

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

**Revised 02/06/2020**

## **INTRODUCTION**

The following policies and procedures do not constitute a contract between Stansbury Park Service Agency and its employees, and should not be construed as such. These policies and procedures, any working conditions, and compensation plan, wages and benefits, may be changed or amended at any time by the Board of Trustees without having to consult employees and without employee agreement. Employment by the Agency is subject to and shall be governed by these policies and procedures and by all subsequent amendments hereto as deemed necessary by the Board of Trustees. The Board of Trustees may authorize exceptions to these policies when determined to be in the best interests of the Agency. Employment of any exempt employee by the Agency can be terminated at any time, with or without cause, and for any non-exempt employee with or without cause while working under probationary status.

**SECTION I**  
**EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION**

**EEO Statement**

It is the policy of Stansbury Park Service Agency to comply with Federal and State Equal Employment Opportunity guidelines. All employment decisions will be made without unlawful regard of race, color, religion, sex, national origin, age or disability. To this end, Stansbury Park Service Agency will not engage in any unlawful discrimination against any employee or applicant for employment because of race, color, religion, sex, national origin, disability, age, or veterans status, and will ensure that applicants and employees are treated without unlawful regard to these characteristics.

It is the obligation of each officer, manager, and manager of Stansbury Park Service Agency to conduct himself/herself in conformity with the principle of Equal Employment Opportunity at all times. All employment activities including, but not limited to, hiring, promotion, demotion, transfer, recruitment, advertising, discipline, layoff, termination, compensation, and training, shall be conducted without unlawful regard to race, color, religion, sex, national origin, age or disability.

## **SECTION II EMPLOYMENT SELECTION**

### **A. Recruitment**

#### 1. Job Postings

To give existing employees first priority at position openings, an announcement of a job opening along with a Job Posting is posted in the Stansbury Park Service Agency's office, accessible to all qualified employees for five working days before the announcement is made to external sources.

#### 2. Employee Job Interest

Regular, full-time employees requesting consideration for job openings must submit a Job Posting Application to the Agency Manager. Only after reviewing applications from current employees and determining that there are an inadequate number of qualified applicants, should outside applicants be considered for employment.

#### 3. Resume Files

The manager requesting the hire may review current applicant files, which contain applications and resumes of applicants who have applied for positions previously. The manager may then contact any qualified applicants.

#### 4. Job Advertising - Shall comply with EEO requirements

External job announcements must be advertised in the appropriate media on at least three separate days. Each advertisement should contain a statement indicating that the Agency is an equal opportunity employer. Copies of the advertisements should be included in Agency Affirmative Action plans.

All job notices must specify the name and the office of the person from whom applications are to be obtained, the name and office of the person to whom completed applications are to be returned, and the deadline for filing an application.

#### 5. Employment Agencies and Search Consultants

The Stansbury Park Service Agency may use these sources if the above mentioned options do not attract a qualified candidate. These agencies/consultants maintain lists of potential employees who meet their criteria of reliability, experience and cost guidelines.

**B. Hiring**

Application Forms

It is Stansbury Park Service Agency policy to use official hiring forms, keep said forms on file for 3 years, and provide applicants with a consistent interviewing and testing procedure.

1. GATB

When necessary, job applicants may be required to take the General Aptitude Test Battery. If administration of the GATB is deemed necessary Job Service shall administer it.

2. Other Ability Tests

Applicants may be required to take other ability tests, which the Agency deems necessary for a specific position.

3. Interviews

The manager selects an applicant pool in which to interview from. The manager selects this pool from those who have passed the preliminary screening of the job application and any ability tests.

**C. Placement**

Offer Conditions

Before a person is offered a job position, the manager in charge of hiring must evaluate the job offer, and both the manager and the potential employee must understand the conditions of employment.

**D. Probationary Period**

All new employees shall be subject to a 6-month probationary period. During this period, probationary employees may be terminated with or without notice for any or no reason and shall not be eligible for any process in connection with said termination. An employee

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

on probation shall have a performance review at least once during, and at the end, of the probationary period. This appraisal may be used to provide information to both the employee and management regarding the employee's performance. This performance review and the results of such review shall not obligate management as to

a particular course of action relative to the probationary employee nor shall it create any property/due process rights for the probationary employee relative to his/her job/position.

### **SECTION III NEPOTISM**

#### **A. Policy**

It is the policy of Stansbury Park Service Agency to comply with the Anti-Nepotism statute stated in 52-3-1, et seq., Utah Code Annotated, 1953 as amended.

