified that he/she will be required to submit to reasonable-suspicion drug and/or alcohol testing must report immediately to the collection site designated by the District.

Refusal to Submit to a Test: Any employee who refuses to submit to a drug or alcohol test will be subject to termination. "Refusal" includes:

- Refusal to take the test.
- Inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation.
- Tampering with or attempting to adulterate the specimen or collection procedure.
- Not reporting to the collection site in the time allotted.
- Leaving the scene of an accident without a valid reason before the tests have been completed.

Discipline: Compliance with the District's Drug and Alcohol Policy is a condition of employment for all employees. A violation of any part of the policy may result in discipline up to and including termination.

Confidentiality: The District will maintain all records regarding the drug and/or alcohol testing of employees in a secure manner to prevent disclosure of information to unauthorized persons. All information received by the District through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management

Notification of Convictions. Any employee who is convicted of a criminal drug violation must notify the District in writing within five (5) calendar days of the conviction. The District will take appropriate action within thirty (30) days of notification. Federal contracting agencies will be notified when appropriate.

Searches. Entering the District's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of such areas as pockets and clothing, lockers, wallets, purses, briefcases and lunchboxes, desks and work stations, and vehicles and equipment.

Consequences. One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

If an applicant violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after one year and must successfully pass a pre-employment drug test.

Any employee who tests positive for a prohibited substance will be immediately removed from duty, suspended without pay for a period of 30 days, referred to a substance abuse professional for assessment and recommendations, required to pass a Return-to-Duty test and sign a Return-to-Work Agreement and terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

If an employee violates the policy, he or she will be subject to progressive disciplinary action and may be required to enter rehabilitation as a condition of continued employment. An employee required to enter rehabilitation who fails to successfully complete it, and/or repeatedly violates this policy, will be terminated from employment. Nothing in this policy limits the District's right to terminate the employee for other violations and/or performance problems.

Assistance. The District recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Shared Responsibility. A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Clearly state consequences of policy violations.

Communication. Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.

ARTICLE 5 - SELECTION OF PERSONNEL

The Director is hired and supervised by the District's board of directors. The Director or his/her designated hiring authority shall select and hire all employees. All employees are subordinate to the Director in all matters. The District's Board of Directors has final authority over all decisions relating to personnel.

Preliminary Qualification Considerations:

1. In House Applicants: The District may designate a posted job position as open to in-house applicants only. "In-house applicant" means any current employee. In-house applicants follow the specified procedures for application.

Employing Relatives of District Board of Directors and/or Staff: Subject to the limitations described in this section, relatives of District board members and/or staff may be employed by the Molalla Aquatic District as long as they are not under the direct supervision of the relative.

"Relative" shall be defined as provided in ORS 244.020(16) to mean:

- (a) The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the public official or candidate;
 - (b) The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the spouse of the public official or candidate;
 - (c) Any individual for whom the public official or candidate has a legal support obligation;
 - (d) Any individual for whom the public official provides benefits arising from the public official's public employment or from whom the public official receives benefits arising from that individual's employment; or
 - (e) Any individual from whom the candidate receives benefits arising from that individual's employment.
2. Conflict of Interest. Before a District employee or Board member may participate in an employment decision relating to a relative holding or applying for a position within the District, such employee or Board member must first comply with the conflict of interest disclosure requirements in ORS 244.120.

If a District employee or Board member is determined to have an actual conflict of interest under ORS 244.020(1), the employee or Board member, after disclosing the conflict pursuant to ORS 244.120 the employee or Board member may not participate in an interview, discussion or debate regarding the appointment, employment or promotion of a relative or member of the household to, or the discharge, firing or demotion of a relative or member of the household from, a position with the District.

Job Postings: The District shall regularly post position openings on District bulletin boards located in conspicuous places for a period of at least five (5) consecutive workdays before the position is closed. The District may advertise externally when it deems it necessary to ensure qualified applicants. Posting of job positions may be waived for any purpose, in the discretion of the Director.

Application: The application form shall include questions regarding the applicant's training, experience, general qualifications, and all other pertinent information. Applicants who submit only a resume will be asked to complete the application and attach the resume. Reference letters are accepted as additional attachments. Consistent with Oregon law, the application may not request information about prior salary history or about prior criminal history.

Personal Interview: From the applications submitted in the position time frame, the Director will select applicants for interview. The same interview rating form will be used for each applicant being interviewed for the position. The Director will develop a list of questions prior to the interview, ensuring all applicants will be asked the same questions. Prior criminal history may be discussed during interviews and/or as part of a pre-employment background check. Prior salary history may not be discussed during the interview process.

Testing Procedure: For lifeguard and instructor positions, both a written test of skills and a practical examination will be required at the time of interview.

Post Offer Background Checks: As conditions of employment, anyone receiving an offer of employment shall be required to successfully complete a criminal background check, drug-screening, and fingerprinting as required for school employees under Oregon law.

Hiring: The individual selected for the position, and all other interviewees, will be notified of the selection outcome in an expedient manner.

Anniversary Dates: An employee's anniversary date is used to determine years of service, which in turn affect the accrual rate used for wellness leave and annual leave benefits. For an employee hired before the 15th of the month, the anniversary date shall be the first day of that month. For an employee hired on or after the 15th of the month, the anniversary date shall be the first day of the following month.

ARTICLE 6 - EMPLOYEE ORIENTATION

The newly hired employee will complete an orientation process that includes the following:

1. With the supervisor, review of the employee's job description, organizational structure of the District, and lines of authority.
2. With the supervisor, review of the Personnel Policies and Procedures Manual and the employee's general rights and responsibilities.
3. With the supervisor, orientation to the physical facilities and review of duties. \

Supervisor's Responsibility: It is each supervisor's responsibility to orient all personnel under his or her supervision to job duties and responsibilities while working for the District, as well as those job responsibilities of the supervisor and of employees with whom the employee will be working closely. The supervisor will ensure that each new employee receives and acknowledges receipt of this Manual and any other District policies and procedures.

Employee's Responsibility: Employees are expected to:

1. Read, become familiar with, and comply with this Personnel Policies and Procedures Manual.
2. Work their assigned hours unless a Leave Request form has been approved by their scheduling supervisor.
3. Report to work on time and perform duties as assigned.
4. When required by the Director or a supervisor, attend designated meetings, conferences, study groups, or training sessions. If the required attendance is outside normal working hours, employees will be compensated accordingly.

ARTICLE 7 - PERSONNEL FILES

The Director maintains personnel files for all employees. Each employee has the right to review his or her personnel file during normal working hours. The employee has the right to copy any material in his or her personnel file at the employee's expense.

Procedures:

1. Personnel files, both active and inactive, are to be kept in a locked file at all times, except when in use by authorized employees.
2. Only the Director and the Board Chair are authorized to access personnel files.
3. The following individuals are authorized to review an employee's personnel file during normal working hours:
 - Employee
 - Employee's designated representative with signed authorization from employee
 - Aquatics Director
 - Employee's supervisor
4. The employee and/or employee's representative may review the employee's personnel file only in the presence of the Director, supervisor, or Board Chair.

5. Supervisors may review their employees' personnel files alone.
6. The employee and the employee's representative may request authorized employees to make copies of the employee's personnel records at the expense of the requestor. Authorized employees are required to document in writing which employee records were copied and given to the employee or to the employee's representative. Both the authorized employee and the requesting employee and/or employee representative must sign the completed request.
7. A copy of the employee's written authorization for the representative to obtain files, as well as copies of the documentation of the records given, must be placed in the employee's personnel file, and another copy given to employee or representative.

ARTICLE 8 - HOURS OF WORK

The District's work week begins at 12:01 a.m. on Sunday and ends at 12:00 midnight on Saturday. Regular Employees will work a standard 40-hour work week, to be designated by their supervisors. Regular Part-Time Employees will work hours as designated by their supervisors. Employees must complete their assigned duties within the limits of their scheduled hours. Prior authorization from the supervisor will be required to work additional hours, except in emergencies.

ARTICLE 9 – OVERTIME

Classification: In accordance with the Fair Labor Standards Act (FLSA), Non-Exempt employees will be compensated for all overtime hours in excess of forty (40) hours per week. Exempt employees are not subject to the overtime rule but may receive compensatory time off as provided below.

