



***LAKE ARROWHEAD COMMUNITY
SERVICES DISTRICT***

**LAKE ARROWHEAD COMMUNITY
SERVICES DISTRICT
GENERAL POLICIES MANUAL**

Final Version

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	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 1.0
		Revision Date 01/27/09
PURPOSE OF DISTRICT POLICIES		


1.1 Intent

1.1.1 It is the intent of the Board of Directors of the Lake Arrowhead Community Services District to maintain a General Policies Manual. Contained therein shall be a comprehensive listing of the Board's current general policies, being the rules and regulations enacted by the Board from time to time. The General Policies Manual will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1.1.2 This General Policies Manual constitutes a compilation of current policies of the District and shall not be deemed to alter the effective date or application of such policies. Any policies newly adopted as a result of adoption of this General Policies Manual shall be specifically identified as such by separate Board action prior to adoption of this General Policies Manual.

1.2 Authority

1.2.1 If any policy or portion of a policy contained within the General Policies Manual is in conflict with State or Federal law, rules or regulations having authority over Lake Arrowhead Community Services District, said State or Federal law, rules or regulations shall prevail.


	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 2.0
		Revision Date 01/27/09
ADOPTION / AMENDMENT OF POLICIES		

2.1 Consideration

2.1.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director, or by the General Manager. A member of the public may make a request to a director or the General Manager for consideration of a proposed new policy or a proposed amendment to an existing policy. The proposed adoption or amendment is initiated by submitting a written draft of the proposed adoption or amendment to the Executive Committee and the General Manager through the District office, and requesting that the item be included for consideration on the agenda of the appropriate meeting of the Board of Directors.

2.2 Adoption

2.2.1 Adoption of a new policy or amendment of an existing policy shall be accomplished at a meeting of the Board of Directors and shall require a majority affirmative vote of the Board of Directors present at the subject meeting unless otherwise required by law.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 3.0
		Revision Date 01/27/09
DISTRICT MISSION STATEMENT AND MISSION POLICY		

3.1 Purpose

- 3.1.1** The purpose of the District Mission Statement and Mission Policy is to identify the essential objective of the District and how the objective will be met.


3.2 Mission Statement and Mission Policy

The mission of the District is:

- 3.2.1** To provide exceptional water and wastewater services, as we protect our water resources and preserve our environment.
 - 3.2.1.1** Provide high quality water and wastewater services so that the unique character of the communities we serve will not be diminished.
 - 3.2.1.2** Become a national model for 1) conservation, 2) community involvement, 3) resources management, 4) the effective use of technology, and 5) cost-effectiveness.
 - 3.2.1.3** Employees will be informed, well-trained, and prepared to respond to customers and the changing needs in the community.
 - 3.2.1.4** Customers will always receive courteous, prompt, and professional service 24 hours a day, everyday. Our customers will be well-informed about the plans for spending revenues on current operations and future programs. Our policies will be straightforward and easy to understand.
 - 3.2.1.5** Actively preserve the environment of the communities we serve. The watershed and the water resources of the


Lake Arrowhead communities will always be under the protection of our staff.

- 3.3.15** Water and wastewater services will have long-term operational viability and cost-effectiveness. We shall be continually maintaining and upgrading our facilities.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 4.0
		Revision Date 01/27/09
CONFLICT OF INTEREST CODE		

4.0 Conflict of Interest Code

- 4.1** "The District has adopted a Conflict of Interest Code (the "Code") pursuant to the requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"). The Code sets forth the required provisions for the disclosure of assets and income of designated employees, the disqualification of designated employees from acting where a conflict of interest exists, the list of designated officers and employees subject to the disclosure provisions of the Code, and the list of disclosure categories specifying the types of assets and income required to be disclosed by each of the designated employees. The requirements of the Code are in addition to other state and local laws pertaining to conflicts of interest and have the force and effect of law. All officers and employees are directed to refer to the District's Conflict of Interest Code for these specific requirements.
- 4.2** The Conflict of Interest Code is held in the office of the Executive Assistant as the District's filing officer/official.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 5.0
		Revision Date 01/27/09
ROLES AND COMMUNICATION FOR BOARD AND STAFF		

5.1 The Role of the Board

- 5.1.1 To effectively lead, the Board should concern itself primarily with establishing policy. In general, the policies established by the Board should provide values that direct staff on what to do and what not to do.
- 5.1.2 The Board should also provide linkage between the District and its customers, assessing the performance of the District and concern itself with raising the funds necessary to operate the District.

5.2 The Role of Staff


- 5.2.1 The General Manager is responsible for all functions of the District other than those functions designated to the Board and Staff, under the direction of the General Manager, is responsible for carrying out the policy established by the Board. This includes all operations of the District.
- 5.2.2 The specific responsibilities and authorities of the General Manager are identified in Section 6.0.

5.3 The Linkage between Board and Staff

- 5.3.1 The General Manager is the only employee of the District directly accountable to the Board. All other employees are accountable to the General Manager. The Board, therefore, may interact with other staff members by working through the General Manager.

5.4 Staff's Method of Communicating with the Board

- 5.4.1** The following is a general listing of the types of information staff needs to communicate to the Board and a description of how to communicate that information.
- 5.4.1.1** Decision information is information that the Board receives to make decisions. This information is generally discussed at regular Board meetings.
 - 5.4.1.2** Monitoring information is used to gauge whether previous directives and policies of the Board have been implemented and satisfied. This information is generally presented in the General Manager and/or the department head(s) presentations at Board meetings.
 - 5.4.1.3** Incidental information is that information provided to the Board to keep it apprised of the more significant aspects of the District's operation, though such action may not be directly related to Board action. This information is generally presented in the General Manager and/or department head(s) presentations at Board meetings.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 6.0
		Revision Date 01/27/09
THE RESPONSIBILITY AND AUTHORITY OF THE GENERAL MANAGER		

6.1 General Responsibility and Authority

6.1.1 The General Manager of the Lake Arrowhead Community Services District is employed by the Board to serve as the chief executive of the District and is responsible for implementing the decisions of the Board; determining and executing administrative policies through subordinate department heads and supervisors; supervising the operations and staffing of the District as prescribed by the Board; managing all engineering, planning, design and inspection for construction activities; and supervising and controlling the administrative, operational and financial affairs of the District, including all administrative, executive and ministerial powers not specifically reserved by law for the Board of Directors, General Counsel or Agency Auditor.

