



## TriCo Regional Sewer Utility

www.TriCo.eco Phone (317) 844-9200 Fax (317) 844-9203

### PERSONNEL & BENEFITS COMMITTEE MEETING

Wednesday, June 26, 2019 @ 7:30 A.M.  
10701 N. College Ave, Suite A, Indianapolis, IN 46280

#### AGENDA

1. Public Comment
2. Safety Update
3. Employee Handbook
4. Other Business

Next Scheduled Meeting: Wednesday, July 24, 2019 @ 7:30 A.M.



## MEMORANDUM

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**To:** P&B Committee  
**From:** Loren Prange  
**Date:** June 20, 2019  
**Subject:** Safety Update

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TriCo had no reportable injuries and has gone 3411 days without a lost time accident.

The following safety tailgate sessions were held:

05/21/19 Lockout / Tag Out Water under pressure  
05/28/19 Texting and working don't mix  
06/11/19 Weld well to end well

Safety Plus training has started. Each department had its own training list created to cover a variety of job duties. With each department utilizing the web-based training our goal is to maximize the amount of safety training with less interference with work flow.

The summer employees have started, and they are issued Personnel protection equipment "PPE" just like full-time employees. Their list includes safety boots, traffic vest, hard hats and gloves. They are required to read the safety manual and participate in safety training when available.



## MEMORANDUM

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**To:** P&B Committee

**From:** Andrew Williams

**Date:** June 18, 2019

**Subject:** Employee Handbook Revisions

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Last month the Committee reviewed the modifications proposed by our labor attorney, Katherine Erdel with Ogletree Deakins and some comments from management and committee members. The committee accepted most of the proposed changes and asked for changes to the Personal Relationships at Work section (Page 8). This section was changed to place the reporting requirements on the supervisor and gives notice that the supervisor will be the employee reassigned, demoted or terminated. Ms. Erdel has approved the revised wording of this section.

Another proposed change is under item 4 of the Attendance section (page 34). The threshold to incur disciplinary action has been reduced by three occurrences in each step.

Some capitalization and formatting changes have also been made.



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# **EMPLOYEE HANDBOOK**

**[INSERT NEW DATE]**

**This handbook supersedes all prior policies, procedures and practices – verbal or written.**

**Approved by the Board of Trustees [INSERT NEW DATE]**

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## **NOTICE**

Nothing in this Handbook does or is intended to create an express or implied contract of employment or to guarantee employment for any term or to promise that any specific procedures must be followed by TriCo. There is no contract of employment between TriCo and any of its employees unless the employee has an employment contract that has been signed by TriCo's Board of Trustees.

While TriCo hopes that each employee's relationship with TriCo will be a satisfactory one, an employee may resign from employment with TriCo at any time for any reason, with or without notice. TriCo may similarly terminate an employee's employment at-will.

**See the employee bulletin board for contact information for the  
Chair of the Board's Personnel and Benefits Committee**

**TriCo Regional Sewer Utility**

**EMPLOYEE HANDBOOK**

**I. INTRODUCTION**

**A. Introduction to TriCo Regional Sewer Utility (“TriCo” or the “Utility”)**

TriCo, formerly Clay Township Regional Waste District, was created in 1975 as a non-profit municipal corporation, a political entity organized and existing under the environmental laws of the State of Indiana. TriCo is governed by State statutes and by a 9-person appointed Board of Trustees. Day-to-day operations are managed by the Utility Director, who is appointed by the Board.

The Utility has operations in two different locations. The administrative offices are located in the John Hensel Government Center in Carmel, Indiana. The water resource recovery facility is located in Zionsville, Indiana.

**B. Purpose of the Handbook**

The purpose of TriCo's handbook is to (1) answer many of the questions employees have; (2) provide information TriCo believes employees should know about their employment, including TriCo's expectations for employee performance and behavior; and (3) inform employees of some of the rules, procedures and policies related to their employment.

The matters discussed in this handbook are of great importance, but are not, and are not intended to be, a complete list of all of TriCo's policies and procedures. TriCo reserves the right to modify its policies and procedures periodically. Every employee is expected to comply with each of the procedures and policies discussed in this handbook, as well as any others adopted by TriCo in the course of exercising its right to manage its

business. Questions about TriCo's policies and procedures should be directed to the Utility Director. Violation of any of TriCo's policies or procedures may result in discipline up to and including termination.

### **C. TriCo's Purpose, Vision, Mission, Core Values, And Guiding Principles**

**Purpose:** To provide effective and efficient sanitary service to TriCo's customer base in an environmentally sensitive manner.

**Vision:** To become a model regional utility.

**Mission:** To provide high quality, cost-effective sanitary sewer service to TriCo's community. This Mission is accomplished by:

- Providing equipment and facilities that are safe, environmentally sound, and up-to-date.
- Maintaining a professional workforce that performs job responsibilities professionally.
- Continuously evaluating and improving structures, systems and following industry best practices.
- Diligently collaborating and cooperating with community planners, utilities, developers and the public.

#### **Core Values:**

- Integrity
- Responsibility
- Community focus
- Environmental stewardship

#### **Guiding Principles:**

- To act with integrity at all times.
- To act with responsibility in all fiscal matters.
- To protect the environment in all instances.
- To provide a balance of service and accountability to all stakeholders.
- To act in an equitable and reasonable manner at all times and with all Stakeholders.

#### **D. Code of Ethics**

**Public Image.** All business is to be conducted in a manner that creates and maintains an excellent opinion of TriCo and its employees. Employees must conduct themselves in a manner to avoid any public perception of criminal activity or conflict of interest, either real and/or perceived.

**Avoiding Problems.** Employees are to avoid situations that would jeopardize their reputation and possibly their TriCo career. An employee is subject to disciplinary actions and/or prosecution for engaging in unlawful acts while both on-duty and off-duty.

**Gifts/Courtesies.** TriCo personnel may accept certificates, mementos and similar awards of recognition for their contributions and achievements in government, civic, professional and comparable activities. An employee may also accept minimal courtesies extended in the spirit of hospitality such as meals or holiday/special recognition gifts that can be shared with staff. When any type of gratuity (such as attendance at special events) is offered, the offer must be reported to the Utility Director before it is accepted so that the Director can determine whether the gratuity may be accepted and/or who will be permitted to participate. If in doubt about the propriety of accepting any gratuity, including meals and shared gifts, talk to the Utility Director. An employee shall not solicit a gift, gratuity, or benefit of any kind from any individual or entity conducting business with TriCo. Keep in mind that this policy

is intended to avoid even the appearance of impropriety.

**Disclosure Of Interest.** Any employee having a financial interest or investments in an entity having dealings with TriCo must disclose in writing such interest to the TriCo's Utility Director promptly upon becoming aware of such entity's dealings with TriCo. An employee must avoid any conflict of interest. Failure to do so may result in termination.

**Politics/Campaigning.** An employee may not use his or her position and/or working hours to assist in any political campaign. An employee may volunteer his or her personal time to assist in political campaigns. However, an employee must avoid any behavior that suggests that TriCo supports any particular candidate or issue.

## **E. Equal Employment Opportunity/Anti-Harassment Policy**

### **Equal Employment Opportunity**

#### **TriCo's Policy**

TriCo, as required by law, makes equal employment opportunities available to all persons without regard to race, sex, age, color, religion, national origin, disability, citizenship status, military status, genetic disposition, sexual orientation, gender identity, or any other category protected under federal, state, or local law. This policy applies to applicants and employees and to all aspects of employment including hiring, promotion, demotion, treatment during employment, rates of pay or other forms of compensation, and termination of employment.

#### **Reasonable Accommodation**

TriCo complies with the Americans with Disabilities Act ("ADA") and provides equal employment opportunities to qualified individuals with disabilities. TriCo will engage in an interactive process to provide reasonable accommodation(s) to qualified individuals with disabilities so long as doing so does not cause an undue hardship. If the employee needs

accommodation to enable the employee to perform the essential functions of their position, the employee shall provide notice, preferably in writing, that describes, their situation and needs to the Utility Director. The Director will contact the employee to discuss the request. TriCo may request that the employee provide information from a medical provider to help both parties engage in a meaningful interactive process.

### **Anti-Harassment**

TriCo is committed to providing a workplace free of unlawful harassment or other inappropriate treatment of any employee because of the employee's race, sex, age, color, religion, national origin, disability, citizenship status, military status, genetic disposition, sexual orientation, gender identity, or any other category protected under federal, state, or local law. TriCo therefore prohibits unlawful harassment and inappropriate treatment of others.

To be unlawful, conduct must be so severe and pervasive that it unreasonably interferes with an employee's ability to work. TriCo does not, however, condone or tolerate any other inappropriate conduct based on an race, sex, age, color, religion, national origin, disability, citizenship status, military status, genetic disposition, sexual orientation, gender identity, or any other category protected under federal, state, or local law.

TriCo is committed to protecting employees from unlawful harassment and other inappropriate conduct whether from other employees or non-employees such as visitors, vendors, suppliers, contractors, or members of the public.

### **Examples of Prohibited Inappropriate Conduct**

Examples of Prohibited Conduct by TriCo may include, among other things:

- (1) Epithets, slurs, stereotyping, or threatening, intimidating, or hostile acts that relate to race, sex, age, color, religion, national origin, disability, citizenship status, military

**Deleted:** Inappropriate conduct prohibited

status, genetic disposition, sexual orientation, gender identity, or any other category protected under federal, state, or local law; and

- (2) Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, sex, age, color, religion, national origin, disability, citizenship status, military status, genetic disposition, sexual orientation, gender identity, or any other category protected under federal, state, or local law.

TriCo is specifically committed to providing a workplace free of unlawful harassment or other inappropriate conduct of a sexual nature. Such conduct may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Such conduct also may include, among other things:

- (1) Unsolicited and unwelcome comments or conduct of a sexual nature or that are demeaning to women or men as a group (for example, offensive or vulgar jokes, name-calling, comments about one's body or sex life, stereotyping based on a person's sex, touching, leering, ogling, patting, pinching, indecent exposure, physical gestures, or displaying sexually explicit photographs or objects that interfere with a reasonable person's work);
- (2) Unsolicited and unwelcome demands or requests for sexual favors or social or sexual encounters;
- (3) An explicit or implicit promise of preferential treatment with regard to a person's employment in exchange for sexual favors or sexual activity; and
- (4) The use of an employee's or applicant's submission to or rejection of sexual conduct as the basis for making, influencing, or affecting an employment decision that has an impact upon the terms and conditions of the individual's employment (for

example, hiring, firing, promotion, demotion, compensation, benefits, or working conditions).