#### **B. Definition**

"Relative" means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

#### **C. Nepotism in Hiring, Supervision, and Accepting Positions**

No Agency employee may employ, appoint, or vote for or recommend the appointment of a relative in or to any position of employment, when the salary, wages, pay or compensation of the appointee will be paid from public funds and the appointee will be directly supervised by a relative. No Agency employee may directly supervise an appointee who is a relative when the salary, wages, pay, or compensation of the relative will be paid from public funds. No appointee may accept or retain employment if the appointee is paid from public funds, and is under the direct supervision of a relative except as follows:

1. The relative was appointed or employed before the employee assumed the position, if the relative's appointment did not violate the provisions of Utah Code Ann., Title 52, Chapter 3, in effect at the time of the appointment;
2. The appointee was or is eligible or qualified to be employed by the Agency as a result of the appointee's compliance with civil service laws or regulations, or merit system laws or regulations;
3. The appointee is the only person available, qualified, or eligible for the position;
4. The appointee is compensated from funds designated for vocational training;

5. The appointee is employed for a period of 12 weeks or less;
6. The appointee is a volunteer as defined by the Agency; or
7. The Board of Trustees has determined that the appointee's relative is the only person available or qualified to supervise the appointee.

## **SECTION IV EMPLOYEE CONDUCT AND DISCIPLINE**

### **A. Discipline Procedures**

This discipline procedure is a recommendation provided by Stansbury Park Service Agency to managers to be used as a general guideline at their discretion. This discipline procedure is not a term of an employment contract and Stansbury Park Service Agency is under no obligation to use it in every instance.

### **B. Discipline Policy**

The Stansbury Park Service Agency is committed to a fair and equitable discretionary discipline system. Management has both the right and responsibility to correct and/or discipline staff for misconduct, errors or inappropriate behavior or actions which adversely affect the operations and/or the reputation of The Stansbury Park Service Agency.

### **C. Rules of Conduct**

Your employment is subject to meeting the performance and conduct requirements of your job to the satisfaction of Stansbury Park Service Agency. Employees who fail to satisfy these requirements will be subject to disciplinary action which can range from warning notices to termination. In each case of misconduct or unsatisfactory performance, the appropriate disciplinary action will be determined on the basis of the particular facts and circumstances. The rules/procedures set out below are as complete as we can reasonably make them. However, they are not necessarily all-inclusive. Stansbury Park Service Agency may vary from the rules/procedures listed below if, in its opinion, the circumstances require. All employees are expected and encouraged to conduct themselves in a spirit of cooperation, in order to assume smooth operation of Stansbury Park Service Agency.

1. General Conduct

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

As an employee of Stansbury Park Service Agency, you are expected to accept and adhere to high standards of personal and professional conduct at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that you refrain from behavior that might be harmful to you, your co-workers, and/or Stansbury Park Service Agency, or negatively impact current or potential clients and/or the public at large's perception of the Agency. Should your performance, work habits, overall attitude, or demeanor become unsatisfactory in the judgment of Stansbury Park Service Agency, you may be subject to disciplinary action, including termination.

2. Job Performance

As an employee of Stansbury Park Service Agency, you are expected to perform all the duties and responsibilities required by your job description and all those assigned to you by your manager. Should you fail to perform these job duties and responsibilities at prescribed levels, you may be subject to disciplinary action, including termination.

3. Guidelines for Discharge Due to Unsatisfactory Performance

Discipline related to the quality of employee job performance deserves special consideration. In cases of unsatisfactory job performance, managers/managers may bring the problem to the attention of the employee and try to determine the cause of the problem. Some possible causes of poor performance may include lack of experience in the job, education, motivation, employee personal problems, or personality conflict. Once the cause is identified, the employee may be given time, at the discretion of the manager/manager, to remedy the situation. The manager/manager may also consider ways to remedy the situation and to improve the individual's performance. Other alternatives may include changing the employee's responsibilities in his/her present job, reassignment to a different job, or transfer/demotion to a position of different or lessor responsibility. If, after sufficient time and consideration of the above, the employee does not remedy the situation, if the situational factors indicate that improvement is unlikely or the situation is serious enough, the manager/manager should proceed with discipline of the employee.

4. Absenteeism and Tardiness

a. Definition of Terms

1. Arranged Absence (approved leave)

When an employee receives permission from the manager to take time off. Reasons for arranged absence include attending a funeral/wedding of a close relative, medical and dental care, religious observance, military duty, and important personal business that can only be conducted during working hours.

2. Excused Absence

An absence recognized as valid by Stansbury Park Service Agency. The employee could not anticipate the need for time off, but notifies the manager as soon as possible by phone. Reasons generally considered valid include personal illness, death in the immediate family, illness in the family, natural disasters, and accidents.