6.2 Specific Responsibility and Authority

6.2.1 **Director-Manager Relations:** The Board of Directors will deal with policy matters of the District only through the General Manager. No member of the Board shall interfere with the execution by the General Manager of his powers and duties. Except for the purpose of inquiry, the Board and its members shall deal with the administration of the District solely through the Manager, and neither the Board nor any member thereof shall give orders to any subordinate of the General Manager, either publicly or privately. The General Manager shall take his orders from the Board only when it is sitting in a lawfully held meeting and conducting business in accordance with the Ralph M. Brown Act/Open Meeting Law and other applicable laws, rules or regulations.

6.2.2 Authority over Employees: The General Manager will have the authority to control and give directions to all employees of the District. The General Manager will also hire, remove, promote and demote any and all employees of the District. The General Manager will keep the Board informed of all personnel changes.

6.2.3 Manager's Powers and Duties: The General Manager is the administrative head of the Lake Arrowhead Community Services District under the direction and control of the Board of Directors except as otherwise provided herein. He is responsible for the administration of all the affairs of the District under his control. In addition to general administrative powers, the General Manager's powers and duties shall include, but are not limited to, the following:

6.2.3.1 Employee Positions and Job Classifications: It shall be the duty of the General Manager to establish District employee positions and job classifications. Policy matters related to such job descriptions are subject to approval by the Board of Directors.

6.2.3.2 Attendance at Board Meetings: It is the duty of the General Manager to attend all meetings of the Board of the Directors unless excused by the Board President.

6.2.3.3 Financial Reports: It is the duty of the General Manager to keep the Board of Directors fully advised as to the financial conditions and needs of the District. The General Manager shall be responsible for maintaining the District's books of accounts and will have said books audited at the end of each fiscal year by the District's auditor.

6.2.3.4 Budget: It is the duty of the General Manager to prepare the annual budget and to submit the first draft to the Board of Directors by April of each fiscal year. The Manager shall adhere to the budget totals and may adjust line items when the interests of the District so mandate. When adjustments are made, the Board of Directors shall be informed. The General Manager shall regularly review the status of the budget with the Board and propose appropriate corrective action if revenues or expenditures vary materially from the approved budget. Significant expenses approved by the Board extraneous to the adopted budget, shall require a budget adjustment at the time of Board action.

- 6.2.3.5** Purchasing: It is the duty of the General Manager to be responsible for the purchase of all supplies and equipment for the District and the maintenance of a purchase order system and to actively seek the best price for the District. The General Manager may designate an employee to implement the actual purchase of items.
- 6.2.3.6** Customer Relations/Complaints: It is the duty of the General Manager to achieve and maintain effective customer relations and to investigate all complaints concerning the District's customer service operations.
- 6.2.3.7** Public Property: It is the duty of the General Manager to exercise general supervision over all property belonging to the Lake Arrowhead Community Services District. It is the duty of the General Manager to accept, on behalf of the District, easements and other real property rights and interests required for the performance of the District's legitimate functions.
- 6.2.3.8** Hours of Employment: The General Manager is expected to be on-call 24 hours a day in order to perform and supervise the operations of the District.
- 6.2.3.9** Payment of Bills: The General Manager shall be responsible for making sure that appropriate bills incurred by the District are paid in a timely fashion.
- 6.2.3.10** Preparations for Board Meetings: It is the duty of the General Manager to see that notice of all meetings and agendas are mailed in due time to the individual members of the Board, the District's Counsel, and to the newspaper and to other individuals or firms who have requested such notices. The General Manager will be responsible for making sure that the services of a recording secretary are performed at the Board Meetings and he will supervise the preparation of the agenda, minutes and resolutions of all regular and special meetings.
- 6.2.3.11** Correspondence: It is the duty of the General Manager to reply to all correspondence except letters addressed to the Board of Directors which will require a Director's signature. The General Manager will keep the

members of the Board informed by furnishing copies of memoranda of all vital replies or notices.

- 6.2.3.12** Committee Meetings: It is the duty of the General Manager to attend all committee meetings unless excused therefrom by the committee chairperson.
- 6.2.3.13** News Media: It is the duty of the General Manager to prepare and dispense such press releases as depict the priorities and activities of the District.
- 6.2.3.14** Plans for District: The General Manager shall develop and maintain long range plans for the District. Such plans may include, but are not necessarily limited to:
- a)** Projections of the kinds and amount of services which the District will be called upon to provide.
 - b)** Schedule for adding personnel, equipment and facilities to provide such service.
 - c)** Methods of obtaining the funds to support services.
 - d)** Master plans and the capital improvement program for long range capital needs.
- 6.2.3.15** Staffing Plans: The General Manager shall design and implement, after Board approval, the District's organization and staffing plans.
- 6.2.3.16** Personnel Transactions: The General Manager will approve personnel transactions such as leaves and vacations.
- 6.2.3.17** Consultants: The General Manager shall have responsibility to monitor and evaluate the performance and cost effectiveness of outside consultants employed by the District, and to recommend changes in consultants or the terms and/or conditions of their employment when he believes such change will benefit the District.
- 6.2.3.18** District Organizations and Assignments: The General Manager shall act as the employee relations officer of the District and shall have the additional responsibility

of organizing, reorganizing, and arranging the District's employees, including administrative and supervisory staff, which in his judgment best serves the goals and objectives of the District. The General Manager shall make such assignments of the District employees as is necessary to deliver District services and meet goals and objectives.


6.2.3.19 Professional Development: It shall be the duty of the General Manager to maintain and improve upon his professional competence by all available means, including participation in regional, state and national professional organizations, attendance at conferences, seminars and meetings, subscriptions to professional journals, and outside schooling.

6.2.3.20 Board Information: In order to keep the Board adequately informed, the General Manager shall routinely disseminate information to the Board Members and shall, at a Board Member's request, provide records and information legally accessible to the Board.

6.2.3.21 Additional Duties: It is the duty of the General Manager to perform such other duties and responsibilities and to exercise such other powers as may be delegated to him from time to time by the Board of Directors.

6.2.4 Removal of Manager: The General Manager serves at the will and pleasure of the Board. The removal of the Manager shall be only upon a majority member vote of the whole Board of Directors acting in, subject to the applicable provisions of any agreement with the General Manager. Notwithstanding the right of the Board to remove the General Manager, the General Manager shall not be removed from office within a period of 90 days after any District election in which a new member of the Board is elected.