Failure to comply with this policy may result in discipline, up to and including immediate termination.

#### **Internal Reporting Procedure**

TriCo expects and requires all employees to comply with the anti-harassment policy and to report suspected violations of the policy as soon as possible. An employee who believes that any employee is being subjected to behavior that is not consistent with these policies by either a non-employee or another employee must immediately report the matter to the Utility Director. Additionally, any employee who believes an employee or non-employee's behavior violates this policy should promptly report the offending conduct to the Utility Director. Supervisors are required to immediately report any potential violations of the anti-harassment policy to the Utility Director. If for any reason an employee or supervisor does not feel comfortable reporting the matter to the Utility Director, or if the concern relates to the behavior of the Utility Director, the employee or supervisor may contact the Chair of the Personnel and Benefits Committee, who will also inform the Board President.

Failure to report potential violations of the Anti-Harassment policy will result in appropriate discipline, up to and including termination.

#### **Anti-Retaliation Policy**

TriCo does not retaliate against employees who make reports of potential violations of TriCo's anti-harassment policy. No action will be taken against any employee merely because the employee reports behavior believed to violate this Policy. TriCo will promptly investigate and take appropriate remedial action(s) to address complaints. TriCo is

Deleted: TriCo's Commitment When Reports Are Made –



committed to maintaining an environment free of discrimination, harassment, and inappropriate conduct.

Violations of this anti-retaliation policy will not be tolerated and will result in appropriate disciplinary action, up to and including termination.

## **F. Personal Relationships at Work**

TriCo does not employ individuals related by blood, adoption, or marriage (including step- relationships) in any capacity where (1) one relative is supervised by or within the chain of command of another or (2) one relative indirectly reports to the other or one relative has effective input into decisions concerning the terms and conditions of the other's employment.

TriCo will not consider applications, transfers, promotions, etc., if the resulting employment situation would violate this policy. All employees must immediately report a familial relationship to the Utility Director so that appropriate steps may be taken, including reassignment of personnel. In many cases, TriCo can readily ascertain whether employees are related (by, for instance, shared last names). However, if you know or suspect that TriCo is unaware of such a relationship, you must report the relationship to the Utility Director so that appropriate steps may be taken.

A supervisor involved in a personal/romantic/sexual relationship and/or cohabitation with another employee must promptly report the relationship to the Utility Director. The purpose of this notice is to ensure that TriCo can take appropriate steps to avoid the potential for the personal relationship or cohabitation to adversely affect employees in the event that the relationship is or becomes between (1) a supervisor and an employee in the supervisor's chain of command or (2) a supervisor and an employee if the employee indirectly reports to the supervisor or the supervisor has effective input into decisions

**Deleted:** An employee

concerning the terms and conditions of the employee's employment (direct or indirect relationship, or an individual serving in a temporary supervisor capacity). [The supervisor that is in such a relationship will be demoted or reassigned if a position exists in order to avoid a direct chain of command conflict. Termination will result if no positions exist.](#) A supervisor's failure to report dating, a personal/romantic/sexual relationship or cohabitation may result in immediate termination.

The Utility Director is responsible for implementation of this policy and determining whether a relationship constitutes a violation. Any questions as to whether a particular relationship violates this policy should be directed to the Utility Director.

#### **G. Non-Discriminatory Service Policy**

TriCo is committed to ensuring that all customers are treated with respect regardless of their race, sex, age, color, religion, national origin, disability, citizenship status, military status, genetic disposition, sexual orientation, gender identity, or any other category protected under federal, state, or local. An employee must treat all customers equally when providing service.

All customers will receive the same rights, privileges, and services to the extent that such equality is consistent with ensuring that there is no risk or threat to (1) anyone's health or safety or (2) the orderly flow of business or service. Upon request, TriCo will take appropriate steps to provide reasonable accommodation to customers and other third-parties with disabilities so long as doing so does not cause TriCo undue hardship. All facilities are to be accessible to those challenged by physical or mental disabilities, so all employees must be responsive to requests for assistance or to the observation of any needed assistance. Responses can include physically assisting outside or inside the plant, removing physical barriers, and rearranging items to provide easy access and movement

throughout the plant.

## **H. Drug-Free/Alcohol-Free Workplace**

The use and abuse of drugs and alcohol can seriously impair an employee's ability to perform assigned duties safely and efficiently and undermine public confidence in the quality of TriCo's services. Because a drug- or alcohol-impaired employee can pose a significant threat to the safety of the public, co-workers, and him- or herself. TriCo has adopted this policy as part of its ongoing efforts to maintain a drug- and alcohol-free workplace.

An employee is expected to report to work ready and capable to perform his or her duties, free of alcohol and illegal drugs. Employees may not sell, distribute, dispense, possess, be under the influence of, or use an illegal drugs or alcohol on TriCo's premises or during working time, nor may employees conspire in any such activities. Likewise, an employee may not distribute, or misuse any prescription or nonprescription medications on TriCo's premises or elsewhere during work time. An employee should be aware that distributing controlled substances, including prescription medications, to co-workers not only violates TriCo's policy but may also be a crime.

TriCo expects its employees to support this policy for the sake of the safety, health, productivity, and welfare of all. Employees must cooperate in TriCo's efforts to enforce this policy and to investigate any suspected violation.

### **Alcoholic Beverages.**

An employee who is on-call is to abstain from consuming alcohol for four hours before and during the scheduled on-call period. Failure to do so is a violation of this policy and may result in discipline up to and including discharge.

An employee who may be subject to emergency call-ins must decline a call to report

to work if he or she has consumed alcohol within four hours of being contacted or believes he or she is impaired. Declining to report because of alcohol consumption on an occasional basis will not reflect negatively on the employee or the employee's employment record.

**Prescription Drugs.**

An employee using a prescription drug that may impair mental or motor functions so as to affect the employee's ability to safely perform his or her duties must report the use of that prescription drug to his or her supervisor or the Utility Director before reporting to work after its use. For the safety of all employees, TriCo may place persons using such prescription medications in a less hazardous job assignment, provided such assignment is available, or place them on temporary medical leave until released as fit for duty by the prescribing physician. TriCo reserves the right to have a physician it selects determine if a medication produces hazardous effects that are not consistent with the safety, health, and other business needs of TriCo.

**Pre-Employment Testing.**

Each individual who is offered employment must take and pass a drug test as a condition of employment.

**Reasonable Cause Testing.**

When there is reasonable cause to believe that an employee has used a controlled substance in violation of this policy or that may otherwise interfere with the employee's ability to perform his or her job, the employee will be required to submit to a drug test. Testing may also be required when there is reasonable cause to believe that the employee has used or is under the influence of alcohol during working hours.

"Reasonable cause" testing may be based upon such things as:

- (1) Specific observations concerning the appearance, behavior, speech, or body

odors of the employee, including observation of drug use, drug possession, or possession of drug paraphernalia, physical signs or symptoms of being under the influence of a drug or alcohol, and signs and symptoms of chronic and/or withdrawal effects of drugs;

- (2) A pattern of abnormal or erratic behavior as evidenced by the employee's work time actions, appearance, or conduct; or
- (3) Arrest or conviction for a drug and/or alcohol-related offense. An employee must notify the Utility Director in writing within three (3) calendar days of any such arrest or conviction, or immediately upon reporting to work following such arrest or conviction, whichever is earlier.

If practical, two supervisors will witness the employee's conduct. If that is not practical, one supervisor's observations are sufficient. Reasonable cause can be based on a third-party observer's report if the report is independently corroborated or if the employee frequently works in an unsupervised environment.

An employee who is required to submit to a reasonable cause drug or alcohol screen will be suspended until TriCo receives the results of the test. If the test result is negative, the employee will be paid for regularly scheduled hours missed because of the suspension.

In any reasonable cause situation, TriCo will ensure that the employee is transported to an appropriate facility and then transported back to the work site, where an individual identified by the employee will be contacted to transport the employee home. If the employee refuses to agree to any of these procedures and attempts to operate his or her own vehicle, TriCo will make appropriate efforts to discourage the employee from doing so, up to and including contacting law enforcement officials. Any employee failing to cooperate with any of the procedures described above will be subject to termination.

**Post-Accident and Random Testing.**

TriCo will conduct drug and alcohol testing consistent with all federal and state guidelines covering designated positions—for example, those covered by Department of Transportation guidelines.

**Positive Drug or Alcohol Test.**

An employee testing positive for illegal drugs will be terminated. An employee whose test results show an alcohol concentration of .04% or greater will be terminated. An alcohol concentration of less than .04% but at least .02% will constitute evidence of intoxication and will result in disciplinary action. Refusal to submit to a drug or alcohol test or to execute any requested documentation will be treated as a positive test and result in termination. Similarly, an employee who switches, tampers, or attempts to switch or tamper with any screening test or sample will be terminated.

**Voluntary Identification and Rehabilitation/Treatment.**

Any employee who voluntarily identifies himself as having a drug- or alcohol-related problem will not be subject to discipline for volunteering that fact. Rather, the employee will be permitted to take unpaid personnel leave of absence to undergo rehabilitation or treatment to overcome dependence on drugs or alcohol or to participate in other treatment programs recommended by a substance abuse professional. This leave will be in accordance with the terms and conditions of TriCo's leave policies. If the employee has successfully completed a rehabilitation/treatment program as verified in writing by the program's administrator, the employee will be allowed to return to work when work is available for which the individual possesses the skills, qualifications and experience. Return from rehabilitation may also be conditioned upon the employee's compliance with individual responsibilities, which may include follow-up counseling and/or treatment.

Since the key to TriCo rehabilitative efforts is an employee's willingness to admit and seek to remedy the problem, this provision is not available to an employee who requests protection (1) after being asked to submit to testing or (2) after the employee's use of drugs or alcohol becomes a personnel issue based on direct observation or evidence obtained from an arrest or criminal conviction for a drug- or alcohol-related offense.

Furthermore, an employee who volunteers such information and participates in a rehabilitation/treatment program is not relieved of his or her obligation to comply with applicable rules and policies concerning alcohol and drugs and will be subject to disciplinary action, including termination, for his or her violation.