When an employee does not work a holiday, but is compensated for that holiday, the day shall be considered a workday for the purpose of computing overtime.

Compensation:

1. **Non-Exempt employees.** Non-Exempt employees working over 40 hours in a week will be compensated at a rate of 1-1/2 times the employee's regular rate of pay for every overtime hour worked.
2. **Exempt employees.** At the District's discretion, exempt employees who work additional hours may receive compensatory time off equivalent to 1-1/2 hours for each overtime hour worked in lieu of overtime pay. Accrued comp time may not exceed 240 hours.

ARTICLE 10 - REST AND MEAL PERIODS

Employees will be allowed one paid fifteen (15)-minute in-facility rest period for every four (4) hours [or major part of four (4) hours] worked in one work period.

In addition, for work periods of six to eight hours, an unpaid meal period of at least thirty (30) minutes will be taken between the second and fifth hour worked (if the shift is seven hours or less) or between the

third and sixth hour (if the work period is more than seven hours).

Regular Employees are allowed an unpaid one half-hour meal period.

Rest periods may not be added to the meal period or taken at the beginning or the end of the workday to shorten the employees' shift.

If an employee is required to remain on duty during the meal period or if the employee performs any tasks of employment, the employee must be paid for the meal period.

In addition to the above stated policy, employees who are minors (ages 14 through 17) must have at least a thirty (30)-minute meal period no later than five hours and 1 minute after the shift begins. Employees who are ages 14 and 15 must be relieved of work duties during this time.

ARTICLE 11 - DISTRICT CLOSURE POLICY

The Director is responsible for deciding whether to close the District's facilities due to inclement weather conditions. This decision will be made at the earliest possible time. Some employees, however, may be required to work in order to prevent accidents or to handle emergency situations. The Director will provide notification of facility closure through postings on the building and the district website.

Hourly employees are not compensated for time lost due to District closure.

ARTICLE 12 - PAY POLICY

Prior Salary History: Pursuant to Oregon law (2017), the District may not use an employee's salary history when determining pay for a new employee.

Time Sheet: All employees must complete a time sheet according to the designated schedule. The Director is responsible for verifying and approving hours worked, pay rate, job classification, and account code.

Pay Period: The Pay Period will be bi-monthly. If pay day falls on a day when the pool is not open for business, paychecks will be available on the first business day before.

Paychecks: All employees shall receive their paychecks at the pool facility, except that the Aquatic Director may elect to have his/her paychecks directly deposited in a designated bank account. Checks will be held at the facility for pickup for one week after being made available, after which they will be mailed to the address in the payroll file.

Show-up Pay: The District will pay a one (1) hour or half the scheduled shift whichever is more to employees who arrive for a scheduled shift.

All questions regarding payroll matters should be directed to the employee's supervisor or to the Director.

ARTICLE 13 - PROMOTION AND DEMOTION

Promotion: When it is deemed to be the best interests of the District, the Director or a designee may promote a District employee provided the employee has demonstrated the necessary skills and has the necessary qualifications for the position. When an employee is promoted to a higher classification, he or she will be paid the minimum rate of the appropriate pay range. A performance review will be conducted at the end of six (6) months in the new position.

New Classification: The Director may, in his or her discretion, advance an employee to a new classification.

Demotion:

1. Demotion After Promotion: An employee who receives an unsatisfactory rating on his or her six-month performance review following a promotion may request to return to the position previously held, or to a similar position if the previous position is not available. Alternatively, the District may return the employee to the previous position, or a similar one if the previous one is not available, before or after completion of the six-month evaluation, if the Director determines that it is in the District's best interest to do so.
2. Reorganizational Demotion. If reorganization becomes necessary, it is the District's policy that demotion is preferable to layoff. The Director may demote an employee based on reorganization needs when it is in the best interest of the District to do so. The employee's wages will be adjusted downward to correspond with the lower classification to which he or she has been demoted. The adjusted wages may not be greater than the employee's previous wages. The employee's personnel file will clearly note that the change in job status was due to reorganization and not poor performance.
3. Performance-Based Demotion. In the event of unsatisfactory job performance or employee misconduct sufficient to interfere with the District's business operations or affect coworker productivity, the District may demote an employee, with a corresponding downward adjustment in wage. The change in job status and the reason therefor will be recorded in the employee's personnel file.

ARTICLE 14 - TERMINATION AND SEPARATION

Termination. Under Oregon law, the District is an "at will" employer. Therefore, in the absence of an employment agreement, the District may terminate an employee for any reason or no reason, subject to applicable laws and the provisions of these Policies and Procedures. Similarly, any employee may resign his or her employment at any time.

The District may terminate employees through administrative action, such as restructuring or layoffs, or as a result of disciplinary action.

Employees will be given at least two weeks' notice of a planned layoff. When deciding which employees to lay off, the Director will consider the employee's ability to perform the work needed by the District. As between employees of equal ability, seniority will be taken into consideration.

A Trial Service Employee may be dismissed at any time, regardless of any progressive discipline policy or practice. All other Employees are subject to the discipline procedures described in Section 18 of this Manual.

Pay Upon Termination. Upon termination – whether voluntary or involuntary – an employee will be paid any wages or salary earned up to and including the effective date of termination; and any accrued paid time off, including vacation leave and comp time. Accrued sick leave time is not paid out upon termination.

Resignation. Employees are expected to give two weeks advance notice of their intention to terminate their employment with the District.

COBRA: The District must comply with all requirements of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), including providing all employees pertinent information regarding the Act.

COBRA requires that all employees and their qualified beneficiaries covered under the District's group health plan have a right to elect to continue their coverage under the plan if their coverage would otherwise end because of certain qualifying events. Those qualifying events include the employee's death, or other voluntary or involuntary termination of employment (except for gross misconduct), reduction of hours of employment, divorce or legal separation, and entitlement to Medicare benefits.

After the qualifying event, the employee or the qualifying beneficiary will have at least 60 days to elect continuation coverage. If coverage is elected, the plan will require payment of a premium of 102 percent of the cost to the plan for coverage of similarly situated individuals. All premium payments are due on the first of the month. The maximum required period of coverage is 36 months from the event unless the event is the employee's termination of employment, then the maximum period is 18 months from the event. The maximum periods may be shortened for anyone of the following reasons:

- Failure to pay any required premium payment of time.
- An individual becoming covered under another group health plan.
- An individual becoming entitled to Medicare benefits.
- Termination of all the district's group health plans.

ARTICLE 15 - EMPLOYEE PERFORMANCE APPRAISAL SYSTEM

The District's employee performance appraisal system is a year-long, ongoing process whereby the supervisor and the employee communicate on a regular basis regarding the employee's job performance. The annual evaluation is used to evaluate performance, give feedback to employees on areas that need

improvement, and recognize good performance. This process culminates in a year-end written appraisal of the preceding year's performance.

The appraisal seeks to achieve the following objectives:

1. Provide a framework of goals and standards from which to measure performance and establish expectations of employees.
2. Serve as a tool to determine salary increases based on a worker's contribution to the organization.
3. Develop action and training plans to correct performance problems and establish goals for the next time period.
4. Identify employees who should be promoted or given greater responsibility.
5. Provide a forum for individual career-development issues.
6. Ensure a formal time and a place for all these events to occur.

ARTICLE 16 - BENEFITS

Medical, Dental, Vision, Prescription Coverage.

Health care benefit options include medical, dental, vision and prescription insurance coverage offered by the District. All employees working an average of 32 hours a week for more than 4 consecutive months are eligible for health care benefits.

Paid Time Off (PTO).

The District's Personal Time off Policy is in compliance with the requirements of the Oregon Sick Leave Time Law.

All hourly employees will accrue 1 hour of personal time off (PTO) for every 30 hours worked. These employees may accrue up to 40 hours of PTO per year. Part time employees may carry over PTO into the following year, but may not accrue more than 80 hours. PTO begins to accrue on the first day of employment but may be used only after the employee's 90st day of employment. Employees may use up to 40 hours of PTO per year. PTO carries no cash value. PTO must be used in one-hour increments.