3. Unexcused Absence

An absence that, for any reason, is not considered valid by Stansbury Park Service Agency.

b. Policy

Stansbury Park Service Agency employees are expected to arrive at work on time and on a regular basis. When employees are unnecessarily absent or late it is expensive, disruptive, and places a burden on fellow employees, managers, and Stansbury Park Service Agency. Should you be unable to work because of illness or personal emergency, you must notify your manager each day of your absence unless you are granted an authorized leave of absence. Unexcused absence and tardiness may result in disciplinary action, including suspension and discharge.

c. Progressive Discipline for Unexcused Absence

1st unexcused absence	Oral/Written Warning
2nd unexcused absence	Probation
3rd unexcused absence	Suspension
4th unexcused absence	Discharge

4. Appearance and Grooming

Stansbury Park Service Agency employees must maintain high standards of personal appearance and grooming. Suitable clothing and neat appearance, including well-groomed hair, are requirements of employment. Administrative

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

employees are required to dress in appropriate dress or work clothes. Laborer's work clothes should be neat and of good taste. More importantly, work clothes should be safe and comfortable. Safety standards may also prohibit dangling neckties, jewelry, loose fitting sleeves, and long coats in certain situations. Failure to maintain neat appearance and grooming is grounds for discipline, including termination.

5. Sexual Harassment

All employees of Stansbury Park Service Agency are entitled, as a matter of Stansbury Park Service Agency policy, to work in an environment free of sexual harassment. Prohibited sexual harassment includes unwelcome sexual advances or requests for sexual favors, offensive verbal or physical conduct of a sexual nature, display of sexually suggestive graffiti (objects or pictures), and other sexually-oriented behavior that unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive environment. This policy prohibits such conduct on the part of individuals at all levels of the organization, as well as on the part of visitors and guests. Any employee who feels he or she is affected by a violation of this policy, or who knows of a violation affecting another employee's work environment, should immediately bring the matter to the attention of his/her manager.

A prompt investigation into any such complaint will be conducted and reported to the appropriate official and, if a violation of this policy is established, all steps necessary to resolve the matter will be taken.

It is the further policy of the Stansbury Park Service Agency to prohibit any and all retaliation against an employee for reporting prohibited sexual harassment. Although this policy does not purport to restrain the Stansbury Park Service Agency or its employees from exercising their legal rights in responding to and defending against a charge of sexual harassment, unwanted changes in working conditions, personal harassment, and any other forms of retaliatory discrimination are expressly prohibited.

6. Gratuities

Stansbury Park Service Agency employees will not accept gratuities except under circumstances allowed by the Utah Employee Ethics Act.

7. Smoking

It is the policy of Stansbury Park Service Agency to provide a working environment that is in compliance with the Utah Clean Air Act for employees and the general public. Stansbury Park Service Agency will follow Utah Indoor Clean Air Act provisions by

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

prohibiting smoking indoors, except in designated areas identified by smoking permitted signs. Employees failing to comply will be subject to discipline, including termination. The success of this Act will depend upon the thoughtfulness, consideration, and cooperation of smokers and nonsmokers located in any building owned by the Service Agency. All employees located in the buildings share in the responsibility for adhering to and enforcing this policy. Conflicts should be brought to the attention of immediate managers, and, if necessary referred to the department head involved for a final decision.

8. Substance Abuse

Employees involved in any unauthorized use, possession, transfer, sale, manufacture, distribution, purchase, or presence of drugs/alcohol or drug paraphernalia on Stansbury Park Service Agency property or having reported to work with detectable levels of illegal drugs or alcohol will be subject to disciplinary action, including termination.

9. **Drug & Alcohol Policy (See attached)**

**SECTION V  
GRIEVANCE**

It is the policy of The Stansbury Park Service Agency to ensure that all employees have a right to voice their grievances in a safe and fair atmosphere. We recognize the importance of open communication between management and employees in resolving disputes. This is important in order to maintain good relationships. For this purpose, a procedure is provided in which complaints will receive full and thorough consideration. When an employee feels that they have been treated unfairly or that an unsatisfactory condition exists, they should bring it to the attention of The Stansbury Park Service Agency through the grievance procedure provided.

The Stansbury Park Service Agency has an "open door" policy to hear and resolve grievances. Employees should feel free to discuss any work-related problems with the Agency Manager. If employees would rather not approach their immediate managers, or if the problem is not addressed adequately by the immediate manager, the grievance may be discussed with the Agency Manager. The Agency Board of Trustees shall be the final source for arbitration of grievances. Employees can be confident that they will not be penalized for using this "open door" policy.