Any costs associated with the voluntary rehabilitation/treatment program will be at the employee's expense unless the cost is wholly or partially covered under TriCo's health insurance program and the employee is eligible for that coverage.

## **I. Monitoring of Information Assets**

TriCo owns and operates computer, electronic and other resources, systems, and networks that may be used by employees in the course of performing their job duties. Accordingly, TriCo has the right at any time, for any purpose, and without providing prior notice, to access, monitor, intercept, inspect, and/or disclose to TriCo-approved third parties:

- (1) The use of any computer, electronic, or other resources connected to the company network,
- (2) All data and information located on or associated with such networks, and
- (3) All other resources, systems, and networks owned and/or operated by TriCo.

This right is subject to applicable laws and applicable TriCo procedures and will be performed by authorized personnel. This may include, but not limited to access:

- (1) During regular maintenance of the system.
- (2) When TriCo has a business need to access the employee's electronic mail or computer files – for example, if the employee is absent from the office and the supervisor has reason to believe that information relevant to the day's business may be located in these files. While electronic systems may accommodate the use of passwords for security, confidentiality is not guaranteed.
- (3) When TriCo receives a legal request to disclose electronic information.
- (4) When TriCo has reason to believe that employees are using its electronic information systems or other technical resources in violation of TriCo's policies.

#### **J. Protection of Information Assets**

Passwords that protect access to TriCo information assets must not be shared.

Access to information and systems must be traceable to the actual individual. Users are accountable for all actions taken under or using their identification information, such as passwords, pass codes, access codes, and electronic signatures.

Users must:

- (1) Maintain the confidentiality of their individual account access information, such as passwords,
- (2) Respect all restrictions imposed by TriCo on access to TriCo information, and
- (3) Store account access devices securely, such as remote access cards.

When managing or using TriCo information assets, users must not:

- (1) Violate laws, TriCo's policies, or TriCo's values,
- (2) Be fraudulent or deceitful,
- (3) Engage in activities that interfere with job performance, otherwise adversely affect TriCo or its employees or customers, or people, or



(4) Circumvent security controls, such as passwords and virus protection.

When managing or using TriCo information assets, users must not promote or engage in a personal business venture or in any other activity for personal gain or profit (including, for example, gambling) or the private gain or profit of others.

## **K. Electronic Communication Systems Policy**

E-mail, computer, and voice mail systems are TriCo's property and are intended for business use. Incidental and occasional use of TriCo's electronic communication systems for personal use is permitted only when such use does not generate a direct cost to TriCo including the cost of loss of time during scheduled work hours. Employees have no right of privacy regarding information or files maintained in or on TriCo's property or transmitted or stored through TriCo's electronic information systems or other technical resources.

TriCo prohibits the use of its electronic information systems in ways that are unlawful, disruptive, offensive to others, or harmful to morale. For example, the display or transmission of images, messages, and cartoons that may offend others because of their sex, race, age, national origin, disability, religion, or any other category protected by law is prohibited.

An employee should remember that when he or she is using TriCo's electronic information systems, he or she is creating documents that belong to TriCo. These documents are not private and may be read by other employees and, under some circumstances, by others outside the workplace.

An employee should also be aware that even though a message may be deleted from the system, a record of it may remain either on the daily backups of all data or in other ways. It is possible to re-create a "deleted" message. Therefore, ultimate privacy of messages is not assured to anyone.

Because TriCo is sensitive to employees' privacy concerns, it will try – but cannot guarantee – to access electronic information systems in a respectful and responsible manner. The Utility Director is responsible for the implementation and enforcement of this policy.

**Computer Viruses/Unauthorized Software.**

Employees may not install software on computers used by TriCo without the approval of the Utility Director. Use of streaming media applications introduces security risks that can overwhelm TriCo's network and systems causing interruption of TriCo's business. All TriCo employees are prohibited from accessing any streaming media programs, feeds, material, and content unless the subject matter being streamed is directly required for fulfilling job responsibilities. No streaming media sites are to be accessed nor are any streaming media programs or applications to be downloaded, installed, or operated by an employee for entertainment purposes using TriCo-provided computers, phones, servers, systems, or networks.

Because of the rapidly changing nature of the use of electronic communication systems, this policy cannot address every possible situation. Instead, it expresses TriCo's philosophy and sets forth general principles to be applied to the use of electronic communication systems and other technical resources. This policy may be modified from time to time with appropriate notice.

Violations of this policy may result in disciplinary action up to and including termination. If an employee becomes aware of inappropriate use of TriCo's information assets, the employee must notify his or her supervisor or the Utility Director immediately.

**L. Social Media Policy**

All employees must act professionally and refrain from behavior, both on and off the

job, which could adversely impact the organization's reputation and mission. Employees are expected to treat co-workers and customers respectfully at all times, including when posting and transmitting information through social media. Social media includes, but is not limited to, social networking websites (e.g., Facebook, Twitter, etc.), chat rooms, mailing lists, and web logs ("blogs").

The use of social media is prohibited during work hours. Exceptions may be made when management sponsors a website for business reasons or otherwise approves a legitimate business use.

The following restrictions apply to an employee's use of social media:

- (1) An employee must not represent him or herself as an agent representative of TriCo. Social media profiles or communications indicating place of employment must include a disclaimer that the opinions provided do not represent TriCo's views. Content placed on social media regarding the workplace or its officers, management, employees, customers must be free of any impression that the views expressed are anything more than personal opinion. In other words, the content must make clear the views are not those of TriCo or its management.
- (2) An employee must not post disparaging or derogatory comments about TriCo, its officers, management, employees, vendors, or customers, either by name or by implication.
- (3) An employee must at all times respect other employee's' privacy and refrain from posting photographs, opinions, or other information that may portray other employees, TriCo or business relationships with TriCo in a negative manner.
- (4) An employee must not post information that could identify a co-worker, customer, or other individual with whom TriCo has a business relationship unless the employee

has an independent relationship with that individual.

- (5) An employee must not place content on social media that violates TriCo's policies, including but not limited to its Equal Employment Opportunity/Anti-Harassment, Confidential Information, Outside Work, Workplace Violence, and Employee Conduct Policies.
- (6) An employee must not publish confidential information, including, but not limited to all non-public information and data about TriCo and its business. If employees are uncertain whether information is confidential, ask the Utility Director.
- (7) An employee must not use TriCo logos and trademarks.

An employee who learns of social media use that is inconsistent with the requirements of this policy should immediately notify the Utility Director. This policy does not prohibit legally-protected speech and conduct.

#### **M. Issue Resolution Procedure**

Employees are encouraged to proactively and professionally address issues that arise in the workplace. An employee who has an unresolved work-related issue should approach resolution through the following procedures:

##### **Equal Employment Opportunity/Anti-Harassment Policy**

If you have concerns related to discrimination, inappropriate behavior or comments based on race, sex, age, color, religion, national origin, disability, citizenship status, military status, genetic disposition, sexual orientation, gender identity, or any other category protected under federal, state, or local law, or retaliation, those concerns should be reported under the procedures specified in the Equal Employment Opportunity/Anti-Harassment Policy.

##### **Disciplinary Action**

An employee who has concerns related to disciplinary action should take the following steps: First, the employee should discuss the concern with the supervisor, who, in most cases, will be able to resolve the situation. If this first step does not result in satisfactory resolution, the employee should bring the concern to the attention of the Utility Director, in writing, within 5 business days of the date of the supervisor's decision. The written statement should include (1) the reason the employee disagrees with the disciplinary action and (2) the facts supporting this reason, including names of others who have information related to the relevant facts and circumstances. In other words, the written statement should include the "who," "what," "where," "when," "how" and "how often." The Utility Director will review the matter and, if necessary, meet with involved parties to address the concern. The Utility Director's review of the disciplinary action is final.

#### **Other Issues or Concerns**

If a work-related concern does not involve an issue under the Equal Employment Opportunity/Anti-Harassment Policy or disciplinary action, the employee should first discuss the concern with the supervisor, who, in most cases, will be able to address the concern.

If this first step does not result in satisfactory resolution (or the employee is uncomfortable addressing the concerns with the supervisor), the employee should bring the concerns to the attention of the Utility Director in writing. The written comments should include the names of the involved parties, dates of prior meetings or attempts to resolve the matter, and reasons given for lack of attention or resolution. In other words, the written statement should include the "who," "what," "where," "when," "how" and "how often." The Utility Director will review the matter and, if necessary, meet with involved parties to address the concern. The Utility Director's decision is final.

### **Concerns about the Utility Director's Conduct**

If any employee believes that the Utility Director has behaved in any way that is unethical or illegal or inconsistent with any specific policy in this Handbook, the employee should report this concern in writing to the Chair of the Personnel and Benefits Committee, who will also inform the Board President. The Chair of the Personnel and Benefits Committee will initiate an investigation of the concerns raised and take appropriate action.

## **N. Policy for Reporting Compliance Concerns (Whistleblowing)**

### **1. Overview**

These procedures are for employees to identify concerns about actual or potential violations of any legal and regulatory requirements regarding financial reporting and disclosure requirements, preparation of financial statements, accounting practices, internal accounting controls, financial audit matters, matters concerning fraud against TriCo, or inappropriate use of its resources. Failure to report a violation of this type may subject an employee to discipline up to and including termination.

### **2. Submitting a Report**

An employee should report concerns through the chain of command. If an employee cannot resolve the concerns through the chain of command, he or she may report them through the following procedure.

- (1) The employee may submit a confidential written report through internal mail, regular mail, email or delivered in person to the President of the Board of Trustees. The envelope should be marked "*Confidential and Private*" and should include a telephone number at which the employee may be contacted.
- (2) All reports should be factual and contain specific information to allow the President to make a proper assessment.

### **3. Handling Reports**

(1) The President, or a designee, will determine whether a reasonable basis exists for beginning an investigation. To assist in making this determination, the President may conduct an informal inquiry. To the extent possible, all reports will be handled confidentially.

(2) The President will report to the Board all reports submitted since the last report, including the determination and results, if any, of any informal investigations.

(3) If the Board determines that a reasonable basis exists for initiating a formal investigation, the Board will appoint a member of the Board to lead an investigation. In conducting the investigation, the Board may retain outside legal or accounting expertise. The President of the Board will oversee all investigations. When appropriate, the employee submitting the report will be informed of the status of the investigation and the outcome.