The District reserves the right to add additional PTO to an employee's accrual at its own discretion.

The District will report PTO to employees no less than once each quarter. If an employee requests a PTO report at any other time we will comply within 5 days.

Any employee not working for the District for a period of 180 days or longer will forfeit any accrued PTO.

Employees are not paid for unused PTO upon termination.

Retirement Plan. Regular employees are eligible to participate in the District Retirement Plan. Retirement funding is determined annually by the District Board. The Board will identify the annual retirement funding after reviewing the financial state at the end of the fiscal year. Employees must fulfill the hourly eligibility qualification each year to receive the year's associated retirement funding.

Use of Pool. The District recognizes the importance of our employees' health and fitness to the safety of our patrons. Employees are encouraged to use the pool facilities free of charge during non-work hours.

ARTICLE 17 – LEAVES OF ABSENCE.

Injury Leave: All District employees are covered by Workers' Compensation for injuries that occur on the job. An employee who is injured on the job must immediately notify his or her supervisor or the Director for completion of necessary claim forms. If an injured employee requires leave time, the employee may request that any accrued leave time be used to make up the difference between what the carrier pays and the employee's net salary. Vacation and flex time will not accrue during the leave period; however, the employee's insurance benefits will continue throughout the leave period.

An employee on leave due to an on-the-job injury must provide to the Director a written copy of medical clearance before being allowed to return to work. The release shall state any limitations or restrictions recommended by the physician, and the time periods for such limitations or restrictions.

The District may not discriminate against an employee who is on leave due to a work-related injury. The District will work with the employee to preserve the employee's rights to be reinstated to the former or other suitable vacant position, to develop light duty or alternative duty assignments until the employee is medically stationary, and to provide reasonable accommodation if necessary. The employee is required to cooperate with the District by accepting alternative or light-duty assignments, to substantiate the employee's medical condition to the District, and to timely notify the District as required by law of the employee's medical release for employment.

Jury Duty: An employee will be paid his or her regular rate of pay for time spent on jury duty. If the employee is released from duty before the end of a regularly scheduled work day, the employee is required to return to work. A salaried employee who is subpoenaed as a witness in a court case will receive his or her regular rate of pay when complying with the subpoena during regular working hours, provided the employee is a disinterested party in the case or his or her involvement is related to his or her employment with the District. The District will not provide compensation for any employee participating in action taken against the District.

Personal Leave: Employees may request unpaid leave for personal reasons, with the exception of accepting other employment. Such leave may be granted when doing so will not place a hardship on the District. All requests for personal leave must be submitted in writing to the employee's immediate

supervisor. The Director is responsible for analyzing the request and determining whether to grant the leave request.

Military Leave:

- *Military Leave and Re-employment.* The District will grant an unpaid leave of absence to any employee who leaves his/her employment with the District, whether voluntarily or involuntarily, to perform military duty. Such employees will be accorded all rights to which they are entitled under Oregon and federal law, as may be amended periodically. Written notice of leave requests must be filed with the Port Director.

An employee who has been employed by the District for at least six months and one day is entitled to receive payment for the first 30 days of Military Leave.

Except as provided above, the District will not provide wages or other monetary compensation during an employee's military leave of absence. At the employee's discretion, he/she may use accrued annual leave, personal holidays, or compensatory time during the absence. The employee may elect to continue health care coverage during the absence and may be required to pay the full costs of such coverage.

Employees returning from active duty must notify the District at least ninety (90) days from the date of their release from duty if they intend to resume their employment with the District. Failure to provide such notice will constitute abandonment of the right to resume employment with the District.

- *Uniformed Services Leave and Reemployment.* Upon application, the District will grant a leave of absence to members of the reserve components of the armed forces of the United States or the state of Oregon, or to an employee who leaves his/her employment with the District, whether voluntarily or involuntarily, to perform extended military duty. Such employees will be accorded all rights to which they are entitled under Oregon and federal law, as may be amended periodically.

An employee who has been employed by the District for at least six (6) months is entitled to one paid leave of absence for annual active duty for training per military training year, not to exceed fifteen (15) calendar days. Any subsequent leave of absence during the military training year (October 1 through September 30) will be unpaid. Except as provided for above, the District will not provide wages or other monetary compensation during an employee's military leave of absence. At the employee's discretion, he/she may use accrued vacation, personal holidays, or compensatory time during the absence. The employee may elect to continue health care coverage during the absence and may be subject to paying the full costs of such coverage.

- *Training.* Employees enlisted in the National Guard, National Guard Reserve, any reserve component of the Armed Forces, or of the United States Public Health Service, who have been employed by the District for a minimum of six months, shall be granted up to fifteen (15) days of paid leave in any one calendar year for training purposes. The leave shall be granted in accordance with Oregon Law and shall be subject to any amendments or repeal of applicable statutes. If training requirements exceed fifteen (15) days in the calendar year, the employee may use accrued vacation leave, or take the time

unpaid.

Administration Department employees may receive the difference in pay between the employee's military pay and the employee's normal wages for the leave period. Leave shall be granted without loss of other leave and without impairment of other employee rights or benefits.

Family Medical Leave. The District does not have a sufficient number of employees to be covered by the federal Family Medical Leave Act (FMLA) or the Oregon Family Leave Act (OFLA). Employees may use other types of paid or unpaid leave for family medical leave purposes. Employees should contact the Director if circumstances require an extended absence from work due to medical issues for the employee or in the employee's family.

Crime Victim's Leave. Any employee who has worked for the District an average of more than 25 hours per week for at least 180 days and who is a victim of crime or is an immediate family member of a crime victim may take leave to attend criminal proceedings associated with the crime. The employee must provide reasonable notice to the District of his or her request for leave.

For purposes of this policy, the employee or an immediate family member must be a crime victim, meaning that he or she "has suffered financial, social, psychological or physical harm as a result of a personal felony." "Immediate family" includes a spouse, domestic partner, father, mother, sibling, child, stepchild or grandparent.

The amount of leave allowed is within the District's discretion. The District may limit the leave if it creates a significant difficulty and expense for the District. If the District limits the employee's leave due to undue hardship, the employee should notify the prosecuting attorney, who is then required to notify the court so that the court can take the employee's work schedule into consideration when scheduling the criminal proceedings.

Leave under this section is unpaid; however, the employee may use any other accrued paid leave that is available.

Domestic Violence Leave and/or Reasonable Safety Accommodation. Any employee may request reasonable safety accommodation (e.g., transfer, reassignment, modified schedule, unpaid leave, changed work telephone number, changed work station, installed lock, implemented safety procedure, or any other adjustment) in response to actual or threatened domestic violence, harassment, sexual assault or stalking of the employee and/or the employee's minor child(ren).

Leave may be taken for the following purposes:

- To seek legal or law enforcement assistance to ensure the health and safety of the employee or the employee's child or dependent, including preparing for and participating in legal proceedings relating thereto;
- To seek medical treatment for or to recover from injuries to the employee or his/her child caused by such activity;
- To obtain or assist a minor child or dependent in obtaining counseling to address such activity from a licensed mental health professional;
- To obtain services from a victim services provider for the eligible employee or the employee's

- minor child or dependent;
- To relocate or take steps to secure an existing home to ensure the health and safety of the employee or the employee's minor child or dependent.

To the extent practicable, the employee must provide reasonable notice to the District of the need for such leave or accommodation. The District may request documentation that the employee or the minor child has been a victim of actual or threatened domestic violence, harassment, sexual assault or stalking. Any such documentation shall remain strictly confidential and may be released by the District only with the employee's consent.

Leave under this section is unpaid; however, the employee may use any other accrued paid leave that is available.

The amount of leave allowed is within the District's discretion. The District may limit the leave if it creates a significant difficulty and expense for the District.

Concurrent Leaves. Sometimes more than one type of leave may apply to a situation. Where allowed by federal or state law, leaves will run concurrently. This means that sick leave, workers' compensation leave, personal leave, leave as a reasonable accommodation for a qualified individual with a disability may all run concurrently and be counted against the employee's paid leave entitlement.