6.2.5 Reimbursement for Expenses: The General Manager will be reimbursed for all legitimate sums incurred by him in the performance of his duties. Reimbursement will be made when an itemized expense voucher setting forth the sums expended has been presented for reimbursement pursuant to the applicable procedure.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 7.0
		Revision Date 01/27/09
CODE OF CONDUCT POLICY		

7.1 Mutual Respect – Harassment and Insubordination Prohibition

7.1.1 Mutual Respect

- 7.1.1.1 It is a goal of the District to foster an atmosphere of mutual respect between all elected officials, officers, employees and any other agents or representatives of the District.
- 7.1.1.2 It is further a goal of the District to insure all elected officials, officers, employees, and any other agents or representatives of the District conduct themselves in a manner which fosters mutual respect with the public and other organizations.
- 7.1.1.3 To insure that 7.1.1.1 and 7.1.1.2 above are accomplished, it is a requirement of the District that the following prohibitions on harassment and insubordination be adhered to, and that any other District policies on ethics and appropriate behavior are adhered to.

7.1.2 Harassment Prohibition

- 7.1.2.1 The District will not tolerate harassment of any sort. This includes harassment between co-workers, subordinates and supervisors, employees and elected officials, or any other agents of the District.
- 7.1.2.2 Harassment includes verbal, physical or other abuse, which is derogatory, discourteous, disrespectful or threatening.
- 7.1.2.3 In addition to the above, employees of the District must adhere to harassment prohibitions addressed in the Employee Handbook.

7.1.3 Insubordination Prohibition

7.1.3.1 The District will not tolerate insubordination of any sort. This includes insubordination toward Supervisors, Department Heads, the General Manager, Officers of the Board or Elected Officials.

7.1.3.2 Insubordination includes statements or actions toward supervisory personnel, Officers of the Board or Elected Officials, which are threatening, unprofessional, discourteous or clearly disrespectful. This includes:

- a) Failure to follow direction, procedure or policy of the District;
- b) Rudeness or discourtesy to the public, a supervisor or fellow employee;
- c) Activity that is a hindrance to the effective performance of the business of the District; and
- d) Activity that constitutes careless conduct or willful disregard for the health and welfare of employees.

7.1.3.3 In addition to the above, employees of the District must adhere to insubordination prohibitions addressed in the Employee Handbook.

7.2 Communication

7.2.1 Communication Between District Personnel

7.2.1.1 Elected Officials and Board Officers are expected to conduct District business through the General Manager. Elected Officials and Board Officers should not discuss District business directly with District employees.

7.2.1.2 District employees are expected to direct concerns or comments regarding District matters to their Supervisor, Department Head or the General Manager, following the appropriate chain of command. District employees should not discuss District business directly with Elected Officials or Board Officers.

7.2.2 Communication with District Consultants and Vendors.

- 7.2.2.1** All elected officials, officers, employees, and any other agents or representatives of the District are expected to communicate with District consultants and vendors in a professional and courteous manner.
- 7.2.2.2** The General Manager, Department Heads or other District employees designated by the General Manager will represent the District in communicating with its contractors and vendors. No District employee is authorized to enter into any binding agreement with a contractor or vendor on behalf of the District unless prior approval is received from the General Manager. Such an agreement will be in accordance with District policy regarding the entering into contracts and agreements by the District.

7.2.3 Communication with the Public

- 7.2.3.1** All elected officials, officers, employees and any other agents or representatives of the District are expected to communicate with the public in a courteous and professional manner. Disrespectful or unprofessional communication will be subject to appropriate disciplinary action.
- 7.2.3.2** Disclosure of records are subject to the Public Records Act Request requirements of the District and the disclosure and the exemption from disclosure as set forth in the California Public Records Act.
- 7.2.3.3** All public documents distributed or communications representing the District will be reviewed by a Department Head, and/or the General Manager prior to disclosure in the event of a request made under the Public Records Act. Any information that may be of a sensitive or confidential nature, including all personnel, financial or Board related information must be reviewed and approved by the General Manager prior to disclosure.
- 7.2.3.4** Communication of confidential information is subject to the requirements of Section 7.3 below.

7.3 Confidential Information

7.3.1 Handling of Confidential Information

7.3.1.1 The maintenance, withholding and dissemination of any sensitive or confidential information shall be subject to the District policy regarding public records, legal requirements pertaining to public records and the following requirements for personnel information, confidential Board information and other confidential information.

7.3.2 Personnel Information

7.3.2.1 All personnel records are to be maintained in a locked file cabinet in the District office. Generally, only the General Manager and his designated staff will have access to personnel records. Supervisors and Department Heads will have access to the personnel records of their subordinates on an as needed basis, with authorization from the General Manager.

7.3.2.2 Non-supervisory employees may review their own personnel files only with appropriate notice and authorization from the General Manager. The review will be in the presence of the General Manager or the designated staff.

7.3.2.3 No personnel information shall leave the District office unless authorized by the General Manager or the designated staff.

7.3.2.4 Disclosure of personnel information, unless authorized by the General Manager or the designated staff, is prohibited and subject to disciplinary action.

7.3.2.5 In addition to the above, employees of the District must adhere to personnel records handling as addressed in the Employee Handbook.

7.3.4 Confidential Board Information

7.3.4.1 Matters discussed in Board meeting closed sessions shall not be discussed outside of closed session, other than as reported when the Board comes out of closed session or as otherwise may be required by law.

7.3.4.2 Information related to Board Member compensation and expense reimbursement shall be reported at regular Board meetings in accordance with state mandated reporting requirements. Public requests for this information shall be subject to the District's Public Records Act Request requirements.

7.3.4.3 Dissemination of any information related to confidential Board activities or documents shall be reviewed by the General Manager, before it leaves the District office.

7.3.5 **Other Confidential Information**

7.3.5.1 Other confidential information, such as relates to litigation, real estate negotiations and labor negotiations, shall be subject to the same maintenance and disclosure requirements set forth in Sections 7.3.1 and 7.3.2 above.

7.4 Performance of Duties

7.4.1 **Normal Duties**

7.4.1.1 All elected officials, officers, employees, and any other agents or representatives of the District are expected to carry out their duties in a respectful, courteous and professional manner.

7.4.1.2 Disrespectful, discourteous or clearly unprofessional performance of duties will be subject to appropriate disciplinary action.

7.5 Acceptance of Gifts

7.5.1 **Regulated Gifts**

7.5.1.1 As a general rule, all gifts to elected officials, officers, employees and family members from vendors, contractors, and consultants are governed by the Political Reform Act found in the Government Code. Elected officials and designated employees required to file Statements of Economic Interest should refer to the District's Conflict of Interest Code on file at the District office.

7.5.2 Acceptable Gifts

7.5.2.1 Acceptance of plaques and commemorative mementos, of nominal value, or of value only to the recipient, is permissible.