(4) The Board appointee together with input from management, if requested, will determine any appropriate corrective action. It is the responsibility of the Board appointee to report to the full Board any noncompliance with legal and regulatory requirements and to assure that management takes the corrective action as directed by the Board.

### **4. Regulatory Reporting**

TriCo also respects its employees' legal right to report this type of actual or suspected unlawful activity directly to government agencies or management. TriCo will not retaliate or discriminate against an employee for reporting in good faith to federal or state authorities or to TriCo or for participating in or assisting in any proceeding or investigation

of a report.

## **O. FLSA Safe Harbor Statement**

### **Deductions from Exempt Employees' Salaries**

Exempt employees work as many hours as are necessary to perform their job. For this reason, and subject to the exceptions below, TriCo' does not reduce an exempt employee's predetermined compensation for **any** partial-day absence; any partial-week absence occasioned by TriCo or its operating requirements, including holidays and partial-week shutdowns; or because of variations in the quality of work performed.

Deductions from salary may occur in the following circumstances:

- (1) Full-day absences for personal reasons, other than sickness or disability;
- (2) Full-day absences due to the employee's own sickness or injury (including work-related injuries and medical leave-related absences). Such deductions will be made in accordance with TriCo's paid time off plans and state worker's compensation laws and regulations;
- (3) A penalty imposed for infraction of a safety rule of major significance;
- (4) Full-day absences for unpaid disciplinary suspensions under TriCo's disciplinary action policy for infractions of TriCo's workplace conduct rules; and
- (5) When no work is performed in a work week.

**NOTE:** TriCo's attendance and disciplinary action policies are applicable to an absence even though the absence may not be one for which a deduction from salary will be taken.

**NOTE:** TriCo reserves the right to require an employee to utilize paid time off benefits for full-day absences occasioned by personal reason or the employee's own illness or injury.

TriCo encourages any exempt employee who believes his or her salary has been



improperly reduced to report the problem immediately to the Utility Director. TriCo is committed to comply, and expects all supervisors to comply, with this policy and not to make improper deductions from salary.

TriCo will reimburse an employee for any improper deduction.

## **II. GENERAL INFORMATION**

### **A. Employment Classifications**

For the purpose of designating eligibility for certain benefits and the payment of overtime, employment classifications fall into one of each of the following categories:

**Regular/Temporary.** A regular employee is an individual who has been hired to perform work of an ongoing nature for an indefinite period of time. A temporary employee is an individual who has been hired for work of purely temporary nature for an indefinite period of time.

**Full-Time/Part-Time.** A full-time employee is regularly scheduled to work 37.5 or more hours per week. A part-time employee is any individual who is regularly scheduled to work fewer than 37.5 hours per week. Part-time employees may occasionally be required to work full-time hours because of business needs. These occasions will not alter the employee's part-time status unless management determines that the requirements of the position warrant converting the position to full-time status.

**Exempt/Non-Exempt.** An exempt employee is one whose duties and responsibilities are of an executive, administrative, or professional character (or other exempt work) as described under the Fair Labor Standards Act (FLSA) and who is paid on a salary basis and is, therefore, exempt from the overtime and certain other provisions of the FLSA. Exempt employees may be required to perform work in excess of the standard 37.5 hour workweek without additional compensation or overtime compensation. A non-exempt (hourly) employee is covered by the provisions of the FLSA, including the provision for payment of all hours worked over 40 in a given work week at a rate of 1.5 times the employee's regular rate of pay.

## **B. Orientation Period**

An employee hired for regular part-time or full-time employment must complete a minimum 90-day orientation period. During the orientation period, an employee may decide that the new job is not suitable, or the employee's supervisor may conclude that the employee is not qualified to perform the job. The 90-day orientation period provides employees a chance to demonstrate their ability, skills, and interest and to determine for themselves whether the position is suitable. TriCo will give the employee feedback on performance and conduct after 30, 60, and 90 days.

If management determines that the employee is not performing according to expectations during or at the end of the initial 90 days, the employment relationship will be terminated at that time unless management concludes that a 30-day extension of the orientation period is appropriate.

Once management determines that an employee has successfully completed the orientation period, the employee will be notified of the change to regular employment status. Successful completion of the orientation period does not alter the at-will nature of the employee's employment with TriCo and does not guarantee that employment will continue for any specified or definite period of time.

**Transfer/Reassignment.** Any employee who is transferred, voluntarily or involuntarily, to a different position must complete a minimum 90-day orientation period under the same terms and conditions as a new hire.

**Wage Increases.** TriCo reviews compensation annually and to ensure that the wage range for all positions is appropriate and competitive. Wage increases and other forms of compensation are based upon job performance, compliance with TriCo policies, attendance, punctuality, ability to cooperate with other employees and other relevant

factors. All employees'

questions concerning earnings should be addressed to his/her supervisor.

### **C. Performance Reviews**

Performance reviews are conducted to provide both the employee and supervisor an opportunity to discuss the employee's job responsibilities, identify weaknesses, encourage and recognize strengths, and discuss methods for improving performance. In the course of performance reviews, TriCo aims to provide employees with the opportunity to improve their performance and consistently meet TriCo's expectations. A positive performance review does not guarantee an increase in salary, a promotion, or even continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at TriCo's discretion.

### **D. Pay Periods and Payday**

All employees are paid bi-weekly. If an employee believes there is a paycheck error, the employee should report it to the Controller immediately. TriCo will release a paycheck to the employee only unless the employee submits written authorization for TriCo to release the paycheck to another individual.

### **E. Time Keeping Policy**

All employees are required to maintain an accurate record of all time worked through the approved time keeping method for their respective work area.

#### **Clocking In/Out**

- If an employee forgets to clock in or out or is unable to due to an offsite activity, the employee must report the time worked on the log posted next to

the time clock. It is the employee's responsibility to report time that is not logged on the time clock in a timely manner, as employees will not be paid for time that is not recorded and reported in this manner.

- No work should be performed while clocked out for lunch. (If the time clock is not available, lunches must be recorded on the Missed Punch Sheet and submitted to the Controller.)
- An employee must clock out or record on the Missed Punch Sheet all non-productive time in excess of 15 minutes.
- Clocking in or out for another employee is strictly forbidden and is grounds for termination.

#### **Reports**

- Employees have online access to their time card with their pay stub bi-weekly. Employees must access their time card report online on the Monday before each payroll period to approve their time record. This report must be approved by the employee and the employee's supervisor by 10:00 a.m. on the Monday of the payroll week.

#### **F. Lunch**

Each non-exempt employee receives an unpaid lunch period at a time designated by the supervisor. Non-exempt employees

- must take lunch away from their work areas,
- may not work during lunch breaks without their supervisor's approval; and
- must record the time they leave and return from lunch on their time record.

## **G. Payroll Deductions**

TriCo is required by law to withhold from each employee's pay federal, state, and local income taxes, the employee's portion of Social Security/Medicare taxes, and court ordered deductions. Additional deductions must be approved in writing by the employee consistent with federal, state and local law.

## **H. Hours**

Administrative office hours are 7:30 a.m. to 4:00 p.m. and Wastewater Treatment Plant hours are 7:00 a.m. to 3:30 p.m., Monday through Friday, unless otherwise stipulated or approved by the supervisor.

## **I. Flex Hours Policy**

This policy allows employees flexibility in scheduling their work hours within the policy requirements established below. For TriCo to successfully fulfill its purpose, it must maintain adequate staffing levels so that it can meet its operational needs. It will allow flexible hours if the Utility Director and the employee's supervisor determine that operational needs will not be adversely affected. TriCo will determine which positions are eligible for flexible hours.

TriCo's standard hours are 7:30 a.m. to 4:00 p.m. The core hours, i.e., the time all employees must work, are 8:30 a.m. to 3:00 p.m. Flexible schedules must be between the hours of 7:00 a.m. to 4:30 p.m. A minimum of one-half hour lunch must be scheduled. Flexible schedule requests must be approved by the employee's supervisor. Schedules changes do not take effect until approved by the supervisor.

TriCo can cancel or modify this policy at any time. It may make temporary adjustments for special circumstances on an individual basis.

## K. Overtime

For purposes of overtime compensation, non-exempt employees who work more than 40 hours during a work week will be paid overtime at a rate of one and one-half times the employee's regular hourly rate of pay. Paid days off such as holidays and paid time off are not considered hours worked for purposes of computing overtime. Supervisors may schedule overtime when it is deemed necessary. An employee may not work over his or her scheduled hours without the prior approval of his or her supervisor. Hours worked on a holiday will be paid at double the regular hourly rate of pay.

Notwithstanding the paragraph above, as an employee benefit, the following time shall always be compensated at the overtime (time and one-half) rate.

- All hours worked on an emergency call-out basis, if: a) the assignment commences outside the employee's regularly scheduled work hours b) there is no prior notification of the assignment; and c) the employee does not have the option of declining the assignment. If the call-out assignment continues into the employee's regularly scheduled work hours, the employee shall revert to his regular rate of pay during the regularly scheduled hours.
- All hours that are an extension of the employee's work day, if the work is unscheduled, of an emergency nature and cannot reasonably be delayed until the next scheduled shift. Emergencies will generally involve threats to public health and safety and/or major equipment failures that impact operational capabilities and are determined at the discretion of the Utility Director.
- Work-related phone calls and other forms of communication, like text messages and email, handled from home or from another off-site location will be considered work time, *but will not automatically qualify for the time-and-one-half rate.*

## **L. On-Call Assignment**

The "On Call" Program ensures that after hours coverage is provided for emergency situations, including calls from the after-hours answering service, the SCADA system, lift station dialer calls, and others that may arise. The program establishes a schedule for emergency responsibilities through designation of a "Primary On-Call" person. However, because of TriCo's small staff, all available staff may be called to respond to emergency situations.

The Primary On-Call designee is the first one responsible for answering and investigating after hours emergencies. This person will typically be first on the scene to investigate and assess the situation.

The Primary On-Call responds and investigates as much as possible by phone then follows up to investigate in the field as necessary. In the field, the Primary On-Call person resolves problem if possible or calls the Superintendent for assistance. If the Superintendent is not available, then the Utility Director is called. The Superintendent provides direction for field staff and additional assistance as necessary. In all cases, a work order must be completed by the end of the call out period. The work order is then given to the Superintendent. Any necessary maintenance follow-up should be recommended on the work order and discussed with the Superintendent.