Medical Certification. An employee on sick leave that is running concurrently with another type of leave, such as family medical leave or personal leave, must provide the medical certification required for any and all applicable types of leave. This means an employee on sick leave may be required to have his or her medical provider complete the certification of physician or practitioner form required for federal or state family medical leave, obtain second or third medical opinions as provided by family medical leave laws, and provide fitness for duty medical certifications before return to work as provided by the family medical leave policy.

ARTICLE 18 – DISCIPLINE

Disciplinary rules described in these Policies do not constitute a contract and are intended to be guidelines only. The District reserves the right to deviate from these rules as appropriate under the circumstances and when it is determined to be in the best interests of the District to do so.

Employee discipline may include written or verbal reprimands, suspensions, or any other action, up to and including termination. Discipline may include, but is not limited to, the following:

- Verbal Warning: Employees who commit minor infractions will be subject to a verbal warning. Although this is not a formal written warning, it will still be documented in the employee's personnel file. Examples of infractions which can lead to verbal warnings include, but are not limited to:
 - Failure to turn in your time card
 - Failure to clean up after your shift

- Tardiness more than once in a one-month period
- Failure to follow the dress code
- Written Warning: An employee may receive a written warning after two verbal warnings, or without prior verbal warnings for more serious infractions, including but not limited to the following:
 - Breaking or losing District property
 - Excessive absenteeism
 - Two justified customer complaints in a six-month period (to be determined by the Director).
 - Demotion (moving the employee to a lower position with an accompanying decrease in pay)
 - Suspension: Suspension from employment, with or without written warning, may be with or without pay, at the District's discretion. Suspension may occur for serious infractions, such as:
 - Fighting on the job
 - Violation of safety rules
 - Persistent inadequate job performance or gross violation of duties
 - Termination: An employee may be terminated at the District's discretion, with or without warnings or prior suspensions. Situations that may lead to termination include, but are not limited to:
 - Theft
 - Falsification of records (including application or time cards)
 - Fighting
 - Assault or threatening behavior
 - Persistent inadequate job performance or gross violation of duties

Due Process: Whenever the District contemplates applying discipline greater than a written warning, the following due process will be followed:

1. The employee will be notified of the charges or allegations that may subject him/her to discipline or discharge.
2. The employee will be notified of the sanctions being considered.
3. The employee will be given an opportunity to refute the charges or allegations either in writing or orally in an informal hearing. The reason for the discipline, the disciplinary step(s) taken, and any written response by the employee shall be made a part of the employee's personnel file.

4. At his/her request, the employee will be entitled to be accompanied by another person at the informal hearing.

ARTICLE 19 - GRIEVANCE

A grievable condition is anything that affects wages, hours, or working conditions. The following grievance process has been established to provide employees with an appeals mechanism.

STEP 1: If, after first attempting to resolve the dispute informally the grievance remains unresolved, the affected employee(s) shall present the grievance in writing to his/her management team within five (5) work days immediately following the date the employee had or should have had knowledge of the grievance. The management team shall consist of the employee's immediate supervisor, and the Director or an appointed board member.

- The grievance must be stated in writing, and shall include:
- A statement of the grievance and the factual allegations upon which it is based;
- The remedy sought;
- The name and signature of the individual(s) submitting the grievance.

The grievance shall be delivered to the Director or a designee for distribution to the appropriate management team.

STEP 2: Within five (5) workdays immediately following the Director's receipt of the grievance, the District will schedule a meeting to give the employee an opportunity to discuss his/her grievance with the his/her management team.

Within twenty (20) working days of the submission of the grievance at Step 2, the appropriate management team shall make a decision regarding the status of the grievance and present its written decision to the employee. The decision of the management team is final. A copy of the decision will be placed in the employee's personnel file.

ARTICLE 20 - PROFESSIONAL ORGANIZATIONS, EDUCATION, TRAINING, AND WORKSHOPS

Professional Organizations: Participation in professional organizations is important the continued growth of staff member. The District supports employees' participation in professional organization when appropriate.

Dues: All employees must provide for payment of dues to professional organizations. If an employee is required by the District to hold membership in an organization, employees may submit the dues invoice to the District for payment. If an employee chooses to participate in an organization and such participation is not a requirement of the employee's job, the employee is responsible for payment of dues and other expenses related to such participation.

Training and Workshops. With prior approval of both the employee's direct supervisor and the Director, and provided budgeted funds are available, the District may pay the cost of any class, workshop, seminar, or institute that is directly related to the employee's duties. Employees will be given paid time off to attend such workshops or seminars. Any related travel expenses will be reimbursed according to these Policies.

Training and Workshop Travel Expenses. Reasonable travel and workshop related expenses for travel outside of the boundaries of the District will be reimbursed provided budgeted funds are available and payment of such expenses is approved in advance by the Director. Employees are required to ensure that travel, expenses (meals, etc.) are incurred in the most prudent, reasonable, cost-effective, efficient means possible. The District reserves the right not to reimburse an employee for expenses deemed excessive or unreasonable. The District will not reimburse the employee for the cost of alcoholic beverages.

ARTICLE 21 - CREDIT/PURCHASING CARD USE POLICY

The District may provide the Director with credit/bank purchasing cards to be used for business purposes only.

Any irregularity in the use of such cards shall be brought to the attention of the Board of Directors immediately. Misuse of the cards will result in immediate and appropriate disciplinary action.

Credit/purchasing card receipts must be attached to the monthly bank card statement with an explanation of the charges written clearly on the receipt. All expenditures must be authorized by the approved District budget or separately approved by the Board of Directors. Any capital expenditure made with a bank purchasing card (computer equipment, office furniture, etc.) must have a completed Inventory Form attached.

ARTICLE 22 - MEALS REIMBURSEMENT POLICY

The District shall reimburse District employees, subject to annual budgeted amounts, for the reasonable cost of meals incurred for approved District purposes (e.g., service club meetings, Chamber of Commerce meetings, etc.). Meal costs incurred while meeting with other staff will not be reimbursed. Expenses shall be incurred in the most prudent, reasonable, cost-effective, efficient means possible. The District reserves the right to refuse to reimburse costs that are deemed to be unnecessary or excessive. The District will not reimburse the employee for the cost of alcoholic beverages.

ARTICLE 23 - MILEAGE REIMBURSEMENT PROCEDURE

The District shall reimburse employees, subject to the annual budget, for mileage incurred for approved District purposes, at a per-mile rate that is equal to the annual rate established by the Internal Revenue Service.

Reimbursement will be made when an employee is required to use his or her personal vehicle for District business-related matters. Employees will not be reimbursed for mileage incurred traveling to and from work.

Reimbursement for work-related travel outside of the District's service area will be allowed with the prior approval of the Director. Out-of-state mileage reimbursement shall be limited to the equivalent of the least expensive (coach) destination airfare or the total vehicle mileage cost, whichever is less.

In order to be eligible for reimbursement, the employee must record mileage on the Travel Reimbursement Form. Reimbursement forms must be submitted monthly to the Director for approval. The Director will then submit the completed forms to Bookkeeping for processing on regular check-request due dates.

ARTICLE 24 - SAFETY

In accordance with the Oregon Occupational Safety and Health Administration (OR-OSHA), Molalla Aquatic District is dedicated to the safety and welfare of its employees and the public it serves. The District strives to prevent accidents and to ensure that employees are provided safe and healthful working conditions, free from recognized hazards. Both supervisors and employees alike are responsible for guarding against needless injury and illness due to hazards and preventable accidents.

The District strives to be proactive in the areas of safety and health awareness. For patrons this means the swimming pool, programs, and facilities need to be free from recognized hazards and that all current Oregon Occupational Safety and Health Administration (OR-OSHA) safety guidelines will be fully implemented. For employees this means that working conditions are safe and healthful, and free from known hazards.

Providing a safe environment for both patrons and employees is the job of every employee. All employees are responsible for, and will be accountable for, guarding against needless injury and illness due to recognized hazards and preventable accidents. Employee education and training, and the implementation of safety procedures, are designed to promote this safety objective.