7.6 Entertaining and Acceptance of Entertainment

7.6.1 Acceptance of Entertainment

7.6.1.1 The acceptance of meals, travel, lodging and entertainment from vendors, contractors and consultants is pursuant to the limitations set forth in the Political Reform Act found in the Government Code for elected officials, officers and employees or their immediate family.

7.6.2 Entertaining

7.6.2.1 Elected officials, officers, and employees who dine and /or entertain vendors, contractors or consultants, shall do so at their own expense.

7.7 Outside Employment / Incompatible Activities

7.7.1 Incompatible Activities and Employment - General

7.7.1.1 In accordance with California law, officers and employees shall not engage in any employment or activity which is incompatible with his/her duties as an officer/employee of the District.

7.7.2 Activities that Involve Conflicting Loyalties

7.7.2.1 Incompatible activities that involve the potential for conflict of loyalties between duties as an officer/employee of the District and the outside employment/activity include the following:

- a)** Use of District time, facilities or the prestige and influence of his/her position for private gain.
- b)** Performance of an act in other than his/her capacity as an officer/employee where such act

may later be subject, directly or indirectly, to the control or inspection of any other officer/employee of the District.

- c) Such time demands as would render performance of his/her duties as an officer/employee to be less efficient.
- d) Use/disclosure of confidential information for private gain or use/disclosure that is not for the purpose or interests of the District.
- e) Outside employment or other activity for associations, corporations, or groups of any nature whatsoever, whether said groups are formed and operating for profit or non profit purposes, where said activity could potentially involve use of District facilities, time, records, or information that is obtained pursuant to his/her position as an officer or employee of the District

7.7.3 Reporting of and Approval for Engaging in Outside Employment or Activities

- 7.7.3.1** Any officer or employee desiring to engage in outside employment or activity that may be in violation of this policy, shall first obtain written approval from the General Manager. The officer/employee shall submit a statement naming the prospective employer or group and outlining the proposed duties and hours of work and explaining why the officer/employee believes that such activity or employment is not in violation of this policy. Approval may be denied if, in the discretion of the General Manager, such outside employment/activity is incompatible, pursuant to the factors set forth above, with the proper discharge of the officer's or employee's official duties and is contrary to the applicable law. This procedure for approval by the General Manager shall not apply to activities or employment of Board Members.
- 7.7.3.2** Said approval may be reconsidered and withdrawn at any time at the discretion of the General Manager for the reasons and factors set forth above.
- 7.7.3.3** Upon adoption of this Code of Conduct policy, all officers and employees who may have outside

employment/activity that falls within the factors set forth above shall notify the General Manager in writing.

7.7.3.4 Approval for outside employment/activity shall be automatically terminated whenever the outside employer/group and/or the nature of the outside employment/activity changes from that which was approved. When such a change occurs, the officer/employee shall apply in writing for a new approval as provided herein.

7.7.4 ***Violation of the Policy Against Incompatible Activities or Employment***

7.7.4.1 In the event the General Manager determines there has been a violation of this policy against incompatible activities, the officer/employee shall receive notice of the violation, proposed disciplinary action, and right of appeal pursuant to the provisions of the Conflict of Interest Code, MOU, Personnel Manual/Rules and Regulations, and/or state law/regulation, whichever is applicable.

7.7.5 ***Authority for Policy Against Incompatible Activities or Employment***

7.7.5.1 The provisions of the policy against incompatible activities or employment are adopted under the authority of the District pursuant to Government Code section 1126 and shall govern the application of section 1126.

7.8 Employment of Dependents

7.8.1 ***Vendor, Contractor and Consultant Employment of Dependents of District Elected Officials, Officers and Employees***

7.8.1.1 It is expressly forbidden for vendors, contractors and consultants of the District to employ dependents, as defined by the Internal Revenue Service, of elected officials, officers and employees.

7.8.2 ***District Elected Officials, Officers and Employee Solicitation for Employment of Dependents***

7.8.2.1 It is expressly forbidden for elected officials, officers and employees to solicit jobs for immediate family or


immediate relatives with vendors, contractors and consultants of the District.

7.9 Disciplinary Actions for Non-Compliance

7.9.1 Non-compliance with the District's Code of Conduct policy shall subject the elected official, officer or employee to disciplinary actions commensurate with the violation as set forth in the Conflict of Interest Code, MOU, Personnel Manual/Rules and Regulations and/or the applicable state law or regulation.

7.10 Amendments to the Code of Conduct Policy

7.10.1 The Code of Conduct Policy may be reviewed and/or amended by the District's Board of Directors at any time. Amendments shall require adoption of a resolution.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 8.0
		Revision Date 01/27/09
PUBLIC COMPLAINTS		

8.1 Level of Resolution

8.1.1 The Board of Directors desires that public complaints be resolved at the appropriate administrative level, and that the method for resolution of complaints be logical and systematic.

8.2 Definition

8.2.1 A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state or federal statute of which the individual has been adversely affected.

8.3 Method of Resolution

8.3.1 Unless otherwise provided by other policies, rules or regulations of the District that apply to the particular issue, the method of resolving complaints shall be as follows:

8.3.1.1 The individual with a complaint shall first discuss the matter with a Customer Service Representative to identify the specific problem. The problem will then be forwarded to the department head or other designated employee with the objective of resolving the matter informally.

8.3.1.2 If the individual registering the complaint is not satisfied with the disposition of the complaint by the department head or other designated employee, the complaint may be filed with the General Manager. Within a reasonable time, the General Manager or other his/her designee shall discuss the matter with the person filing the complaint to resolve the matter. At the option of the General Manager or his/her designee, he/she may

conduct conferences and take testimony or written documentation in the resolution of the complaint. A written decision from the General Manager may be requested by the individual filing the complaint.


8.4 Other Resolutions

- 8.4.1** If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, a written complaint may be filed with the Board of Directors within ten (10) days of receiving the General Manager's decision. The Board may consider the matter at the appropriate regular meeting. The Board will expeditiously address the matter.

- 8.4.2** This policy in no way prohibits or is intended to deter a member of the community or staff member from appearing before the Board to present verbally a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.