The Superintendent ensures that the on-call schedule is completed and appropriately staffed. The Primary On-Call person must respond to all emergencies. Any On- Call designee's failure to respond promptly to an emergency call will result in disciplinary action.

TriCo vehicles are available for on-call use. The vehicles are located at the Michigan Road WWTP and at the Administrative office on College Avenue. On-Call responders will



be reimbursed for actual miles driven in their personal vehicle per the vehicle assignment policy. Take home vehicle assignments must be authorized by the Utility Director.

## **M. Attendance**

### **1. Policy Statement**

It is essential for each employee to make every effort to attend work on a daily basis. To encourage positive attendance, the following policy will be enforced for all non-exempt employees. Management expects each employee to be at his or her work station and ready to begin work at the start of each scheduled work day and at the end of lunch periods.

Failure to adhere to this policy will result in disciplinary action.

Exempt employees are allowed some flexibility due to work demands outside of normal business hours. However, excessive absences or tardiness will result in disciplinary action.

### **2. Excused Absences**

Absences due to the following reasons are considered excused and are not used as a basis for discipline:

- (a) Jury duty;
- (b) Time off because of a subpoena or because of a trial/hearing/deposition if the employee is a party to the action and provides appropriate documentation to the Utility Director immediately upon receipt;
- (c) Medical leave;
- (d) Absences due to a work-related injury even if not medical leave-eligible;
- (e) Bereavement or personal leave;
- (f) Military leave;
- (g) Pre-scheduled paid time off;

- (h) Lack of work as determined by management; and
- (i) Extreme weather conditions as determined by management or the inability to travel to work because a road on the employee's normal commute has been closed by law enforcement.

### **3. Absenteeism/Tardiness**

An employee is considered absent when he or she is not present for work as scheduled.

Frequent or patterned absences are subject to disciplinary action up to and including termination. Examples of pattern absences include but are not limited to:

- Absence on scheduled weekends or holidays;
- Absence the day before or after a scheduled holiday or scheduled time off;
- Absence the scheduled workday after a payday;
- Use of PTO as quickly as it accrues, especially if used one day at a time;
- Coincidence of absence with unapproved requested days off;
- Coincidence of absence with days of heavy or light work load; and
- Repeated or pattern absence on a specific day of the week.

Excessive absenteeism is having six or more unscheduled absences in any rolling 12-month period.

An employee must submit his or her PTO requests to his or her supervisor for approval as soon as possible and no later than 10 hours before the start of the scheduled shift so that management may evaluate business needs, resolve any conflicting requests, and authorize requests. Under some emergency circumstances, with the Utility Director's approval and discretion, PTO may be approved without advance notice.

Unscheduled absence is defined as:

- Failure to report to work on a scheduled day without prior approval.
- Leaving work before the shift ends without prior approval.
- Reporting to work more than one (1) hour after the scheduled start time without prior approval.

#### 4. **Disciplinary Action**

- Three unscheduled absences in a rolling 12-month period will result in a verbal warning.
- Five unscheduled absences in a rolling 12-month period will result in a written warning.
- Seven unscheduled absences in a rolling 12-month period will result in a one-day suspension without pay.
- Nine unscheduled absences in a rolling 12-month period will result in termination.

Deleted: Six

Deleted: Eight

Deleted: Ten

Deleted: Twelve

Supervisors, after consulting with the Utility Director, may accelerate an employee's discipline from the normal progressive disciplinary steps if attendance patterns warrant.

#### 5. **Proper Notification of Absences Policy**

An employee must report all unscheduled absences no later than 30 minutes prior to the start of the employee's scheduled shift by the employee speaking directly to the employee's supervisor or the Utility Director or leaving a timely voicemail message on their supervisor's cell phone. If the employee's absence continues for a period of days, the employee must call in every day of the absence unless the employee is on an approved leave of absence.

#### 6. **Voluntary Resignation**

An absence of three consecutive days without appropriate notice and/or

documentation, unless due to the excused reasons above, is considered voluntary resignation.

## **N. Inclement Weather**

Under most conditions, TriCo will remain open during its regularly scheduled hours. Each employee is expected to make a reasonable effort to come to work. For personal safety, an employee may decide not to come to work or arrive later than regular starting time. However, to avoid taking unscheduled time off, an employee must notify his or her supervisor at least 30 minutes before his or her regular scheduled start time of the employee's delay and anticipated arrival time. An employee may choose to use PTO for such absences or take time off without pay.

In severe weather conditions, the Utility Director may close the plant or office or adjust normal work schedules. Employees should consult with the supervisor concerning the latest information regarding weather-related changes in working status.

Due to the nature of the wastewater business, the following staff is deemed essential during severe weather:

### **Ice/Snow**

Field Operations Specialist, Field Operations Technician, Superintendent, Utility Director, Chief Operator, and Operator(s)

### **Rain/Flood**

Customer Service Manager, District Engineer, Field Operations Specialist, Field Operations Technician, Superintendent, Chief Operator, Technical Specialist, and Utility Director

### **Tornado**

Customer Service Specialist, Field Operations Specialist, Field Operations Technician, Superintendent, Utility Director, Customer Service Manager, Chief Operator, and

Operators.

#### **O. Changes in Employment Information**

To keep personnel records up to date, an employee must promptly inform the Utility Director, in writing (email is acceptable), of any change in any of the following: name, home address, home telephone number, marital status, status affecting an employee's legal right to work in the United States, licenses (to the extent they are required to perform job responsibilities), person to contact in the case of an emergency and that person's contact information, number of dependents, designated physician or health care provider, voluntary payroll deductions, military status, or beneficiary designee.

#### **P. Personal Injury / Property Damage**

An employee must immediately report all workplace incidents, including potentially unsafe conditions, actual or potential injury, and/or property damage, to his or her supervisor or member of management using appropriate forms. Where the potential for injury or damage exists, an unsafe working condition form must be submitted. TriCo will investigate all such reports in an effort to prevent conditions and acts determined to be unsafe.

Employees must promptly report any injury or illness incurred while on the job, no matter how slight, to a supervisor so the employee may receive prompt and proper medical attention. The supervisor must promptly report the incident to the Utility Director. Employees may be required to go to a TriCo-chosen physician for initial treatment and any required follow-up examination. If the TriCo-chosen healthcare provider and/or management determine that the employee needs medical attention, the employee must comply with that decision.

When a work-related injury requires being absent from work or incurs medical costs,

the employee must contact the Utility Director for the appropriate forms to be completed and processed for worker's compensation purposes.

## **Q. Driver Responsibility**

### **1. Guidelines for Use of Personal/TriCo Vehicles**

An employee using his or her personal or TriCo vehicles to conduct TriCo business, even occasionally, must have a current driver's license, carry liability insurance, and abide by all traffic laws. TriCo's liability insurance covers only claims against TriCo; it does not cover an employee or the employee's personal vehicle even when used to conduct TriCo business. If an employee is injured as a result of an accident while conducting TriCo business, the employee may be entitled to certain worker's compensation benefits, depending on the circumstances and Indiana law.

### **2. Traffic Violations**

Employees driving on TriCo business are expected to drive safely and follow all traffic-related regulations and postings. An employee is responsible for any traffic citation received while driving on TriCo business.

### **3. Revoked Or Suspended Driver's License**

An employee whose job requires driving, even occasionally, must immediately report to a supervisor any change in driving privileges, such as a driver's license being revoked, suspended, or restricted for any reason. Failure to do so will result in disciplinary action. Supervisors must promptly report any changes to the Utility Director. Following a voluntary report, management may re-assign the employee to a job that does not involve driving. The work may be in a classification and at a pay rate that is different from the employee's regular classification and pay rate. If for whatever reason, management does not re-assign the employee to a job that does not require driving; the employee may be placed on a leave of

absence without pay or may be administratively terminated.

TriCo will typically verify each employee's driving record and the status of the employee's driver's license through the Bureau of Motor Vehicles ("BMV") annually. All employees must obtain or authorize TriCo to obtain a BMV report annually or upon reasonable request at any time.

#### **4. Use of Electronic Devices**

Personal electronic devices such as cell phones and pagers have been identified as contributing factors in traffic accidents. Consequently, employees are prohibited from using electronic devices while driving on TriCo business. Except in an emergency, an employee operating a motor vehicle should park in a safe area (i.e. removed from the flow of traffic) before making or receiving telephone calls or otherwise using electronic devices.

Furthermore, employees must be familiar and comply with the laws of the jurisdiction in which they are driving as those may be more restrictive than this policy.

#### **5. Safe Driving**

- (1) All occupants must use seat belts in TriCo vehicles or a personal vehicle used for TriCo business. The driver must ensure that all occupants fasten their seat belts prior to operating the vehicle. Any non-functioning seat belt must be repaired and replaced immediately. Failure to comply with this policy will result in disciplinary action up to and including termination.
- (2) Every employee must drive defensively when driving on TriCo business.
- (3) Transportation of flammables and fuel must be in compliance with DOT requirements.

## **6. Insurability**

Employment may be administratively terminated if an employee becomes uninsurable through the TriCo's insurance coverage.

An employee must notify the Utility Director in writing within three calendar days or immediately upon reporting to work, whichever is earliest, of an arrest for all drug/alcohol-related offenses or felony driving offenses or anything adversely affecting insurability of the employee whether the event occurred on or off duty. An employee who is arrested for any of the offenses that result in a loss of liability coverage will be immediately suspended without pay. Pending final disposition of the arrest, the following will occur:

- (a) For the first four weeks following the arrest, the employee's position will be filled temporarily. At the end of the initial four weeks, the position may be filled.
- (b) If within the next eight weeks following the arrest, charges are not filed, it has been determined that charges will not be filed or charges are disposed of other than through a guilty plea or through a conviction, an employee will be considered for return to work after the Utility Director conducts an independent investigation of the facts and circumstances underlying the arrest and determines whether, based on management's assessment and discretion, the employee is eligible to return to work. Return to work will be on the basis of qualifications, prior performance, and its business and personnel needs. If there is no position available, the employee's position may be administratively terminated at that time.
- (c) At the conclusion of twelve weeks, if the charge is still pending, an employee's employment may be administratively terminated.

## **R. Job Selection Procedure**

TriCo tries to transfer and promote from within, when possible, to fill existing



vacancies. Employees can prepare for transfer and advancement by performing well in their current role, mastering new skills, and obtaining additional education and training in fields related to their work or work in which the employee is interested.