## **SECTION VI RECORD KEEPING**

Employee records are maintained in compliance with the law. The Stansbury Park Service Agency policy is that only relevant job-related information is maintained on its employees, that such information is held in strict confidence, and that access is limited only to those who require it for legitimate business reasons. Employees have the opportunity to review their own files on the premises during regular business hours.

### Change of Employee Status

Employees are responsible for ensuring that personal employee information contained in employee files is current and accurate. Individual information (any change in number of dependents, marital status, address change, educational degree change, etc.) should be updated whenever necessary by sending a completed Change of Status Form.

**SECTION VII  
GIVING REFERENCES**

The Stansbury Park Service Agency limits information given in a reference to the following:

- Verification that the employee worked, full or part-time, for the employer during the stated period;
- A description of the position held; and
- Verification that the employee achieved a given salary range.

## **SECTION VIII PERFORMANCE APPRAISALS**

- The appraisal will consist of a review between the employee and the immediate manager according to the Performance Appraisal Forms.
- An employee's performance is reviewed at six months after hiring, and annually after that.
- Each employee is eligible for additional compensation at the conclusion of their successful completion of the probationary period and annually, subject to the recommendation of the Agency Manager and acceptance by the Board of Trustees based on the employee's performance and qualifications.
- Qualifications are based on each position's job description and company work standards.

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

- Managers will be as objective as possible in judging performance.
- Each employee should be encouraged to seek and receive guidance in improving performance.
- Employees should review the written appraisal and make written comments concerning all aspect of the appraisal, after the Agency Manager has reviewed and authorized it. The employee should express agreement or disagreement with any points made.
- The employee and the reviewer should sign a copy of the appraisal and the appraisal is filed in the employee's file.

## **SECTION IX PAY PLAN AND PAY ADMINISTRATION**

### **A. Equal Pay Act Compliance and Fair Labor Standards Act Compliance**

It is the Stansbury Park Service Agency's policy to comply with the guidance set forth by The Equal Pay Act of 1963, (EPA) and the Fair Labor Standards Act Compliance (FLSA).

### **B. Classification of Employment**

#### **1. Full-Time Salaried Employees**

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

Employees who are excluded from the provisions of the Fair Labor Standards Act, who are paid an annual salary rather than an hourly wage. The Park Manager and Swimming Pool Manager are included in this classification.

2. Full-Time Regular Employees

Employees hired to work normal, full-time 40-hour work weeks on a regular basis.

3. Permanent Part-Time Regular Employees

Employees hired to work part-time on a regular basis.

4. Part-Time and Full-Time Temporary Employees

Employees engaged in work full time or part-time with the understanding that their employment will be terminated at the completion of a specific project or at a specified time.

**C. Compensation Plan**

Employees shall be paid according to the current compensation plan. The Board of Trustees shall approve the compensation plan each year. Each Agency employee, with the exception of management employees, shall be compensated on the basis of the approved hourly rate or job classification. Management employees shall be compensated at an annual rate, which shall be paid out uniformly on a bi-weekly basis. If more than 26 pay days fall within one calendar year, the Board of Trustees may authorize additional compensation for employees receiving an annual rate of an additional 1/26th of the regular annual compensation which is designed to avoid reduced bi-weekly paychecks for the year in which there are 27 pay periods.

**D. Comp Time**

Managers are encouraged not to work more than 40 hours in any given work week. All full-time regular employees who do work more than 40 hours per week are entitled to comp time in lieu of over-time pay. This comp time shall accrue at a rate of 1-1/2 hours of comp time for each hour worked over 40 hours per week. Each full-time regular employee may accrue no more than 120 hours of comp time at any given time. All comp time must be used within 12 months of the time in which it is accrued. Part-time employees are not allowed to work over-time or accrue comp time hours.

**E. Pay Advancement**

Full-time and permanent part-time probationary employees who satisfactorily complete their six-month probationary period, shall be eligible for a pay increase. Thereafter, employees may

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

receive an annual performance review, which may constitute satisfactory service and the recommendation by the Agency Manager to award additional compensation. The Board of Trustees must approve all raises. All pay advances shall be subject to budget constraints, revenue projections, other factors affecting financial resources, and the Agency's ability to fund the increases. The Board of Trustees may freeze pay advances recommended for employees.

**F. Eligibility Date Adjustments**

If a full-time or part-time employee receives a promotion or reclassification and such action results in a pay increase, the employee's eligibility date for pay advancement shall be adjusted to the date of promotion or reclassification.

**G. Effective Date**

The effective date for a pay increase shall be the beginning of the payroll period nearest the approval date. The increase shall be paid retroactive to the eligibility date.