8.5 Applicable Provisions of Law

- 8.5.1** Nothing in this Section 8.0 shall alter, delay, or otherwise impact any deadline or legal requirement that may apply to the right of an individual to bring a complaint, claim or other issue before the District. Such legal requirements may include, but are not necessarily limited to, the provisions of the California Government Claims Act set forth in the California Government Code.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 9.0
		Revision Date 01/27/09
NON-SERVICE RELATED FEES		

9.1 Fee for the Copying of Public Records

- 9.1.1** Government Code Section §6253 provides that public records are open to inspection and that an agency shall make copies of public records upon payment of fees covering direct costs of duplication.
- 9.1.2** The financial burden imposed by a single member of the public in the production of the records should be considered in relation to the cost to the public as a whole.
- 9.1.3** Members of the Public are required to submit a Public Records Act request to obtain District information. The first 50 pages of information per year are provided to individual members of the public free of charge. For every page thereafter a fee of five cents per page is charged.
- 9.1.4** Disclosure and copying of records shall be performed in accordance with the California Public Records Act.
- 9.1.5** Board Members are not required to submit a Public Records Act request to obtain District information. Board Members are to complete and submit an "Information Request" form. District staff is authorized to directly respond to most Board Member requests for information. If requests for information require an estimated 16 hours or more of staff time to complete, prior approval by the Board of Directors may be required.
- 9.1.6** All requests for information by Board members and members of the public and most written responses to these requests are to be posted to the District's Website. When a written response to a request for information is extremely lengthy and not practical to post on the website, District staff will post an appropriate explanation.

	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT GENERAL POLICIES MANUAL	Section 10.0
		Revision Date 07/27/2010
EMPLOYER-EMPLOYEE ORGANIZATION RELATIONS		

10.1 Statement of Purpose

10.1.1 This Policy implements Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500, et seq.,) captioned “Local Public Employee Organizations,” by providing orderly procedures for the administration of employer-employee relations between the Lake Arrowhead Community Services District (the “District”) and such employee organizations as may represent various groups of employees at the facilities operated in the District. This Policy repeals and supersedes any Policy heretofore enacted pertaining to Employer-Employee Relations and any policies, rules or regulations pertaining thereto.

10.1.2 It is the purpose of this Policy to provide procedures for meeting and conferring in good faith, to the extent required by law, with Exclusively Recognized Employee Organizations, as that term is defined in Section 10.4.13 of this Policy, regarding wages, hours and other terms and conditions of employment.

10.2 District Rights

10.2.1 Nothing herein shall be construed to restrict any legal or inherent exclusive District rights with respect to matters of general legislative or managerial policy, which include among others: The exclusive right to determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other lawful reasons; maintain the efficiency of District operations; determine the methods, means and personnel by which operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work. Nothing in this

Section shall be construed to limit, amend, decrease, revoke or otherwise modify the rights vested in the District by any applicable law regulating, authorizing or empowering the District to act or refrain from acting.

10.3 Employee Rights

10.3.1 Employees of the District shall have the right to form, join and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations including, but not limited to wages, hours, and other terms and conditions of employment. Subject to Section 10.3.2 below, employees of the District also shall have the right to refuse to join or participate in the activities of employee organizations and shall have the right to represent themselves individually in their employment relations with the District. However, this right shall not be construed to require the District to meet and confer with any individual whose position is within a recognized bargaining unit. No employee shall be interfered with, intimidated, restrained, coerced or discriminated against by the District or by any employee organization because of their exercise of these rights.

10.3.2 Nothing herein shall be deemed to preclude an agency shop agreement or arrangement as permitted by Government Code Section 3502.5.

10.4 Definitions

10.4.1 “Appropriate Unit” means a unit of employee classes or positions, established pursuant to Section 10.11.

10.4.2 “Board of Directors” shall mean the Board of Directors of the Lake Arrowhead Community Services District.

10.4.3 “Confidential Employee” means an employee who, in the course of his or her duties, has access to confidential information relating to the District’s administration of employer-employee relations or to matters pertaining to the evaluations of employees.

10.4.4 “Consult/Consultation in Good Faith” means to communicate orally or in writing for the purpose of presenting and obtaining views or advising of intended actions; and, as distinguished from meeting and conferring in good faith regarding matters

within the required scope of such meet and confer process, does not necessarily involve an exchange of proposals and counterproposals with an exclusively recognized employee organization in an endeavor to reach agreement in the form of a Memorandum of Understanding, nor is it subject Section 10.20 hereof.

- 10.4.5** “Day” means calendar day unless expressly stated otherwise.
- 10.4.6** “District” shall mean the Lake Arrowhead Community Services District.
- 10.4.7** “Employee” means an employee of the District.
- 10.4.8** “Employee Relations Officer” means the General Manager or his or her duly authorized representative.
- 10.4.9** “General Manager” shall mean the Manager of the Lake Arrowhead Community Services District.
- 10.4.10** “Impasse” means that the representatives of the District and an Exclusively Recognized Employee Organization have reached a point in their meeting and conferring in good faith where their differences on matters to be included in a Memorandum of Understanding, and concerning which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.
- 10.4.11** “Management Employee” means an employee having responsibility for formulating, administering or managing the implementation of District policies and programs and having authority to exercise independent judgment to hire, transfer, suspend, lay-off, recall, promote, discharge, assign, reward, or discipline other employees, or having the responsibility to direct them, or to adjust their grievances, or effectively to recommend such action if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.
- 10.4.12** “Proof of Employee Support” means: (1) an authorization card recently signed and personally dated by an employee; or (2) a verified authorization petition or petitions recently signed and personally dated by an employee. The only authorization which may be considered as proof of employee support hereunder shall be the authorization last signed by an

employee. The words “recently signed” shall mean within ninety (90) days prior to the filing of a petition.

10.4.13 “Exclusively Recognized Employee Organization” means an employee organization which has been formally acknowledged by the District as the sole employee organization representing the employees in an appropriate representation unit pursuant to Section 10.5 hereof, having the exclusive right to meet and confer in good faith concerning statutorily required subjects pertaining to unit employees, and thereby assuming the corresponding obligation of fairly representing such employees.

10.4.14 “Supervisory Employee” means any employee having authority, in the interest of the District, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

10.5 Representation Proceedings

10.5.1 Filing of Recognition Petition by Employee Organization. An employee organization that seeks to be formally acknowledged as the exclusively recognized employee organization representing the employees in an appropriate unit within the District shall file a petition with the Employee Relations Officer containing the following information and documentation:

10.5.1.1 Name and address of the employee organization.

10.5.1.2 Names and titles of its officers.

10.5.1.3 Names of employee organization representatives who are authorized to speak on behalf of the organization.

10.5.1.4 A statement that the employee organization has, as one of its primary purposes, the responsibility of representing employees in their employment relations with the District.