Employees should notify his/her supervisor when he/she have completed any educational or training courses so that this information can be included in the employee's personnel record.

### **S. Personal Telephone Use, Mail, and Visitors**

Prompt and efficient telephone service is an important part of TriCo's office operation. Family members and friends should be instructed not to call during working hours. Personal calls should be limited, made only on break, during lunchtime or for exceptional circumstances. (See discussion of cell phones in next section.) Under no circumstances should an employee make or charge a long-distance call unless it is work-related and approved by the supervisor.

Good telephone etiquette is important when dealing with the public. Employees should identify themselves and their department in a pleasant manner. Employees should conduct themselves in a courteous and professional manner at all times.

No employee is allowed to use TriCo stationery, stamps, postage meters, facsimile machines, or other equipment and supplies for personal correspondence. All personal correspondence should be sent to the employee's home.

Personal visits by individuals not employed by TriCo to the work areas are also restricted subject to the supervisor's approval.

### **T. Personal Equipment/Cell Phones/Electronic Devices**

An employee must limit his or her use of personal equipment such as cell phones and tablets during work time unless management has authorized use of those personal devices

for business use. This applies to all functions of the cell phone, or other personal equipment including but not limited to camera functions, web-browsing, games, and audio recording.

The use of personal taping devices, video equipment, or other personal audio or video surveillance is prohibited during working time. This prohibition includes the use of a cell phone for audio, video surveillance, or photography.

To promote open communications, an employee may not record his or her managers or co-workers during meetings, telephone calls, or any other conversations. Management does not secretly record conversations with employees.

#### **U. Personal Appearance**

Employees must use good judgment and maintain high standards in personal cleanliness and attire.

Supervisors may establish specific guidelines for appearance and dress. Safety and protective items may also be required in some areas. TriCo reserves the right to determine that particular attire is inappropriate for its business and to instruct employees to change inappropriate attire.

Uniforms furnished to employees are not for use outside TriCo premises; TriCo uniforms are not a substitute for personal attire.

#### **V. Courtesy**

Courtesy is important to good customer service and employee relations, creating a pleasant work environment and TriCo's success. All employees are expected to maintain a cooperative demeanor toward customers and co-workers.

#### **W. No Smoking Policy**

TriCo prohibits employees from smoking anywhere in its office or plant facilities or in its vehicles at any time and while in view of the public. Smoking is permitted in the following

areas only: outside the building structures at the administrative office and wastewater treatment facility in a location more than 8 feet from any entrance and not in the front of any public building.

In fairness to all employees, individuals who smoke are expected not to permit smoking time to interfere with work time.

An employee violating the policy in non-smoking areas will be subject to disciplinary action. Smokers who wish to quit are encouraged to contact the Utility Director for information on smoking cessation options available to them.

#### **X. Firearms**

An employee may not bring a firearm or ammunition onto TriCo property or carry a firearm or ammunition while on work-related business unless (1) the employee legally possesses the firearm and/or ammunition and (2) the firearm or ammunition is stored in the employee's vehicle's locked trunk (if the vehicle has a trunk release in the driver's cabin, the vehicle must also be locked), kept in the glove compartment of the locked vehicle, or stored out of plain sight in the locked vehicle. Carrying firearms or ammunition in TriCo-owned or leased vehicles is prohibited. TriCo requires strict compliance with the policy, and violations of this policy will result in discipline up to and including termination.

#### **Y. No Solicitation or Distribution**

TriCo prohibits solicitation for any activity while either the employee(s) doing the soliciting or the employee(s) being solicited is on working time. "Working time" does not include scheduled meal periods. There shall be no distribution of literature (i.e., printed matter of any kind) by employees on working time or in working areas at any time. Occasional emails to employees, sent with the Utility Director's approval, regarding charitable fundraising activities do not violate this policy. An employee must submit in

writing a proposed charitable solicitation to the Utility Director. If the Utility Director approves this request, the email may be transmitted to all employees.

Non-employees are prohibited from soliciting or distributing literature to TriCo employees in any of its facilities.

## **Z. Bulletin Boards**

Bulletin boards are used by TriCo to provide official, work-related information such as announcements, program changes, and new or revised personnel policies. The Utility Director must approve all materials before they are posted. Employees are responsible for checking the bulletin board regularly. Bulletin boards are for TriCo business only.

## **AA. Confidential Information**

All information regarding an employee's medical records or health status will be kept in separate files and shall be treated confidentially by those with access to this information. Unauthorized disclosure of confidential information will subject an employee to immediate discipline or termination and possible criminal and civil penalties. This policy, however, does not prohibit disclosures protected or required by federal law.

## **BB. Cooperation with Investigations**

From time to time when problems such as suspected theft, dishonesty, destruction of property, or alcohol or drug use arise, TriCo may require each employee's full cooperation in an investigation. All employees asked to cooperate in such an investigation are expected to comply. This may include submitting to searches of personal property and TriCo property.

This rule is for the protection of employees and customers.

## **CC. Searches**

TriCo reserves the right to conduct searches to monitor compliance with rules

concerning safety of employees, security of its individual property, drugs and alcohol, and possession of other prohibited items. "Prohibited items" includes illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. "Control" means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement. In addition to its premises, TriCo may search an employee's work areas, lockers, personal vehicles if driven to work or parked during work time and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. In requesting a search, TriCo is not accusing anyone of theft or any other form of improper conduct.

Employee's should have no general or specific expectation of privacy in the workplace, either in TriCo's facilities or while on duty. In general, an employee should assume that what he or she does while on duty or on TriCo's premises is not private. Any area may be searched at any time, with or without the employee's presence or permission. As a general rule, with the exception of items relating to personal hygiene or health, no employee should bring anything to work or store anything at work that he would not be prepared to disclose and/or possibly turn over to TriCo and/or law enforcement. If any part of the workplace is secured by an employee's lock or other security device, the employee must provide TriCo with a duplicate key or the combination at the time the lock is installed. In TriCo's sole discretion, any employee lock or other security device may be removed or otherwise disabled at any time at the employee's cost and expense.

The search must be authorized by the Utility Director, conducted by the manager

authorized by the Utility Director, and observed by a second manager or supervisor. To the extent that a situation allows, TriCo will explain the reason for the search and permit the employee to observe the search. An employee may be required to empty his or her pockets, but the employee's person may not be searched except by a police officer in the course of police business. No employee will ever be physically forced to submit to a search. However, an employee who refuses to cooperate with a search request will face disciplinary action up to and including termination of employment. An employee who feels that he or she has been the subject of an improper search may file a complaint after the fact with the Chairperson of the P&B Committee.

#### **DD. Outside Work**

An employee may not hold any other employment or engage in any personal business, including as an independent contractor, which would create an actual or a potential conflict of interest (or the appearance of a conflict) with employment at TriCo. If outside work would involve services or customers similar to those of TriCo or involve a person or an entity that has a business relationship with TriCo, this could create a conflict of interest. An employee who is considering engaging in outside work and who is uncertain whether the work would create a conflict of interest or involve a person or entity doing business with TriCo, the employee must promptly discuss the situation with the Utility Director. TriCo will ultimately decide whether there is a conflict of interest or the appearance of conflict, and whether an employee will be allowed to remain employed by TriCo while holding the other position.

Even for outside work that is permissible, an employee should consider whether the demands of that work will interfere in any way with his or her employment here. Outside work will not be considered an excuse for poor job performance, absence, tardiness,

leaving early, refusing to travel, or refusing to work overtime or a changed schedule.

## **EE. Workplace Violence**

The safety and security of TriCo employees is of the utmost importance. We will not tolerate threatening, intimidating, malicious, or violent behavior directed toward employees or other individuals by anyone on TriCo property or during work time. TriCo will take decisive and appropriate action in response to inappropriate behavior. This may include, but is not limited to, heightened security, suspension and/or termination of a business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person(s) involved.

All employees are responsible for immediately notifying their supervisor or the Utility Director of any possible violations of this policy or other threats to workplace security that they have experienced, witnessed, or otherwise become aware. Possible violations include threatening, intimidating, malicious, or violent behavior that is or was job-related. All employees are responsible for reporting this behavior regardless of the relationship between the individual who initiated the inappropriate behavior and the person who was the target of the behavior.

If employees receive or overhear any threatening communications from an employee or outside third party, report it to a supervisor immediately. Employees shall not engage in either physical or verbal confrontation with a potentially violent individual. If employees encounter an individual who is threatening immediate harm to an employee or anyone else in the public, contact an emergency agency (911) immediately. Also, immediately report the concern to the Utility Director.

All reports of work-related threats will be kept confidential to the extent possible, investigated, and documented. Employees are expected to report and participate in an

investigation of any suspected or actual cases of workplace violence.

Violations of this policy, including failure to report or fully cooperate in TriCo's investigation (unless applicable law provides such reporting is not required), may result in disciplinary action up to and including immediate termination.

TriCo expects all employees to maintain a safe and secure work environment and reduce the risk of threatening, intimidating, malicious, or violent behavior that may affect TriCo's employees and those who interact with its employees by complying with the letter and spirit of this policy.

#### **FF. Duty To Report Arrests, Convictions, And Guilty Pleas**

Employees are required to notify the Utility Director in writing within the earlier of three (3) calendar days or immediately reporting to work of any arrest, conviction, or entry of a guilty plea for any criminal offense, or immediately upon reporting to work following such arrest, conviction, or plea entry, whichever is earlier. This reporting obligation includes drug- or alcohol-related offenses but does not apply to minor traffic tickets or citations, unless the employee has an independent obligation to report under CDL or insurance-related regulations. Employees must also comply with reporting obligations in this handbook's Workplace Violence Policy. Failure to report under this policy subjects an employee to discipline, up to and including discharge.

#### **GG. Resignation of Employment**

If an employee chooses to resign from employment, TriCo requests that the employee give the supervisor a two-week notice and participate in an exit interview.

#### **HH. Outside Reference Requests**

All requests for information about current or former employees must be directed to the Utility Director. No one else is to provide information on current or prior



employees. Specifically, supervisors are not to provide letters of reference for any former employee unless approved by the Utility Director.

## **II. Safety**

Every employee is responsible for safety. To achieve TriCo's goal of providing a safe workplace, TriCo has a safety manual with corresponding forms for reference and expects employees to follow all safety practices. Employees are expected to report any unsafe or hazardous condition directly to a supervisor or the Chief Operator, who acts as the Safety Coordinator, immediately.