Safety Committee:

- a. As mandated by the Oregon Occupational Safety and Health Administration (OR-OSHA), and for the purpose of promoting safety and health in a non-adversarial, cooperative effort, a joint management/worker employee Safety Committee has been established and will continue to be maintained at the District. This Committee will encourage employee involvement and suggestions regarding safety/health issues. This Committee will also assist management by making recommendations for safety/health changes.
- b. The Safety Committee's role is advisory; the Committee advises the Director on issues that will promote safety and health in the workplace. Written recommendations for changes will be submitted by the Committee to the Director. The Director shall give serious consideration to the recommendations and to respond in writing to the Committee within a reasonable time limit agreed upon by both parties.
- c. The objectives of the Safety Committee are as follows:
 1. Regularly scheduled and planned monthly Committee meetings.

2. Employee involvement in workplace safety/health.
3. Management/employee commitment to workplace health and safety.
4. Hazard assessment and control, primarily through workplace inspections.
5. Safety and health planning.
6. Accident and incident investigation.
7. Ongoing safety/health training for Safety Committee members.
8. Accountability system for safety/health issues.

Employee Responsibility: Every employee is responsible for safety as a specific job assignment. To achieve the District goal of providing a safe workplace, every employee must be aware of safety at all times. Employees shall report immediately any unsafe or hazardous condition directly to a supervisor. Every effort will be made to remedy safety problems as quickly as possible.

Employees are to observe all safety practices governing their work. It is the employee's responsibility to learn applicable safety regulations and to use safety equipment and/or personal protective equipment as set forth by regulations. Failure to comply with responsibilities set forth above will be grounds for disciplinary action, up to and including termination.

Employees shall use the personal protective equipment provided for their use.

Management Responsibility: The Director shall frequently review the need for implementing safety practices, policy, or procedures warranted by hazards. Each accident and "near miss" is cause for review. The need for periodic staff training shall be considered and arranged as determined by the Director.

Accident Reporting:

- Procedures: Accidents involving the District must be reported in detail as soon after the occurrences as possible. All accident reports must be submitted to the Director.
- Vehicular Accidents: Accidents involving personal vehicles being operated on District business must also be reported to a police agency for investigation. Any accident resulting in personal injuries or death must be reported immediately to the Director and OSHA.
- Other Accidents: Accidents involving damage to equipment or property, or personal injury, must also be reported to the immediate supervisor. The supervisor will report the accident to the Director. The Director will determine the need for further investigation.
- Insurance Procedure: Completed accident forms are to be forwarded to the Director. All accident documentation shall be retained from the date of the accident. The Director shall promptly notify the District's liability insurance carrier of any incident that is, or could become, a covered event.

Managing Unsafe Conditions: It is every employee's responsibility to observe and identify conditions which could pose a hazard to employees or to the general public. After identifying the problem, employees at the scene are expected to:

- Safely eliminate the hazard and obtain necessary assistance;
- Safely control the hazard by enclosure or guard;
- Employ avoidance procedures; and
- Use personal protective equipment as appropriate.

Employee Injury Report: A supervisor and the Director shall be notified as soon as possible of any accident involving personal injury to an employee, regardless of the seriousness of the injury. Failure to report accidents can result in a violation of conditions of insurance coverage and State laws, leading to difficulties in processing insurance and benefit claims. Injured workers must fill out a Report of Job Injury or Illness form and a Workers' Compensation Form 801 and submit it as soon as possible to the Director. All injuries must be reported in a timely manner to avoid risk of claim denial. The Director will provide "A Guide for Workers Recently Hurt on the Job", and assistance to any employee filling out Form 801.

If any injury results in the death of an employee, the supervisor shall immediately notify the Director who, in turn, shall within eight (8) hours, notify the State Workers' Compensation Department, OSHA and the District's insurance carrier by phone. The Director will then proceed to process a claim report form.

The Director will report to OSHA within 24 hours any accident that results in overnight hospitalization

The appropriate entries shall be made by the Director in the OSHA Accident Reporting Log OSHA's 300.

The Director must note the injury/illness in the Minor Injury Log 300A posted in the staff room.

Medical injury that requires or could require medical treatment: Report an injury to your supervisor immediately. Failure to do so could result in delay or denial of your worker's compensation claim. The injured employee must complete the Employee's Injury/Illness Questionnaire Form and submit it to the Director as soon as possible.

The employee may seek treatment from any physician. An 801 form must be completed and signed by the employee and taken to the physician.

It is the responsibility of each injured employee seeking medical treatment to give the physician a copy of the 801 form, a copy of Molalla Aquatic District's Return to Work Policy, and a copy of his/her Job Analysis: Physical Requirements form.

See Return to Work Policy in Section 26 of this Manual for policies and procedures about returning to work.

ARTICLE 25 – WORKERS’ COMPENSATION INSURANCE

If an employee is injured on the job, in most cases the injured worker will be entitled to benefits under the State workers compensation law. The District carries workers compensation coverage and will assist employees in obtaining all benefits to which they are legally entitled. To be eligible for Worker’s Compensation coverage, the employee, or an individual acting on behalf of the employee, must complete all required forms as soon as possible following the work-related incident giving rise to the injury.

ARTICLE 26 - RETURN TO WORK POLICY

In order to assist the recovery of its injured workers and to mitigate costs to both the District and to its injured workers, it is the District’s policy to return injured workers to work as soon as possible following an injury.

Procedures: Attached to the 801 Form discussed above is a Return to Work Status form and a Job Analysis Physician Requirements form. The employee’s physician should complete both forms and return them to the District by the next working day. The injured employee should inform the physician that the District has an early return to work program and will provide light duty work, if feasible. These duties may vary and will be developed to fit within your restrictions by the District. Light duty work may include portions of the employee’s regular work, or may consist of unrelated duties as determined by the Director

An employee who is released from performing both regular and light duty work must maintain weekly contact with the Director throughout the duration of any time off as a result of an on the job injury.

If an employee is released by his or her physician to perform for either regular or light duty work, the employee must report to work for the next regularly scheduled shift.

The early Return to Work program will end when the injured worker is released back to perform regular job duties, declared medically stationary, or permanent restrictions are known. If restrictions change and job duties are reassigned, the employee will be contacted and given a new job offer letter.

An employee’s failure to comply with the responsibilities in this policy may result in disciplinary action, up to and including discharge.

ARTICLE 27 – BLOODBORNE PATHOGENS/AIDS

Molalla Aquatic District is committed to the prevention of incidents or accidents that can result in employee injury or illness. The Occupational Safety and Health Administration (OSHA) has issued a standard that can protect employees from blood borne pathogens. OSHA’s bloodborne pathogens standard requires the District to create and make available to every employee an Exposure Control Plan. This plan

will be located on the staff bulletin board in the staff room. All employees are required to read the Exposure Control Plan.

On an annual basis, all District supervisors and lifeguards shall receive training regarding Blood Borne Pathogens.

AIDS:

1. AIDS Testing: The Center for Disease Control of the U.S. Public Health Service does not recommend the use of tests to screen for the presence of the HIV virus in either employees or applicants for employment. Accordingly, the District will not conduct such tests.
2. AIDS Screening Questions: The District will not ask questions regarding whether employees or applicants for employment have AIDS, ARC, or are infected with the HIV virus. Also, employees or applicants for employment will not be asked questions about their personal lifestyles in order to ascertain their risk of exposure to HIV.
3. Equal Employment Opportunity: As per Federal and State laws, no individual will be barred from new or continued employment with the District simply on the basis of being infected with the HIV virus or being diagnosed as having the disease of AIDS. Applicants will continue to be judged on the basis of their qualifications and employees will be evaluated on the basis on their job performance. Employees diagnosed with AIDS will remain in employment as long as they conform to the customary job performance standards and as long as their presence does not constitute a hazard to themselves or others. Efforts will be made to modify and restructure the job in order to accommodate the AIDS-infected individual for as long as is feasible.
4. Employer-Designated Physician: If deemed necessary for continued employment, the District may require any employee to be examined by an employer-designated physician to determine if he/she is able to perform his/her duties without posing a hazard to himself/herself or to others.
5. Privacy of Personal Information: In the course of employment, employees may learn about personal information regarding their peers. Regardless of the source of this information, employees are cautioned about the importance of keeping such information private. This privacy requirement is particularly important for matters relating to AIDS, Aids Related Complex (ARC), or HIV, because of the stigma associated with them.
6. Insurance Coverage: Employee's participating in the District's group medical insurance coverage are covered for treatment and care for AIDS or AIDS-related conditions in the same way care is provided for other causes.
7. Case Management: Case management procedures are employed in treating employees with AIDS in the same manner used for other catastrophic illnesses. A case management team that includes medical, psychological, and social-work professionals, in conjunction with the patient and the patient's physician and family, determine the most appropriate care for the AIDS victim.
8. Employee Education: The District will provide its employees with educational training, current

information, and referrals to local agencies which offer supportive services for the disease. The District will also provide its employees with precautionary first-aid training and written guidelines to protect themselves and others from infection when administering first aid to an injured person. The written guidelines will be posted near First Aid Kits and Blood Body Fluid Barrier Kits, and are to be followed in conjunction with the use of those kits.