**H. Denial of a Pay Increase**

If the employee's annual performance review indicates less than satisfactory service, the pay raise shall be withheld until the employee has, in the judgment of the appointing authority, made special effort to improve and correct the deficiencies. Written notice of the denial of a pay raise and the reason therefore shall be submitted promptly to the employee and Agency Clerk. However, the employee's eligibility date for future raises shall remain unchanged.

**I. Factors Not Affecting Eligibility**

The following factors shall not affect eligibility for a pay increase:

1. Pay adjustments resulting from an annual salary and wage survey;
2. A transfer that does not result in a pay increase;
3. Leave-without-pay for fewer than 30 days;
4. Military leave-without-pay necessitated by a draft or reserve call-up because of a national emergency;
5. A period of leave with pay; and
6. Reclassification to a position of the same pay range or lower.

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

**I. Pay Day**

Employees will be paid on a bi-weekly basis. The Clerk-Secretary shall distribute paychecks to employees, or such other person as may be designated by the Agency Manager.

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

**SECTION X**  
**REIMBURSABLE EXPENSES**

With prior approval, legitimate expenses will be reimbursed to the employee. Receipts shall be required to reimburse the employee. Reimbursement may be in the form of an addition to a paycheck, or a separate check. Records must be kept reflecting the amount of reimbursement each employee has received. Reimbursable items are as follows:

**A. Meals**

Reimbursement to the employee for actual meal expenses. No single meal may be reimbursed for more than (\$20).

**B. Mileage**

Mileage will be paid for the use of an employee's vehicle on Stansbury Park Service Agency business, at the rate of (31) cents per mile.

**C. Training and Conferences**

If required to attend training or a conference, an employee will be compensated, in addition to paying any tuition or fees, as follows. The employees will be paid their regular daily salary for travel to, attending, and travel from training or conferences on a regular workday.

## **SECTION XI LEAVE OF ABSENCE**

### **A. Vacation Time**

Vacation time is intended to benefit the employee. Employees are encouraged to take vacation time in the year in which it is earned. Vacation time will not be advanced to employees.

#### **1. Scheduling**

Vacation time will be scheduled so as to meet the operating requirements of the Agency, and in so far as possible, the preference of employees. Seniority within the Agency shall apply in case of conflict of leave schedules.

#### **2. Holidays**

An Agency holiday shall not constitute a day of vacation time. When an authorized holiday falls within the time period of employee's vacation time, the employee will be entitled to one additional day beyond the specified vacation time period.

#### **3. Accrued Vacation Time Upon Termination**

Employees who have had their employment status terminated or who give notice of intent to terminate their employment and who will not actually work for the Stansbury Park Service Agency after giving such notice shall not be allowed to continue or retain their status as an employee by electing to take accrued annual or sick leave. Employees terminating or retiring will be cashed out in a lump sum for all vacation time accrued.

#### **4. Full-Time Employees Vacation Time Accrual**

- a. Full-time employees shall accrue 3.08 hours of vacation time per pay period from the date of appointment.
- b. Full-time employees with at least five years and through their tenth year of service shall accrue 4.62 hours of vacation time per pay period, from their anniversary date.

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

c. Full-time employees with at least ten years of service shall accrue 6.15 hours of vacation time per pay period, from their anniversary date.

d. No employee shall be permitted to accrue more than 240 hours of vacation at any given time. If an employee does accrue 240 hours of vacation time, no more vacation time will be awarded to that employee until all or part of the accrued vacation leave is used.

5. Permanent Part-Time Employees Vacation Time Accrual

Permanent part-time employees working 20 hours or more per week shall accrue annual leave on a proportionate basis of hours of vacation time per pay period from their date of appointment as vacation time accrual for full-time employees.

6. Probationary Employees

Probationary employees shall accrue vacation time from the date of their initial appointment. However, probationary employees shall not be entitled to use accrued vacation time during the first three months of their probationary period, and shall forfeit all accrued vacation time if terminated during their probationary status. This provision shall apply only to newly hired probationary employees; not to employees who are on probation as a result of a promotion who have previously completed a new-hire probationary period.

7. Temporary and Seasonal Employees

Vacation time shall not be granted to temporary or seasonal employees.

**B. Sick Leave**

Sick leave shall begin accruing upon an eligible employee's starting date, but shall not be available for use until the employee completes at least two full pay periods of employment.

Each full-time or eligible employee shall receive a maximum amount of sick leave of six days per year.

1. Use

Sick leave may be granted for preventive health and/or dental care or for absence from duty because of illness, injury or temporary disability of the employee, a spouse or dependents living in the employee's home, with an exception granted for divorced parents.