- 10.5.1.5** A statement whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner, with a local, regional, state, national or international organization, and if so, the name and address of each such other organization.
- 10.5.1.6** Certified copies of the employee organization's constitution and bylaws.
- 10.5.1.7** A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose.
- 10.5.1.8** A statement that the employee organization has no restriction on membership based on race, color, creed, sex, national origin, age, disability or other protected category.
- 10.5.1.9** The job classifications or position titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein.
- 10.5.1.10** A statement that the employee organization has in its possession proof of employee support, as herein defined, to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the District. Such written proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party at the direction of the Employee Relations Officer.
- 10.5.1.11** A request that the Employee Relations Officer formally acknowledge the petitioner as the exclusively recognized employee organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.
- 10.5.2** The Petition, including the proof of employee support and all accompanying documentation, shall be declared to be true,

correct and complete, under penalty of perjury, by the duly authorized officer(s) of the employee organization executing it.

10.6 District Response to Recognition Petition

10.6.1 Upon receipt of the Petition, the Employee Relations Officer shall determine whether:

10.6.1.1 There has been compliance with the requirements of the Recognition Petition, and

10.6.1.2 The proposed representation unit is an appropriate unit in accordance with Policy (see Section 10.5).

10.6.1.3 If an affirmative determination is made by the Employee Relations Officer on the foregoing two matters, said Officer shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit and shall take no action on said request for thirty (30) days thereafter. If either of the foregoing matters are not affirmatively determined, the Employee Relations Officer shall offer to consult thereon with such petitioning employee organization and, if such determination thereafter remains unchanged, shall inform that organization of the reasons therefore in writing. The petitioning employee organization may appeal such determination in accordance with Section 10.13 of this Policy.

10.7 Open Period for Filing Challenging Petition

10.7.1 Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the exclusively recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all, of the classifications or positions set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty percent (30%) and otherwise in the same form and manner as set forth in this Policy. If such challenging petition seeks establishment of an overlapping

unit, the Employee Relations Officer shall call for a hearing on such overlapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations shall be heard. Thereafter, the Employee Relations Officer shall determine the appropriate unit or units in accordance with the standards in this Policy. The petitioning employee organizations shall have fifteen (15) days from the date notice of such unit determination is communicated to them by the Employee Relations Officer to amend their petitions to conform to such determination or to appeal such determination pursuant to this Policy.

10.8 Election Procedure

10.8.1 Unless recognition is granted pursuant to Section 10.9, the Employee Relations Officer shall arrange for a secret ballot election to be conducted by a party agreed to by the Employee Relations Officer and the concerned employee organization(s), subject to the provisions of this Policy. All employee organizations who have duly submitted petitions which have been determined to be in conformance with this Policy shall be included on the ballot. The ballot shall also reserve to employees the choice of representing themselves individually in their employment relations with the District. Employees entitled to vote in such election shall be those persons employed within the designated appropriate unit during the pay period immediately prior to the date of the election, including those who did not work during such period because of illness, vacation or other authorized leaves of absence, and who are employed in the same unit on the date of the election. An employee organization shall be formally acknowledged as the exclusively recognized employee organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election, providing that at least sixty percent (60%) of the employees in the appropriate unit have voted. In the event that sixty percent (60%) of the employees in the appropriate unit have failed to vote, another election shall be scheduled within ninety (90) days. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of valid votes cast; the rules governing an initial election being applicable to a run-off election.

10.8.2 There shall be no more than one valid election under this

Policy pursuant to any recognition or unit modification petition in a twelve-month period affecting the same or a substantially similar (as determined in the Employee Relations Officer's sole discretion) unit.

10.8.3 In the event that the parties are unable to agree on a third party to conduct an election, the election shall be conducted by the State Mediation and Conciliation Service or other disinterested party designated by the Employee Relations Officer.

10.8.4 Costs of conducting elections shall be borne in equal shares by the District and by each employee organization appearing on the ballot.

10.9 Discretionary Recognition

10.9.1 Notwithstanding Section 10.8 of this Policy, the Employee Relations Officer shall grant exclusive recognition to an employee organization based on Proof of Employee Support showing that a majority of the employees in an appropriate unit desire said representation, unless another labor organization has previously been lawfully recognized as the exclusive or majority representative of all or part of the same unit. Exclusive representation shall be determined by a neutral third party selected by the Employee Relations Officer and the employee organization who shall review the Proof of Employee Support to verify the exclusive or majority status of the employee organization. In the event the Employee Relations Officer and the employee organization cannot agree on a neutral third party, the Division of Conciliation of the Department of Industrial Relations shall be the neutral third party and shall verify the majority status of the employee organization. In the event that the neutral third party determines, based on Proof of Employee Support, that a second labor organization has the support of at least thirty percent (30%) of the employees in the unit in which recognition is sought, the neutral third party shall order an election to establish which labor organization, if any, has majority status.

10.10 Procedure for Decertification or Withdrawal of Recognition Exclusively Recognized Employee Organization.

10.10.1 Petition for Decertification. A Decertification Petition alleging that the incumbent exclusively recognized employee

organization no longer represents a majority of the employees in an established appropriate unit may be filed with the Employee Relations Officer following the first full year of recognition. A Decertification Petition may be filed by two or more employees or their representative, or an employee organization, and shall contain the following information and documentation declared by the duly authorized signatory under penalty of perjury to be true, correct and complete:

- 10.10.1.1** The names, addresses and telephone numbers of the petitioner and a designated representative authorized to receive notices or requests for further information.
- 10.10.1.2** The name of the established appropriate unit and of the incumbent exclusively recognized employee organization sought to be decertified as the representative of that unit.
- 10.10.1.3** An allegation that the incumbent exclusively recognized employee organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto.
- 10.10.1.4** Proof of employee support that at least thirty percent (30%) of the employees in the established appropriate unit no longer desire to be represented by the incumbent exclusively recognized employee organization. Such proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party within ten (10) days of filing the petition.
- 10.10.1.5** An employee organization may, in satisfaction of the Decertification Petition requirements hereunder, file a Petition under this section in the form of a Recognition Petition that evidences proof of employee support of at least thirty percent (30%) that includes the allegations and information required under paragraphs Sections 10.10.1, 10.10.1.1, 10.10.1.2, 10.10.1.3, and 10.10.1.4 and otherwise conforms to the requirements of Section 10.5 of this Policy.

10.10.1.6 The Employee Relations Officer shall initially determine whether the Petition has been filed in compliance with the applicable provisions of this Policy. If his or her determination is in the negative, he or she shall offer to consult thereon with the representative(s) of such petitioning employees or employee organization and, if such determination thereafter remains unchanged, shall return such Petition to the employees or employee organization with a statement of the reasons in writing. The petitioning employees or employee organization may appeal such determination in accordance with Section 10.13 of this Policy. If the determination of the Employee Relations Officer is in the affirmative, or if his or her negative determination is reversed on appeal, he or she shall give written notice of such Decertification or Recognition Petition to the incumbent exclusively recognized employee organization and to unit employees.