In case of an accident involving a personal injury, regardless of how serious, the employee is expected to notify the supervisor immediately. Failure to report accidents can result in a violation of legal requirements and can lead to difficulties in processing insurance and benefit claims, or result in disciplinary action.

## **JJ. Revisions to Employee Handbook**

Revisions to this handbook will be distributed and/or made available to each employee.

## **KK Lactation in the Workplace**

TriCo will comply with applicable lactation-related laws and provide, to the extent reasonably possible, a private location where an employee can express breast milk.

### **1. Scheduling**

An employee who needs to express breast milk should contact the Utility Director to arrange a time and location to do so. An employee will be allowed reasonable paid breaks (typically, not to exceed 20 minutes) to express breast milk.

### **2. Storage**

An employee may keep expressed breast milk in the designated refrigerator until

the end of the workday. An employee must store the expressed milk in her own containers. Each container must be clearly labeled with the employee's name and the date.

### **III. BENEFITS AND SERVICES**

NOTE: Many of the benefit plans sponsored through TriCo have a plan description booklet or other informational materials. An employee may obtain a copy of this information upon request. When an employee becomes eligible for a benefit plan, the employee will receive a copy of the plan information. The terms of TriCo's benefit plans are described in detail in these materials. In the event the description of benefits in this handbook conflicts with anything stated in a plan document, the latter will govern and supersede this handbook.

#### **A. Statutory Benefits**

In accordance with applicable law, the following benefits are provided to all employees:

**1. Worker's Compensation Insurance**

Worker's compensation insurance provides financial protection in case an employee is injured or becomes ill as a result of his or her employment. This coverage complies with applicable State worker's compensation laws, and TriCo pays the entire cost of this protection.

**2. Unemployment Compensation**

TriCo pays for unemployment benefits. These benefits are administered to an employee by the State of Indiana per Indiana Code.

**3. Social Security/Medicare**

Coverage under FICA entitles employees and their family members to certain health and retirement benefits upon retirement or disability. TriCo pays the employer's FICA obligations and the employee pays their required portion.

#### **B. Insurance Programs**

TriCo periodically reviews the features of its insurance programs, including

coverages, carriers and employee participation requirements. Any significant changes in insurance plans will be communicated to covered employees prior to the effective date of the changes.

Any questions about insurance programs should be directed to the Utility Director. Copies of summary plan descriptions can be obtained from the Utility Director.

**1. Group Health and Dental Insurance**

TriCo provides a group health, dental, and vision insurance plan for full-time employees. A full-time employee is eligible to apply for group health insurance after meeting the service requirements specified in the Plan. Employees must pay a portion of the premium as determined annually by the Board.

**2. Life Insurance**

TriCo provides group life insurance to full-time employee in accordance with the terms of the Plan.

**3. Long-Term and Short-Term Disability Insurance**

The program provides monthly benefits after periods of disability caused by non-occupational injury or illness. Covered, eligible employees will receive a weekly benefit during the continued disability periods as specified in the plans. TriCo pays the entire premium for these benefits.

**C. Paid Time Off (PTO)**

**Responsibility**

Eligible employees may schedule PTO at times mutually agreeable to management. TriCo reserves the right to reschedule any employee's vacation if business needs require.

PTO pay will be based on the employee's current regular hourly rate or salary and paid on the regular pay schedule.

PTO may be scheduled only in ½-hour increments by non-exempt employees and full-day increments by exempt employees.

Employees must submit their PTO requests to their supervisor for approval as soon as they know but they must be submitted at least 10 hours prior to the start of the scheduled shift so that management may evaluate business needs and authorize PTO with conflicts resolved based on length of service. Under some emergency circumstances, with the Utility Director's approval and at his discretion, PTO may be approved without advance notice.

### **Eligibility**

All regular full-time employees with up to 5 years of continuous service will be awarded a total of 24 days (7.5 hours/day) of PTO per year. In the first year of employment, PTO will accrue at the rate of 2 days per month but may not be used before completion of the first month of employment.

For each year of continuous service after the completion of 5 years, the PTO benefit will increase one day per year, up to a maximum total annual accrual of 29 days. PTO may be used for illness, vacations, and other time needed to attend to personal matters and may be taken in increments as small as ½ hour for non-exempt employees. An employee may not carry over more than 30 days (225 hours) of PTO from one anniversary year to the next. Should the total accumulated PTO exceed 30 days (225 hours) on the employee's anniversary day, TriCo will pay the employee a rate equivalent to 50% of the employee's current rate of pay for the days over 30 and any remaining time/compensation will be forfeited. This payment, which includes a forfeiture of half of the PTO accumulated over 30 days, is an incentive for employees to manage his or her PTO wisely and to reward them for excellent attendance, will be made with the paycheck containing the employee's anniversary day.

Upon termination of employment, an employee will be paid for all accrued unused PTO.

#### **D. Holidays**

The holiday schedule is set annually by the Board of Trustees.

If a recognized holiday falls on a weekend, TriCo may observe either the preceding Friday or the following Monday as a holiday. TriCo will issue a schedule early each calendar year of the recognized holidays to be observed in that year.

An employee required to work on the actual holiday (December 25, for example) will be paid double time. An employee required to work on the observed holiday (December 26, for example) will be paid 1½ times the employee's regular hourly rate of pay. These enhanced hourly rates will be paid even if the employee would not otherwise be entitled to overtime.

#### **E. Tuition Assistance**

Support for staff's continuing education is important to TriCo and an incentive for staff members to continually improve their skills. Full-time staff will be eligible for reimbursement of pre-approved educational expenses after one continuous year of employment.

Reimbursement is limited to \$3,000 per fiscal year. An employee must submit an Educational Assistance Request form to the Utility Director.

## **IV. LEAVES OF ABSENCE**

An employee may not engage in other work while on leave (other than work performed for the military while on military leave), nor may he or she take part in non-work-related activities that are inconsistent with his or her qualifying reasons for any type of medical or personal leave. An employee abusing leave may lose his or her entitlement to leave and will also be subject to discipline up to and including termination.

If any type of leave exceeds one full month, the employee will be responsible for his or her full group health insurance premium after one full calendar month's absence.

### **A. Medical Leave of Absence**

If an employee becomes unable to work because of a medical condition due to illness or injury (work-related or non-work-related) for more than five consecutive work days, the employee will be placed on a medical leave of absence. Absences related to illness or injury of five or fewer consecutive work days will be addressed under the Attendance and Paid Time Off policies. Eligible employees are also entitled to disability benefits in accordance with the terms of TriCo's plan(s).

For employees who have been employed continuously for more than 12 continuous weeks and less than one-year, medical leave may be renewed for successive periods up to a maximum of six weeks during the first 12-month period of employment. For employees who have been employed continuously for more than one year, the leave may be renewed for successive periods up to a maximum of 10 weeks during a "rolling" 12-month period.

A "rolling" 12-month period is measured backward for each employee from the date the employee uses a medical leave.

For employees employed fewer than 12 weeks, medical leave will be granted only in the following circumstances:

- (1) The employee is a qualified individual with a disability and granting a reasonable medical leave would be a reasonable accommodation that would not cause undue hardship.
- (2) The employee will be granted up to 6 weeks of medical leave for maternity purposes.
- (3) The employee will be granted one period of medical leave for an absence of between 6 and 10 consecutive work days.

Any medical leave granted during the first 12 weeks of employment will be treated as part of the medical leave available to employees during his or her first year of employment.

#### **Medical Documentation**

Employees must request a medical leave of absence in writing and provide the Utility Director appropriate medical documentation confirming that they are medically unable to work and the anticipated length of the absence. Employees may be (a) asked the status of any medical condition, (b) required to provide medical evidence from their health care provider or from a health care provider of TriCo's choice concerning any medical condition, (c) denied a request for medical leave or a request for renewal if the Director determines from the medical evidence that the employee is able to perform the employee's work, or (d) placed or continued on medical leave if the Director determines from the medical information that the employee is not able to perform the essential functions of the employee's job with or without reasonable accommodation. If an employee is granted a medical leave, the employee must use all available paid time off concurrently with the leave.

#### **Expiration of Leave**

An employee must notify the Utility Director at least 5 scheduled working days before



the expiration of a medical leave whether the employee will return to work or whether the employee needs a renewed medical leave. In either case, the employee must provide medical documentation confirming his or her ability to return to work or the basis for the need for a renewed medical leave. Failure to provide this notice may cause a delay in the employee returning to work or result in the administrative termination of his/her employment.

### **Conclusion of Leave**

At the conclusion of a medical leave, an employee will generally be restored to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. However, the employee may be reassigned or the position may be changed based on business and personnel needs, and, if the employee is a qualified individual with a disability, the availability of any reasonable accommodation that would not cause undue hardship on operations. If the employee returns to work after a medical leave, the employee will resume employment on the same terms and conditions applicable to employees generally without having to satisfy any benefit plan waiting periods applicable to new employees. Upon the employee's release to return to work after more than 6 weeks, if there is no available position for which the employee is qualified and the employee has exhausted all available leave time, employment will be administratively terminated at that time unless an evaluation of the employee's circumstances indicates that the employee is a qualified individual with a disability for whom a reasonable extension would be an accommodation, and TriCo can provide that accommodation without causing an undue hardship on its operation.

Paid time off is not earned after a medical leave of more than four consecutive weeks off.

## **B. Personal Leave of Absence**

At its discretion, TriCo may grant an unpaid personal leave of absence upon an employee's written request to the Utility Director after the employee has used all earned paid time off. A request for a leave of absence must clearly state the reason for the leave and the amount of time requested. Requests will be granted only for urgent and exceptional circumstances, and personal leave cannot be used to extend a medical leave of absence. Personal leaves of absence will be granted in one-week increments and will not typically exceed four weeks during a rolling 12-month period. A "rolling" 12-month period is measured backward for each employee from the date he or she uses personal leave of absence.

At TriCo's discretion, upon written request to the Utility Directory made at least three working days before the expiration of the initial approved personal leave, a personal leave may be extended, but in no event will personal leave of absence be extended beyond eight weeks in a rolling 12-month period.

At the conclusion of a personal leave of absence of up to four weeks, an employee will generally be restored to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

At the conclusion of a personal leave of absence of more than four weeks, an employee will be considered for return to work on the basis of the employee's qualifications, prior performance, and TriCo's then current business and personnel needs.