2. Approval

Sick leave will be allowed only when the employee or a member of the employee's immediate family notifies the Agency Manager or other designated person of the employee's absence prior to or within one hour after the scheduled reporting time. The Agency Manager shall use discretion in approving sick leave. Employees who abuse this sick leave policy may be denied sick leave and/or receive an unsatisfactory performance appraisal. Accumulated sick leave is not paid upon termination.

3. Medical Certificate

A medical certificate or other administratively acceptable evidence shall support any request for sick leave to cover an absence that exceeds six successive working days. When sick leave is being taken a doctor's diagnosis or other evidence of illness may be required of absences of less than six days.

4. Part-Time, Temporary, and Seasonal Employees

Sick leave shall not be granted to temporary or seasonal employees. Sick leave will not be granted to a permanent part-time employee working less than 20 hours per week.

**C. Holidays**

The following named days are Agency holidays and are designated to be paid holidays:

New Year's Day  
Human Rights Day  
President's Day  
Memorial Day  
Independence Day  
Pioneer Day  
Labor Day  
Veterans' Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas  
Personal Holiday

1. Weekend Holidays

Saturday or Sunday shall not be a paid holiday for employees. When a holiday falls on a Saturday, it shall be observed on the preceding workday. When it falls on a Sunday, it shall be observed on the following workday.

2. Pay

When any non-management full-time employee is required to work on an authorized holiday, that employee will receive compensatory time on an hour and one-half basis for time worked on a paid holiday. Overtime pay for holidays will be allowed only with the Agency Manager's approval.

3. Part-Time Employees

Part-time employees shall be paid for all Agency holidays at the same rate as if they had worked their regular part-time hours.

**D. Emergency Leave**

Emergency leave with pay may be authorized by the Agency Manager in the case of a death in the immediate family for a period not to exceed four working days. "Immediate family" shall mean wife, husband, children, daughter-in-law, son-in-law, parents, grandchildren, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, spouse's grandparents, brothers and sisters of the employee.

In the event of the death of other family members, an employee may be authorized up to eight hours of emergency leave to attend the funeral for such persons. "Other family members" means relatives other than immediate family members, within and including the fifth degree of consanguinity, computed according to the rules of civil law, and also includes the spouses of such relatives.

**E. Jury Leave**

An employee who, in obedience to a subpoena or direction by proper authority, appears as a witness for the federal government, the State of Utah or a political subdivision thereof, shall be entitled to the difference between that employee's regular compensation and the compensation of fees received in excess of traveling expenses as a witness. Time absent by reason of subpoena in private litigation or by some party other than the federal government, state government or political subdivision thereof, to testify not in official capacity but as an individual, shall be taken as annual leave or leave without pay.

**F. Maternity Leave**

An employee who becomes pregnant may continue working until such time she can no longer satisfactorily perform her duties or her physical condition is such that her continued

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

employment may be injurious to her health. An employee shall, upon request, present medical certification from her doctor of fitness to continue or resume work. Sick leave that is regularly available to cover the time for physical examinations and periods of incapacitation will be available to the pregnant employee for the same purpose. Maternity leave shall be granted on the same basis as any other temporary disability or illness.

**G. Military Leave**

Military leave will be granted as long, as the training is under Federal orders, in accordance with the U.S. Code, Chapter 43 of Part III of Title 38.

**H. Administrative Leave**

Full-time or probationary employees may, upon approval of the Board of Trustees or the Agency Manager, be granted leave with pay to perform legitimate duties in connection with Agency business, to attend trade or professional meetings which relate to official duties, or to participate in recognized or authorized training programs.

**I. Leave of Absence**

Leave of absence without pay may be granted for periods not to exceed one year to employees because of illness, for education purposes, and for other appropriate reasons. Such leave shall not be regarded as an acquired right by employees and shall be granted only when the Agency will not be adversely affected thereby. Leave granted to employees who accept full-time employment shall be subject to the approval of the Agency Manager and shall be denied unless the request thereof is accompanied by satisfactory proof that such employment is temporary and that the experience gained thereby will be for the betterment of the Agency's service.

1. Termination of Leave of Absence

A leave of absence without pay may be terminated prior to the expiration date. Failure of an employee to report for duty promptly at the expiration of the leave or violation of an agreement or understanding entered into by the employee relative thereto shall be just cause for discharge.

2. Other Leave Accrual

Sick leave and vacation time shall not accrue during a leave of absence without pay.

3. Insurance Coverage

Employees who are taking an approved leave of absence without pay shall have continuous insurance coverage if the leave of absence does not extend beyond one full pay period. When an employee takes an approved leave of absence without pay that extends beyond one full pay period, then all Agency insurance coverage shall terminate at the end of the two-week period following the last insurance payroll deduction. Insurance coverage may continue during an approved leave of absence if an employee pays the entire insurance premium including the Agency's regular contribution during the leave of absence period.