9. Adaption of Administration Rules and Guidelines: These guidelines will be changed as necessary to reflect additional information that is learned about the disease of AIDS, and to comply with changes in State and Federal laws.

ARTICLE 28 - VIOLENCE IN THE WORKPLACE; WEAPONS POLICY

The District has a zero-tolerance policy for harassment or violence in the workplace. Every employee is entitled to come to work without fear of being the target of harassment, threats, intimidation, and violent acts. This policy is in addition to the District's Harassment Policy. Anyone engaging in any acts of harassment, threats, intimidation, or violence against a fellow employee or a member of the public will be subject to discipline, up to and including immediate termination.

For purposes of this policy, violent behavior is defined as one or more of the following:

- A. The actual or implied threat of harm to an individual, group of individuals, or associates of those individuals. Such a threat may include, but is not limited to, verbal or physical harassment, verbal or physical threats, any menacing behavior, actual aggressive or angry touching of a co-worker, verbal confrontations, name-calling or profanity directed against anyone personally, explosions of anger, and any other actions that cause others to feel unsafe, harassed, or threatened.
- B. The possession on District property of weapons of any kind, unless specifically authorized by District management, or the brandishing of any object that could reasonably be construed as a weapon. Weapons include, but are not limited to, guns, knives, explosives, tear gas, and mace. District property includes parking lots. Weapons are not permitted in cars parked in District lots, and this includes rifles during hunting season.
- C. Loud, angry, or disruptive behavior ("temper tantrums") -- outbursts of this kind are not an acceptable part of the District's work environment.
- D. Negligent or intentional disregard for the physical safety or well-being of others.
- E. Willful destruction of property of the District, of other employees, or of the public.
- F. Commission of any violent crime on or with District property.

- G. Any other conduct that a reasonable person would perceive as constituting actual or threatened violence. Examples of behavior that will not be tolerated include, but are not limited to, continually making fun of another person; “ganging up” to ridicule or tease an employee who does not quite “fit in” with the rest of the group; employees refusing to train, work with, help or cooperate with another person when necessary; off the job harassment, threats, unwelcome advances or staking of a co-worker which cause workplace consequences; and any other conduct which causes a tense and stressful workplace filled with interpersonal conflict.

The District may conduct an investigation of a current employee when the employee’s behavior raises concerns about the work performance, reliability, honesty, or potential threat to the safety of co-workers or others. The District reserves the right to inspect, with or without notice, all District property, and any other property whether belonging to employees, customers, clients, etc., brought on to the District’s premises, including, but not limited to packages, bags, briefcases, backpacks, purses, automobiles, desks, work areas, file cabinets, voice mail systems, and computer systems. The District also reserves the right to conduct ongoing background checks on employees in compliance with applicable law including an investigation of criminal records. The District may remove, or cause to be removed, from the District’s premises any individual who presents a safety risk to others.

Any employee who is subjected to, witnesses, or has knowledge of actions that could be perceived as harassment, threats, intimidation, or violence, or has reason to believe that such actions may occur, is required to report the conduct immediately to the Director. If the Director is suspected of such actions, the board Chair should be contacted. Such communications will be kept confidential to the full extent possible under the circumstances. The Director will notify the reporting employee of any action the District will take in response to the report.

When applicable, the District and its employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts.

Managing a Potentially Violent Situation: District employees are expected to assist the general public and fellow employees in a courteous manner. If, for example, a person becomes angry, the employee should courteously attempt to calm the person down. If that does not work, the employee should get his/her supervisor involved or call for assistance from another supervisor.

If the employee feels that he/she or another person is threatened-that is, in danger of imminent bodily harm:

- The employee should attempt to leave the scene, if it can be done safely.
- If the supervisor is unaware of the situation, the employee should notify the supervisor as soon as it can be done safely.
- Either the employee or the supervisor may determine if law enforcement should be notified.
- The Director shall be notified as soon as possible by the supervisor of the employee who

feels threatened, witnesses, or has knowledge of a violent act.

When the Director responds, if law enforcement has not been notified earlier, the Director may decide to call the police or take other actions related to the incident.

Reporting Incidents: The supervisor shall complete an incident report and forward the report to the Director within 24 hours of a violent act.

Any District employee having knowledge of a violent act involving any other District employee (as victim or perpetrator) must report it. Disciplinary action may result if the employee having knowledge of a suspected violent act fails to report the episode. The employee may report the incident to the employee's supervisor or, if the employee prefers, to the Director.

Resolution and Investigation: To the extent practicable, the investigations and resolutions of an incident shall be conducted using the same procedures as are in the District's policy on Harassment. In cases where the perpetrator is not a District employee or in any other case, the District deems advisable, the District may request the investigation be conducted by law enforcement personnel.

ARTICLE 29 – SEARCHES AND MONITORING

Employees have no right to privacy relating to materials or documents, including emails and other electronic documents, created or stored on District computers or on District premises. Any employee's computer, desk drawers, and file cabinets may be accessed at any time by their supervisor, Aquatic Director or Board Member without notice to the employee.

Employees may use a District-issued locker for storage of personal items on District premises. However, the employee is required to provide the District with the lock combination or a copy of the key. Employee lockers are subject to inspection at management's discretion without prior notice to the employee.

The District may use software to monitor employees' use of the Internet, including which websites employees visit and for how long. Employees may use the Internet on District computers only at the times and for the purposes described in the District's Electronic Mail, Electronic Communications and Computer Equipment Policy. Employees are required to read and sign the District's Electronic Mail, Electronic Communication and Computer Equipment Policy. However, failure to do so does not excuse the employee from compliance with this policy.

ARTICLE 30 – DRESS CODE

Employees are expected to present a professional image in the workplace. Lifeguards will wear a District-supplied Lifeguard shirt, whistle and waist pack. Flip flops or easy to remove sandals are recommended. Lifeguards may not wear shoes or hats while on duty. Lifeguards and instructors shall remove all jewelry before assuming work-related duties. Lifeguard uniforms must be clean and free of holes and wrinkles.

ARTICLE 31 – WHISTLEBLOWER PROTECTIONS

Purpose:

1. To provide reporting procedures should a District employee become aware of improper government action.
2. To advise employees of their rights and remedies in accordance with Oregon Revised Statutes (ORS) 659A.200 to 659A.224 (Whistleblower Law).

Reporting of Wrongdoing. The District encourages any employee to report to the Aquatic Director any District activity that a) violates law; b) reflects mismanagement; c) represents a gross waste of funds or an abuse of authority; or d) poses a substantial and specific danger to public health and safety. The employee may also report such information to a) a member of the District Board of Directors or another District manager; b) a state or federal regulatory agency; c) a law enforcement agency; and d) an attorney representing the employee consistent with Whistleblower Law requirements.

Unlawful Employment Practices. It is an unlawful employment practice for the District to prohibit an employee from making a report described in Section I, above, or to require an employee to give notice before making such a report. An employee claiming to be aggrieved by an unlawful employment practice may file a civil action in Oregon circuit court. Remedies available to an aggrieved employee may include, but are not limited to, reinstatement and back pay. The Whistleblower Law protects employees, acting in good faith upon an objectively reasonable belief, from civil and criminal charges related to Whistleblower Law disclosures.

Investigations. The District will investigate reports to the District in a timely manner to determine fault and institute any appropriate corrective measures.