10.10.1.7 The Employee Relations Officer shall thereupon arrange for a secret ballot election to be held to determine the wishes of unit employees as to the question of decertification and, if a Recognition Petition was duly filed hereunder, the question of representation. Such election shall be conducted in conformance with this Policy.

10.10.2 Employee Relations Officer Ordered Election. The Employee Relations Officer may, on his or her own motion following the first full year of recognition, when he or she has reason to believe that a majority of unit employees no longer wish to be represented by the incumbent exclusively recognized employee organization, give notice to that organization and all unit employees that he or she will arrange for an election to determine that issue. In such event, any other employee organization may, within fifteen (15) days of such notice, file a Recognition Petition in accordance with Section 10.10, which the Employee Relations Officer shall act on in accordance with this Policy.

10.10.3 Withdrawal of Recognition Based on Good Faith Doubt. The District may withdraw recognition from an employee organization which has previously been granted formal recognition if the District has a good faith doubt as to the

continued majority status of the employee organization. The District's good faith doubt shall be supported by evidence that the employee organization lacks continued majority status. This evidence should include, but is not limited to, some of the following:

- 10.10.3.1** Inactivity by the employee organization, such as a failure to monitor contract provisions and pursue grievances;
- 10.10.3.2** Employee expressions of dissatisfaction with the employee organization;
- 10.10.3.3** The filing of a decertification petition by employees;
- 10.10.3.4** Substantial employee turnover and/or expansion since the date of formal recognition;
- 10.10.3.5** Pronounced decline in the number of employees who pay employee organization dues, or;
- 10.10.3.6** A poll of employees indicating the lack of majority support. Such a poll may be initiated by the Employee Relations Officer only under the following conditions:
 - 10.10.3.6.1** The District must have other evidence indicating a lack of majority status prior to initiating a poll;
 - 10.10.3.6.2** The purpose of the poll must be to determine whether the employee organization represents a majority of the employees;
 - 10.10.3.6.3** The purpose of the poll must be communicated to the employees;
 - 10.10.3.6.4** The employees must be given assurances against reprisal;
 - 10.10.3.6.5** The employees must be polled by secret ballot;

10.10.3.6.6 The polling process must be free of coercion.

10.10.3.7 District's evidence must support a conclusion that more than fifty percent (50%) of the employees do not support the employee organization.

10.10.3.8 Recognition may not be withdrawn under this procedure until the employee organization in question has served for a full year, as measured by the date of election or other recognition method, as a recognized employee organization.

10.10.4 Effect on Existing Memorandum of Understanding. A valid Memorandum of Understanding shall not be affected by any of the procedures set forth in subsections 10.10.1, 10.10.2, and 10.10.3 and the District shall not be obligated to meet and confer with any newly recognized employee organization to which the Memorandum of Understanding applies, on any matters addressed or considered in the meet and confer sessions which resulted in the Memorandum of Understanding, until such Memorandum of Understanding expires.

10.11 Policy and Standards for Determination of Appropriate Units

10.11.1 The policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on: (1) the efficient operations of the District and its compatibility with the primary responsibility of the District and its employees to effectively and economically serve the public; and (2) providing employees with effective representation based on recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered shall include:

10.11.1.1 Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions;

10.11.1.2 History of representation in the District, and similar employment, except, however, that no unit shall be deemed to be an appropriate unit

solely on the basis of the extent to which employees in the proposed unit have organized;

- 10.11.1.3** Consistency with the organizational patterns of the District;
- 10.11.1.4** Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units; and
- 10.11.1.5** Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing single or related classifications among two or more units.

10.11.2 Notwithstanding the foregoing provisions of Section 10.11, managerial, supervisory and confidential responsibilities, as defined in this Policy, are determining factors in establishing appropriate units hereunder, and therefore, managerial, supervisory and confidential employees may only be included in a unit consisting solely of managerial, supervisory or confidential employees. Managerial, supervisory and confidential employees may not represent any employee organization which represents other employees.

10.11.3 The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate or delete modified classifications or positions from units in accordance with the provisions of Section 10.12.

10.12 Procedure for Modification of Established Appropriate Units

10.12.1 Requests by employee organizations for modifications of established appropriate units may be considered by the Employee Relations Officer only following the first full year of recognition. Such requests shall be submitted in the form of a Recognition Petition and, in addition to the requirements set forth for a recognition petition, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards

set forth to determine appropriate units. The Employee Relations Officer shall process such petitions as other Recognition Petitions under this Policy.

10.12.2 The Employee Relations Officer may, on said Officer's own motion, propose during the period specified in Section 10.10 of this Policy that an established unit be modified. The Employee Relations Officer shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s), at which time all affected employee organizations shall be heard. Thereafter the Employee Relations Officer shall determine the composition of the appropriate unit or units in accordance with Section 10.11 of this Policy, and shall give written notice of such determination to the affected employee organizations. The Employee Relations Officer's determination may be appealed as provided in this Article. If a unit is modified pursuant to the motion of the Employee Relations Officer hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the exclusively recognized employee organization for such new appropriate unit or units, if any.

10.13 Appeals

10.13.1 An employee organization aggrieved by an appropriate unit determination of the Employee Relations Officer under this Section 10.5 of this Policy may, within ten (10) days of notice thereof, request the intervention of the California State Mediation and Conciliation Service, pursuant to Government Code Sections 3507.1 and 3507.3, or may, in lieu thereof or thereafter, appeal such determination to the Board of Directors for final decision within fifteen (15) days of notice of the Employee Relations Officer's determination or the termination of proceedings, pursuant to Government Code Sections 3507.1 and 3507.3, whichever is later.

10.13.2 An employee organization aggrieved by a determination of the Employee Relations Officer that a Recognition Petition (Section 10.5); Challenging Petition (Section 10.7) or Decertification Recognition Petition (Section 10.10) — or employees aggrieved by a determination of the Employee Relations Officer that a Decertification Petition (Section 10.10) — has not been filed in compliance with the applicable provisions of this Article may, within ten (10) days of notice of

such determination, appeal the determination to the Board of Directors for final decision.

- 10.13.3** Appeals to the Board of Directors shall be filed in writing with the Secretary, and a copy thereof served on the Employee Relations Officer. The Board of Directors shall commence to consider the matter within thirty (30) days of the filing of the appeal. The Board of Directors may, in its discretion, refer the dispute to a third party hearing process or consider the matter itself pursuant to written briefs or an informal hearing process. Any decision of the Board of Directors on the use of such procedure, and/or any decision of the Board of Directors determining the substance of the dispute shall be final and binding.