**J. Family and Medical Leave**

1. Purpose

It is the purpose of this subsection to define and establish Stansbury Park Service Agency's policy and procedure with regard to the Family and Medical Leave Act of 1993.

2. General

- a. Agency employees who have been employed for at least one year, and for at least 1,250 hours during the preceding 12-month period are eligible for family and medical leave. For employees not eligible for family and medical leave, the Board of Trustees may review policy considerations and the individual circumstances involved. Employees will be returned to the same or to an equivalent position at the end of the leave period granted pursuant to this policy.
- b. Family or medical leave will consist of appropriate accrued paid leave and unpaid leave. If leave is requested for an employee's own serious health condition, the employee must use all of his or her accrued paid leave, including vacation leave, sick leave or personal leave. If leave is requested for any of the other reasons listed below, an employee must use all of his or her accrued paid vacation, personal leave or other qualifying leave. The remainder of the leave period will then consist of unpaid leave.

3. Reasons for Leave

All employees who meet the applicable time of service requirements may be granted family or medical leave consisting of appropriate accrued paid leave and unpaid leave, for a period of twelve weeks during any twelve-month period for the following reasons:

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

- a. The birth of the employee's child and in order to care for the child;
- b. The placement of a child with the employee for adoption or foster care;
- c. To care for a spouse, child or parent who has a serious health condition; or
- d. A serious health condition that renders the employee incapable of performing the function of his or her job.

The entitlement of leave for the birth or placement of a child for adoption or foster care will expire twelve months from the date of the birth or placement.

4. Medical Certification

- a. A request for leave based on the serious health condition of the employee or the employee's spouse, child or parent must also be accompanied by "Medical Certification Statement" completed by a health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition and the appropriate medical facts regarding the condition.
- b. If the employee is needed to care for a spouse, child or parent, the certification must so state, along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the function of his or her job.

5. Benefits Coverage During Leave

- a. During a period of family or medical leave, an employee will be retained on Stansbury Park Service Agency's health plan under the same conditions that applied before leave commenced. To continue coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage. If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse Stansbury Park Service Agency for payment of health insurance premiums during the family leave, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing his or her job or for circumstances beyond the employee's control.
- b. An employee is not entitled to the accrual of any seniority or other employment benefits during any period of unpaid family or medical leave. However, an

employee who takes family or medical leave will not lose any employment benefits that accrued before the date leave began.

6. Restoration to Employment Following Leave

An employee eligible for family and medical leave will be restored to his or her old position or to a position with equivalent pay, benefits and other terms and conditions of employment. Stansbury Park Service Agency cannot guarantee that an employee will be returned to his or her original job. A determination as to whether a position is an "equivalent position" will be made by the Board of Trustees.

7. Return From Leave

If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, notification must be given to the Agency Manager at least five working days prior to the employee's planned return.

8. Failure to Return From Leave

The failure of an employee to return to work upon the expiration of a family or medical leave of absence will subject the employee to immediate termination unless an extension is granted. An employee who requests an extension of family leave or medical leave due to the continuation, recurrence or onset of her or his own serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for an extension to the Agency Manager.

## **SECTION XII OCCUPATIONAL SAFETY AND HEALTH**

**A. Policy**

It is the policy of the Stansbury Park Service Agency to minimize the loss of life and property to the Stansbury Park Service Agency, its work force and the public as a consequence of the performance of the Stansbury Park Service Agency by taking practical steps to safeguard employees and citizens from accidents.

It is the policy of this Special Agency, to strive for safety in all activities and operations, and to carry out our commitment of compliance with health and safety laws applicable to our business by enlisting the help of all employees to ensure that public and work areas are free of hazardous conditions.

The Stansbury Park Service Agency will strive to provide working conditions that are as healthy and safe as feasible, and employees are expected to be equally conscientious about workplace safety, including proper work methods, reporting potential hazards and abating known hazards. Unsafe work conditions in any work area that might result in an accident should be reported immediately to the Agency Manager. The Stansbury Park Service Agency's safety policy or practices will be strictly enforced, including possible termination of employees found to be willfully negligent in the safe performance of their jobs.

**B. General Safety Rules**

The following general safety rules will apply in all Stansbury Park Service Agency work places. Each work unit may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.

1. All employees operating any type of power equipment require proper licensing and extreme caution.
2. Employees will use safety equipment appropriate to the job, such as safety glasses, gloves, toe guards, and hard hats, if required or appropriate to the work performed.
3. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines.
4. All accidents, regardless of severity, personal or vehicular, are to be reported immediately to the Agency Manager.
5. Defective equipment should be reported immediately to the Agency Manager.
6. Employees will not operate equipment or use tools for which licensing and training has not been received.
7. In all work situations, safeguards as required by State and Federal Safety Orders will be provided.