Disciplinary Action Against Reporting Employee. If the information disclosed by the employee is known by the employee to be false; if the employee discloses the information with reckless disregard for its truth or falsity; or if the information disclosed related to the employee's own wrongdoing, the employee is subject to disciplinary action by the District.

Confidentiality. Whistleblower protections provide for confidentiality and prohibit retaliation. The District will not disclose the identity of an individual making a report of a District Activity described in the first sentence of Section I, above, without that individual's written consent. The District may request, but will not require, this consent to allow for the conduct of a thorough investigation and to provide accused individuals due process.

No Retaliation. The District will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments, and threats of physical harm. Any whistleblower who believes he/she is being retaliated against may contact the Aquatic Director or the District Board President.

ARTICLE 32 – ELECTRONIC COMMUNICATIONS SYSTEMS

District employees may be provided with access to a number of electronic communications and information systems. These systems include computers, electronic mail, internet access, web-logs, text

messaging, online social media applications, telephones, voicemail, facsimiles, and copy machines.

All communications, including email, created on, stored in, or sent to District equipment, and some communications, including email, created on or stored in personal equipment for District purposes, are public records that may be subject to disclosure.

All of the District's electronic equipment, and all communications and stored information transmitted, received, or contained therein, are the property of the District and, therefore, are to be used solely for District-related purposes. The use of the District's electronic communications or information systems for non-job-related purposes is strictly prohibited. Employees who use the District's electronic/information systems for any non-job-related purposes do so at their own risk.

Use of the electronic equipment by any user, authorized or unauthorized, constitutes consent to monitoring, interception, recording, reading, copying or capturing, and disclosure. Employees shall have no expectation of privacy when using these systems or any related equipment. The District has the right to access, review, monitor, and disclose all matters received, disseminated or stored on its systems (including deleted material) at any time and for any reason, and may do so with or without notice.

Employees are strictly prohibited from using any of the District's electronic communication/information systems to send messages which may be interpreted as harassing, discriminatory, obscene, derogatory or defamatory. The District's anti-harassment policy applies to employees in their use of the District's electronic communication/information system.

Only authorized users may access the Internet on District-owned systems and equipment. District computers shall not be used to access pornography, participate in gambling, or visit sites that promote hate or ethnic violence or civil rights violations. Any suspected access to child pornography is grounds for immediate termination and will be investigated for potential criminal prosecution.

The District's name should not be used in external communication forums such as chat rooms without prior written authorization from a supervisor. Employees should not use District equipment to mail, upload, or broadcast any information for personal gain, including, but not limited to, chain letters, solicitation of and response to employment opportunities, sale of products, and/or searches of non-business-related sites or any obscene or offensive material.

To prevent computer viruses from being transmitted through the District's Internet system, no employee may download software without prior authorization. The use of encryption devices or software that has not been authorized by the District is prohibited. Employees also should not upload or download information, data, or software which is copyrighted by a third party.

All passwords and codes are the property of the District and do not guarantee any privacy to the employee. Password protection does not prevent access by the District. Employees shall not use a code, access a file, or retrieve any stored communication, other than where authorized, unless there has been prior clearance by an authorized supervisor. Information in District computers and equipment that is confidential and/or proprietary information cannot be shared with individuals outside of the District

without prior clearance from an authorized supervisor. Employees are prohibited from providing email address or account login to others for any purpose that is not work related.

Any employee terminating employment with the District is prohibited from taking (in any form) or copying (in any form) any District file or other information stored on the District's electronic equipment.

Employees who violate this policy are subject to disciplinary action, up to and including termination of employment. Action or inaction by the District in response to prior violation(s) of this policy does not constitute a waiver of the District's right to take appropriate action for any subsequent violations.

All violations of this policy should be promptly reported to the Director or the Board chair.

ARTICLE 33 – SOCIAL MEDIA

Unless specifically authorized by the District, the use of social media is considered a strictly personal activity and, as thus, is prohibited in the workplace. "Social media" can refer to any of several web-based applications that are accessed from a computer or a mobile device, like a smart phone or tablet. Examples of social media applications include but are not limited to Facebook, LinkedIn, Twitter, and YouTube.

Social networking and social media are public by their very nature: employees should exercise discretion and common sense. Once posted, social media content and comments may be impossible to completely retract.

Employees who use social media outside of work hours are expected to observe following guidelines:

- Employees should not identify themselves as representatives of the District unless authorized to do so;
- Employees must observe the guidelines of the District's anti-harassment policies;
- Blogs and web pages hosted by the employee should bear a disclaimer stating that any views expressed there are personal to the employee and are not the views of the District;
- Employees' comments on social media should in no way disparage the District or its employees.

Nothing in this policy shall be construed to restrict legally protected activity; however, employees should be aware that violations of this policy may result in disciplinary action, up to and including termination.

ARTICLE 34 – SMOKING

State law prohibits smoking in the workplace buildings and within ten (10) feet of all entrances, exits, accessibility ramps that lead to and from an entrance or exit, windows and air-intake vents. Smoking is allowed only in designated smoking areas on District property.

ARTICLE 35 – OUTSIDE EMPLOYMENT

Employees shall not engage in outside employment that conflicts in any way with District employment, detracts from the efficiency of work performance, or is in conflict with the interests of the District. The District expects employees to avoid extra work which affects endurance, overall personal health, or effectiveness. The District will hold all employees to the same standards of performance and scheduling demands, including employees who hold outside jobs.

ARTICLE 36 - CODE OF ETHICS FOR DISTRICT EMPLOYEES

All District employees, as well as volunteers performing as a District representative, are public officials as defined in ORS 244.020(14). As such, they may not use District time, equipment, or services for personal interest or gain.

- Employees shall not use confidential information or facts that have come to them by virtue of their employment for personal financial gain or benefit.
- Employees (and their relatives) shall not accept any special favors, gifts, or gratuities resulting from or related to employment with the District. In this regard, the appearance of impropriety can be as damaging as actual impropriety and shall be avoided. However, the Director or Board may allow the occasional acceptance of non-monetary gifts of nominal value [e.g., under \$50] where refusal of the gift would impair the working relationship of the District with the giver of the gift.
- District employees and volunteers are required to disclose potential or actual financial conflicts of interest in writing to their immediate supervisors as required in ORS 244.120(1)(c). A “potential conflict of interest” means that an official action by the public official *could* result in a personal financial gain or avoidance of a financial detriment for the individual, a family member of the individual, or a business of the individual or the individual’s family member. An “actual conflict of interest” means that the act *will* result in such an outcome.

Employees should review and become familiar with the Oregon Ethics Commission’s “Guide for Public Officials,” which is available free of charge at www.oregon.gov/ogec.

ARTICLE 37 - POLITICAL ACTIVITIES FOR DISTRICT EMPLOYEES

Employees may not use their official authority or position with the District to further the cause of any political party or candidate for nomination or election to any political office.

Oregon law forbids any District employee, while on the job, or when using publicly owned equipment or facilities, from soliciting money, influence, service, or other article of value or otherwise aiding and/or promoting any political cause, or the nomination or election of any person for public office

ARTICLE 38 -- WORKPLACE CONDUCT

Employees are expected to follow and the following standards and procedures while they are employed at the District. The District will use these rules as guidelines only and will evaluate each situation individually. However, violations of any of these rules can result in disciplinary action. This is not a complete list, and the District may add, delete or otherwise change these work rules at any time

Attendance and Punctuality: The ability to attend work regularly is an essential job requirement. Excessive absences and/or tardiness are disruptive to work schedules, costly to the District and its residents, and detrimental to the morale and efforts of employees who maintain a good work record.

All employees are expected to keep regular attendance, be on time, present themselves in a way that protects the reputation of the District, and work as scheduled. Except when the absence is due to leave protected by state or federal law, failure to meet these requirements may subject an employee to disciplinary action, up to and including termination.

Personal Appearance: While on the job, each employee is expected to present a proper, businesslike appearance whether in the office, in a District vehicle, or at another site. Good taste and good judgment in personal attire is expected. All articles of clothing shall be neat, clean and in good repair. Shoes shall be appropriate for the work being performed and shall not create any undue safety risk. The Director has the authority to require employees to change into more appropriate attire, including requiring the employee to return home to change. Time required to change into more appropriate attire is not compensated time.