10.14 Submission of Current Information by Recognized Employee Organizations

- 10.14.1** All changes in the information filed with the District by an exclusively recognized employee organization under items (1) through (8) of its Recognition Petition shall be submitted in writing to the Employee Relations Officer within ten (10) days of such change.

10.15 Employee Organization Activities — Use of District Resources

- 10.15.1** Access to District work locations and the use of District paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in the Memorandum of Understanding and/or administrative procedures, shall be limited to lawful activities consistent with the provisions of this Policy that pertain directly to the employer-employee relationship and not such internal employee organization business as soliciting membership, campaigning for office, and organization meetings and elections, and shall not interfere with the efficiency, safety and security of District operations.

- 10.15.2** Recognized employee organizations may use portions of District bulletin boards under the following conditions:

10.15.2.1 All materials must receive the approval of the Employee Relations Officer.

10.15.2.2 All materials must be dated and must identify the organization that published them.

- 10.15.2.3** The actual posting of materials will be done by the District as soon as possible after they have been approved. Unless special arrangements are made, materials posted will be removed thirty-one (31) days after the posting date. Materials which the Employee Relations Officer considers objectionable will not be posted.
- 10.15.2.4** The District reserves the right to determine where bulletin boards shall be placed and what portion of them are to be allocated to employee organizations' materials.
- 10.15.2.5** An employee organization that does not abide by these rules will forfeit its right to have materials posted on District bulletin boards.

10.16 Administrative Rules and Procedures

- 10.16.1** The Employee Relations Officer is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of this Policy after consultation with affected employee organizations.

10.17 Initiation of Impasse Procedures

- 10.17.1** If the meet and confer process has reached impasse as defined in this Policy, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such meeting shall be:
 - 10.17.1.1** To review the position of the parties in a final effort to reach agreement on a Memorandum of Understanding; and
 - 10.17.1.2** If the impasse is not resolved, to discuss arrangements for the utilization of the impasse procedures provided herein.

10.18 Impasse Procedures

- 10.18.1** If the parties agree to submit the dispute to mediation, and

agree on the selection of a mediator, the dispute shall be submitted to mediation. All mediation proceedings shall be private and nonbinding, unless otherwise specifically, mutually agreed to in writing. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues.

10.18.2 If the parties fail to agree to mediation or to a mediator, or having so agreed, fail to resolve the dispute through mediation, the Board of Directors may take such action as it, in its discretion, deems appropriate as in the public interest. Any legislative action by the Board of Directors on the impasse shall be final and binding.

10.19 Costs of Impasse Procedures

10.19.1 The costs for the services of a mediator utilized by the parties, and other mutually incurred costs of mediation, shall be borne equally by the District and the exclusively recognized employee organization. The cost for other separately incurred costs, shall be borne by such party.

10.20 Miscellaneous Provisions

10.20.1 Construction. This Policy shall be administered and construed as follows:

10.20.1.1 Nothing in this Policy shall be construed to deny to any person, employee, organization, the District, or any authorized officer, body or other representative of the District, the rights, powers and authority granted by federal or state law.

10.20.1.2 This Policy shall be interpreted so as to carry out its purposes as set forth in Section 10.2 of this Policy.

10.20.1.3 Nothing in this Policy shall be construed as making the provisions of California Labor Code Section 923 applicable to District employees or employee organizations, or of giving employees or employee organizations the right to participate in, support, cooperate or encourage, directly or indirectly, any strike, sickout or other total or partial stoppage or slowdown of work which poses an imminent threat to public health and

safety. In consideration of and as a condition of initial and continued employment by the District, employees recognize that any such actions by them are in violation of their conditions of employment except as expressly otherwise provided by legally preemptive state or contrary local law. In the event employees engage in such actions, they shall subject themselves to discipline up to and including termination, and may be permanently replaced, to the extent such actions are not prohibited by preemptive law; and employee organizations may thereby forfeit any rights accorded them under law or contract.

- 10.20.1.4** The rights, powers, and authority of the Board of Directors in all matters, including the right to maintain any legal action, shall not be modified or restricted by this Policy.

10.21 Memorandum of Understanding

- 10.21.1** When the meeting and conferring process is concluded between the District and a formally Exclusively Recognized Employee Organization representing a majority of the employees in an appropriate unit, all agreed upon matters shall be incorporated in a written memorandum of understanding signed by the duly authorized District and majority representatives.
- 10.21.2** As to those matters within the authority of the Board of Directors, the memorandum of understanding shall be submitted to the Board of Directors for determination.

10.22 Reasonable Time Off To Meet and Confer

- 10.22.1** The Exclusively Recognized Employee Organization may select not more than two (2) employee members of such organization to attend scheduled meetings with the Employee Relations Officer or other management officials on subjects within the scope of representation during regular work hours without loss of compensation. Where circumstances warrant, the Employee Relations Officer may approve the attendance at such meetings of additional employee representatives with or without loss of compensation. The employee organization shall, whenever practicable, submit the names of all such employee representatives to the Employee Relations Officer at

least three (3) working days in advance of such meetings.
Provided, further:

10.22.1.1 That no employee representative shall leave his or her duty or work station or assignment without specific approval of the department head or other authorized District management official.

10.22.1.2 That any such meeting is subject to scheduling by District management in a manner consistent with operating needs and work schedules.

10.22.2 Nothing provided herein, however, shall limit or restrict District management from scheduling such meetings before or after regular duty or work hours under appropriate circumstances.

10.23 Severability

10.23.1 If any provision of this Policy, or the application of such provision to any persons or circumstance, shall be held invalid, the remainder of this Policy, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

EXHIBIT A

GENERAL POLICIES MANUAL TABLE OF RESOLUTIONS

SECTION	STATUS	RESOLUTION NO.
1 PURPOSE OF DISTRICT POLICIES	Existing	2009-04
2 ADOPTION / AMENDMENT OF POLICIES	Existing	2009-04
3 DISTRICT MISSION STATEMENT AND MISSION POLICY		2009-08
4 CONFLICT OF INTEREST CODE	Amended	2009-09
5 ROLES AND COMMUNICATION FOR BOARD AND STAFF	Amended	2009-04
6 THE RESPONSIBILITY AND AUTHORITY OF THE GENERAL MANAGER	Amended	2009-04
7 CODE OF CONDUCT POLICY	Amended	2009-07
8 PUBLIC COMPLAINTS	Amended	2009-04
9 NON-SERVICE REALTED FEES	Amended	2009-04
10 EMPLOYER-EMPLOYEE ORGANIZATION RELATIONS	New	2010-15