Failure to return to work at the end of a personal leave of absence or the unavailability of a position if an employee has a leave of more than four weeks will result in the administrative termination of employment.

Paid time off is not earned during a personal leave of absence of more than four

weeks.

### **C. Bereavement Leave**

Subject to timely approval, in the event of the death of a spouse or child, an employee will be eligible to receive up to 5 paid days off. In the event of the death of other immediate family members (sister, brother, mother, father (including such step relationships) and any other family member living in same household as employee), an employee will be eligible to receive up to 3 paid days off. Also subject to timely approval, in the event of the death of a non-immediate family member (mother-, father-, sister-, or brother-in-law and grandparents), an employee will be eligible for up to 2 paid days off. These days may only be taken at the time of the death, and an employee will not be entitled to additional compensation if these days are not used. In the event of the death of other family or friends, with timely approval, time off may be given without pay or PTO may be used. Proof of death, such as a copy of an obituary, and verification of the relationship to the deceased may be required.

### **D. Military Family Leave Policy**

In accordance with Indiana's Military Family Leave Act, TriCo provides leave to eligible family members of individuals on active duty in the United States Armed Forces or the Indiana Army or Air National Guard. "Active duty" means full-time service on active duty orders for a period of at least 90 consecutive calendar days.

Eligible employees include the following relatives of the individual on active duty:

- spouse;
- biological, adoptive or step parent;
- court-appointed guardian or custodian;
- biological grandparent;

- sibling (by blood or adoption); or
- child (by blood, adoption or step relationship).

To be eligible for Military Family Leave, an employee

- must have been employed by TriCo for at least 12 months and
- must have worked at least 1,500 hours during the 12-month period immediately preceding the date that the leave is to begin.

### 1. **Leave Entitlement**

Eligible employees may take up to 10 days off work per year as Military Family Leave.

For these purposes, a year is a “rolling” 12-month period measured backward for each employee from the date the employee uses Military Family Leave. Leave can be taken during:

- the 30 days before active duty orders are in effect;
- during a leave provided to the one on active duty while the active duty orders are in effect; and
- the 30 days after the termination of the active duty orders.

### 2. **Notification Requirements**

An employee must provide a written request for Military Family Leave to the Utility Director and provide a copy of active duty orders, if available, before taking leave. This request must be made at least 30 days before the date the requested leave is to begin unless the active duty orders are issued fewer than 30 days prior to the date the requested leave is to begin.

### 3. **Substitution of Paid Leave**

Generally, Military Family Leave is unpaid. If, however, an employee also has

accrued paid time off and if the employee's leave request meets the requirements to use that paid time off, the employee will receive paid time off while on Military Family Leave.

**4. Continuation of Benefits**

TriCo will maintain an employee's coverage under its Health Plan on the same conditions during Military Family Leave as if the employee had been employed continuously during the leave period. An employee who wishes to continue health coverage must continue to pay the employee share of the premiums during the leave period to maintain coverage.

**5. Job Restoration/No Retaliation**

Upon return from Military Family Leave, an employee will generally be restored to his or her position. No action will be taken against an employee because of the use of Military Family Leave. If, during the leave, a layoff or other event occurs that would have changed or even eliminated the employee's job had leave not been taken, the employee will have no greater rights than if he had been continuously employed during the leave.

**E. Military Leave**

TriCo will comply with all applicable laws regarding military leaves of absence.

**F. Jury or Witness Duty**

TriCo recognizes that jury or witness duty is the obligation of all citizens and encourages its employees to fulfill this obligation. If an employee is called for jury duty or subpoenaed as a witness in a court or administrative agency action, the employee will be granted excused time away from work. The employee is expected, however, to return to his or her duties any time he or she is not needed in the courtroom. If an employee is called for jury duty or subpoenaed as a witness, the employee should advise his or her supervisor

and give the supervisor a copy of the summons or subpoena as soon as possible after learning of the requirement to serve.

If a non-exempt employee is called for jury duty, the employee will receive the difference between his or her average straight time hourly rate up to 7.5 hours per day and the payment he or she receives for jury service for time he or she would otherwise have been regularly scheduled to work for up to a maximum of four weeks. The employee must present proof of the amount of jury pay received. Non-exempt employees will not be compensated for time spent as witnesses. If the employee is an exempt employee and is called for jury duty or witness duty, the employee will receive his or her normal salary for partial workweeks in which the employee performs jury service or witness duty, offset by any amount received as jury or witness fees. The employee must present proof of the amount of jury pay received. If an exempt employee misses up to four full workweeks for jury service, that employee will be paid his or her normal salary, less any jury fees received, but additional full weeks of jury service will be without pay.

## **V. EMPLOYEE CONDUCT**

### **A. Corrective Action/Work Rules**

TriCo hopes that every employee's working relationship with TriCo will be mutually satisfactory. However, an employee's employment will continue only so long as the employee is satisfied with TriCo, and TriCo is satisfied with the employee's performance. Just as an employee may resign at any time, TriCo may terminate an employee's employment at any time. TriCo cannot promise continued employment or employment for a specific period of time.

We expect all employees to follow TriCo established policies, procedures, and rules and to act in a professional manner at all times. TriCo also expects employees to perform his or her assigned duties in an efficient, effective, and competent manner. There may be occasions, however, where employees perform at an unsatisfactory level, violate policy, or behave inappropriately. TriCo will try, when it deems appropriate, to provide employees with reasonable opportunities to correct deficiencies.

Nevertheless, TriCo may choose in certain cases to use forms of corrective action that are less severe than termination. Examples of such less severe forms of discipline include oral counseling, written counseling, suspension with or without pay, and probation. Disciplinary suspensions as to salaried exempt employees will be consistent with the requirements of the FLSA. Additionally, employees may be placed on investigatory leave to allow TriCo time to review fully the circumstances related to a potential disciplinary matter. Investigatory leave is typically paid and is not disciplinary and will not be reflected in the employee's performance review or personnel file although the results of the investigation may lead to documentation in the employee's file.

Because circumstances vary in each case involving possible corrective action, each situation will be handled on an individual basis with the severity and frequency of the conduct taken into consideration. Although one or more of the steps described above may be taken in connection with a particular employee, no formal order or system is necessary. Whenever a corrective action is documented, the employee will be asked to acknowledge that the employee has reviewed the documentation and received a copy of the document by signing the original. The employee's signature will not necessarily signify agreement with the contents of the document.

The policies set forth below as well as in prior sections of this Handbook are intended to provide each employee with fair notice of what is expected of the employee. It is not possible, however, to provide an exhaustive list of all types of impermissible conduct and performance, and the following are only examples of behaviors that are unacceptable and, if found to exist, can result in corrective action up to and including immediate termination. An employee should, therefore, be aware that conduct not specifically listed below, but which adversely affects or is otherwise detrimental to the interests of TriCo, other employees, or customers may also result in corrective action, including termination.

- **Attendance** – Engaging in a pattern of absenteeism/tardiness/leaving early/taking unauthorized or extended breaks.
- **Confidential Matters** – Discussing or revealing confidential information with individuals outside or within TriCo who are not authorized to have such information.
- **Criminal Activity** – Being convicted of or pleading guilty to a crime that reflects unfitness for the job or constitutes a threat to the safety or well-being



of TriCo or its employees, customers, or property or failing immediately to report an arrest, conviction, or guilty plea for any criminal conduct. Arrest for such conduct may also result in an unpaid suspension of job duties or termination based on TriCo's independent investigation.

- **Customer, Public, and Co-worker Relations** – Mistreating, abusing, or intimidating customers, visitors, or other employees; improper interactions or communications with a supervisor; mistreating or inappropriate use of property belonging to a customer, co-worker, or the public; or otherwise engaging in conduct that does not support TriCo's goals and objectives.
- **Detrimental Behavior** – Unlawful or improper statements about other employees, TriCo, or its practices that affect TriCo's reputation and goodwill or that of other employees.
- **Dishonesty** – Falsifying, altering, or omitting information on an employment application, time record, or any other TriCo record; giving false information to management personnel or concealing defective or erroneous work, damage, or other matters that may affect TriCo's customers and reputation.
- **Drugs and Alcohol** – Violating TriCo's and/or Department of Transportation's Drug and Alcohol Abuse Policy.
- **Equal Employment Opportunity/Anti-Harassment** – Failing to comply with TriCo's Equal Employment Opportunity/Anti-Harassment Policy.
- **Fighting** – Verbal or physical fighting, baiting, or other behavior that instigates fighting or other conduct that violates Section II. EE.
- **Mishandling TriCo Property** – Mishandling, misusing, stealing or improperly accounting for TriCo money, funds, or property.

- **Insubordination** – Failing to follow or comply with instructions or work orders in a timely manner.
- **Failure to Cooperate** – Failing or refusing to cooperate in an investigation conducted by TriCo (excluding issues arising under the National Labor Relations Act).
- **Poor Performance** – Failing to produce quality and timely work or meet performance expectations.
- **Safety** – Failing to use equipment, materials, and supplies in accordance with TriCo policies and practices; violating safety or health rules or practices or engaging in horseplay or other conduct that creates a safety or health hazard.
- **Unauthorized Use of TriCo Time/Property** – Using TriCo time or property for non-work-related activities such as gambling, soliciting, misusing TriCo electronic communications systems, etc.
- **Failing to Remain Alert** – Failing to remain alert at all times while on duty.
- **Non-Compliance with Laws/Regulations** – Failing to comply with local, state and federal laws and/or regulations or failing to report such non-compliance.
- **Other Policies, Procedures, and Practices** – Failing to comply with other expectations for performance and behavior set forth in this Handbook or by management.

**Any questions about the information included in this handbook should be directed to an employee's supervisor or to the Utility Director.**

***This handbook is not a contract of employment.***

## Acknowledgment of Receipt of Employee Handbook July 8, 2019 Version

I have received a copy of the TriCo' Employee Handbook dated [\_\_\_\_\_] and agree to read and keep the handbook for future reference and to direct any questions about the contents of the handbook to the Utility Director. I understand that as a term and condition of my employment I am to comply with and abide by the policies in the handbook. I understand that this handbook is not a contract of employment and does not alter my at-will employment relationship with TriCo. further understand that TriCo may modify, change, delete, or add to, as it deems appropriate, the policies, procedures, benefits, and other general information in this handbook.

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Employee Signature

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Employee Printed Name

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Date