Appearance of Work Areas: Each employee is responsible for maintaining a safe, neat work area and ensuring that all documents containing confidential or protected information, desks, cabinets, and equipment are secured at the close of the work shift.

Workplace Safety: The District strives to keep the workplace as safe as possible for everyone. Employees are responsible for knowing and understanding the information provided in the District Safety Policy. Our safety committee meets regularly and drafts minutes of its meetings. You are required to familiarize yourself with and follow all recommendations in those minutes, as well as all of the safety procedures outlined in the Safety Policy and posted on the bulletin board. In addition, you must report any injury or accident, no matter how small, immediately to the Manager or Personnel Committee.

All District Employees and volunteers are responsible for:

- Exercising maximum care and good judgment at all times to prevent accidents and injuries.
- Reporting to supervisors and seeking first aid for all injuries, regardless of how minor.
- Correcting unsafe conditions, equipment or practices if it is within your scope of authority and/or reporting these conditions to a supervisor or the Director in a timely manner.
- Using safety equipment provided by the District at all times.

- Observing all safety rules and regulations at all times.

Reporting Accidents: If you are injured on the job, regardless of the injury, you must report it to your supervisor or the Director immediately. You will be supplied with forms required by law and District policy to document on-the-job injuries. If you are involved in an accident while driving a District vehicle, your supervisor or the Director must be contacted immediately. Your eligibility for Workers' Compensation may depend on the prompt filing of an injury report.

Use of Telephones and District Equipment/Personal Visits: Friends and family are discouraged from making unnecessary social visits to the office during working hours.

District telephones are to be used for District purposes by employees only.

Excessive personal calls during the workday, regardless of the type of phone used, can interfere with employee productivity and be distracting to others. Employees shall make personal calls on non-work time whenever possible and ensure that friends and family members are aware of the District's policy.

Under no circumstances should an employee charge a long-distance call to the District unless it is work-related. Informing a loved one of his/her work status or schedule, or coordinating child care, is considered work-related. Use of personal electronic equipment during working hours shall not interfere with the performance of job functions and duties as determined by the Director.

Employees are expected to protect District-provided equipment such as portable computers, cameras, CPS units, and cellular phones from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request, the employee will be required to return any and all equipment assigned to the employee or bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges may be subject to legal action for recovery of the loss. Any equipment assigned to the employee that is lost, stolen, or damaged beyond repair through the employee's negligence may result in disciplinary action and replacement may be charged to the employee.

Employees shall not use a cellular telephone or other electronic communication system while driving on District business unless a suitable hands-free device is used. Oregon law prohibits texting and the use of handheld devices, including cellular telephones, for all drivers with the exception of police, emergency responders and drivers in emergency situations. Employees who are driving are expected to find a safe location away from traffic and to safely stop their vehicle before placing or accepting a call.

ARTICLE 39 -- ACTIVE SHOOTER EMERGENCY RESPONSE POLICY

Purpose. This policy is intended to provide guidance in the event an individual is actively shooting persons at the workplace and to comply with applicable regulations of the Occupational Safety and Health Administration (OSHA).

Policy. It is the policy of the District to provide an active shooter emergency response plan to alert employees that an active shooter appears to be actively engaged in killing or attempting to kill people at the workplace.

Definition. For purposes of this Policy, an active shooter is defined as a person or persons who appear to be actively engaged in killing or attempting to kill people at the District's premises.

In most cases active shooters use a firearm(s) and display no pattern or method for selection of their victims. In some cases active shooters use other weapons and/or improvised explosive devices to cause additional victims and act as an impediment to police and emergency responders. These improvised explosive devices may detonate immediately, have delayed detonation fuses, or detonate on contact.

Procedures.

1. The first employee to identify an active shooter situation should, as soon as possible, call the District's emergency number (_____) and announce a prearranged code (e.g., "Active Shooter") (with the location of the incident) and a physical description of the person(s) with the weapon, and type of weapon, if known.
2. The emergency operator upon notification will provide a public announcement "Code _____ (and the location)" on the public-address system.
3. The emergency operator or any employee who is at a location distant from the active shooter, such as in a different area or floor, will contact 911.
4. The phone call to 911 (from the area where the caller is safely concealed) should provide the following information to the police:
 - a. Description of suspect and possible location.
 - b. Number and types of weapons.
 - c. Suspect's direction of travel.
 - d. Location and condition of any victims

Potential Responses. In response to an active shooter event, there will be three potential courses of action:

1. **Evacuate.** If there is an accessible escape path, attempt to evacuate the premises, following these recommendations:
 - Have an escape route and plan in mind
 - Evacuate regardless of whether others agree to follow
 - Leave your belongings behind
 - Help others escape, if possible

- Prevent individuals from entering an area where the active shooter may be
- Keep your hands visible
- Follow the instructions of any police officers
- Do not attempt to move wounded people
- Call 911 when you are safe

2. **Hide out.** If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. The hiding place should:

- Be inconspicuous
- Be out of the active shooter's view
- Provide physical protection if shots are fired in your direction (e.g., locating into a bathroom and locking the door, staying as low to the floor as possible and remaining quiet and motionless)
- Not trap you or restrict your options for movement

To prevent an active shooter from entering the hiding place:

- Lock the door
- Blockade the door with heavy furniture
- If the active shooter is nearby:
 - Lock the door
 - Silence cell phones and/or pagers
 - Turn off any source of noise (i.e., radios, televisions)
 - Hide behind large items (i.e., cabinets, desks)
 - Remain quiet and motionless

3. **Self-defense.** If it is not possible to evacuate or hide, then consider self-defense, with these recommendations:

- Remain calm
- Dial 911, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the 911 dispatcher to listen

Take action against the active shooter and only when you believe your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter as follows:

- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Commit yourself to defensive physical actions

Law Enforcement Response. When police arrive, follow these recommendations:

1. Comply with the police instructions. The first responding officers will be focused on stopping the active shooter and creating a safe environment for medical assistance to be brought in to aid the injured.
2. When the police arrive at your location:
 - a) Remain calm, and follow officers' instructions
 - b) Put down any items in your hands (i.e., bags, jackets)
 - c) Immediately raise your hands and spread your fingers
 - d) Keep your hands visible at all times
 - e) Avoid making quick movements toward officers such as attempting to hold on to them for safety
 - f) Avoid pointing, screaming and/or yelling
 - g) Do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which officers are entering the area or to an area to which they direct you
 - h) Notify District representatives that you have evacuated the premises
3. When the police arrive the following information should be available:
 - a) Number of shooters
 - b) Number of individual victims and any hostages
 - c) The type of problem causing the situation
 - d) Type and number of weapons possibly in the possession of the shooter
 - e) All necessary District representatives still in the area as part of the District's emergency management response
 - f) Identity and description of participants, if possible
 - g) Keys to all involved areas as well as floor plans
 - h) Locations and phone numbers in the affected area

Post-Incident Action. When the police have determined that the active shooter emergency is under control, the emergency operator will provide a public announcement that the emergency is over by using a prearranged Code (e.g., "All Clear")

Police Investigation. After the police have secured the premises, the District will arrange to have designated management representatives participate in the law enforcement investigation of the incident, including identifying witnesses and providing requested documents.

Medical Assistance. The District will designate management representatives who will engage with emergency responders who provide medical assistance to injured employees, including ensuring that all required medical benefit and insurance documentation is provided.

Notification of Relatives. The District will designate management representatives to notify relatives of any injured employees in a timely fashion.

OSHA. If there is a fatality or one employee is hospitalized for treatment, OSHA must be notified. If there is a fatality, OSHA must be notified within eight (8) hours. In the event of a hospitalization of one employee for treatment, OSHA must be notified within twenty-four (24) hours.

In addition, if the fatality or injury is work-related, the District may have to record the incident on its OSHA 300 Log within seven (7) calendar days.

Media. The District will designate management representatives who will respond to any media requests for information. Such representatives will carefully consider the nature of any such requests in order to avoid disclosing information about any person that is confidential and protected by Federal and state privacy and medical information laws and regulations and interfering with any ongoing police or internal District investigation