**C. Use of Stansbury Park Service Agency Equipment**

The Board of Trustees or the Agency Manager must approve the use of Stansbury Park Service Agency equipment or tools.

1. Employees must receive the proper training including an explanation of job hazards, safety procedures and training on all equipment, tools, etc., necessary for the

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

accomplishment of the employee's job description.

2. A commercial driver's license is required for operators of commercial motor vehicles. No individual shall be allowed to operate such vehicles unless they have a current CDL license in their possession. This license is required pursuant to the Commercial Motor Vehicle Safety Act, signed into law on October 27, 1986. The license must be renewed at four-year intervals.
3. Operators and passengers in a business-use vehicle equipped with seat belts must wear them when the vehicle is in operation, and all employees operating vehicles shall observe all local traffic laws.
4. Employees shall keep the Agency vehicles that are used by them clean, presentable, and serviceable. Employees receiving car allowances shall also keep their vehicles clean, presentable, and serviceable.
5. Use of cell phones is prohibited while operating any equipment or driving any vehicle owned by the Service Agency.

**D. UOSHA Requirements**

It is the policy of the Stansbury Park Service Agency to maintain an environment which is free from any recognizable hazard that is likely to cause death or serious injury to any employee. The Agency maintains a policy of open communication with all employees.

**E. Accident Reporting Procedure**

If an employee is injured in connection with employment, regardless of severity of the injury, the employee must immediately notify the Agency Manager. In any case of serious injury, employees are to receive prompt and qualified medical attention followed by the filing of necessary reports.

1. Employees who are injured on the job are required to report the injury immediately to the Agency Manager.
2. A representative of the Agency will then investigate the job-related injury to determine the cause of the injury.
3. The Agency is required to contact UOSHA within twelve (12) hours of the occurrence of any job-related death, disabling, serious, or significant injury, and any occupational disease.
4. The Agency must file a report with UOSHA within seven (7) days after the

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

occurrence of an injury or occupational disease, after the Agency first knows of the occurrence or after the employee notifies the Agency.

5. The Agency must file the report on forms prescribed by UOSHA and must be filed for any work-related death, serious injury, or occupational disease which results in medical treatment, loss of consciousness, loss of work, restriction of work, or transfer to another job. The Agency must keep a record of these reports.
6. The Agency must then give the employee a copy of the report that has been sent to UOSHA and explain the rights and responsibilities that the employee has concerning the work-related injury or occupational disease.
7. If an employee later dies as a result of a work-related injury, the Agency must file a report with UOSHA within seven (7) days of first knowledge or notification of the death.
8. Minor injuries such as scratches and cuts do not need to be reported to UOSHA if they require only minor first-aid treatment.

**SECTION XIII**  
**EMPLOYEE ACCIDENT AND INJURY COMPENSATION**

**A. Workers' Compensation Coverage**

Stansbury Park Service Agency operates under the provisions of the State of Utah Worker's Compensation Act which provides that -- "every employee injured, and the dependents of every such employee who is killed, by accident arising out of or in the course of his employment, wherever such injury occurred, if the accident was not purposely self-inflicted, shall be paid compensation for losses sustained on account of such injury or death, and such amount for medical, nursing, and hospital services, medicines, and, in the case of death, funeral expenses. The responsibility for compensation and payment of medical, nursing, and hospital services and medicines, and funeral expenses provided under this section shall be on the employer and its insurance carrier and not the employee."

**B. Reporting Injuries**

The size of the awards and the conditions connected with these claims are contained in the State Laws covering Worker's Compensation cases. Any injury occurring on the job must be reported to the manager immediately, and forms prescribed by the State Industrial Commission must be completed and submitted to the Agency Clerk within seven (7) days of the job injury.

**C. Benefits**

Every employee is eligible to receive Workers' Compensation Benefits for injuries arising out of or in the course of Agency employment. The following provisions shall apply to employees who are eligible for workers' compensation benefits:

1. The first three (3) days of absence shall be taken as sick leave, if available.
2. Beginning the fourth day, the employee shall use sick leave or any other accrued leave, if available, until the workers' compensation benefits begin to be paid. When received, the employee shall turn the workers' compensation benefits in to the Agency for the period of time that said benefits were accruing but were not actually being paid, up until the time that payment of the benefits began. For periods of benefits of less than fourteen (14) days, all sick or other leave days will be restored upon payment of the accrued workers' compensation to the Agency, except the first three (3). For periods of benefits longer than fourteen (14) days, all sick or other leave days will be restored. Pertinent information such as employee name, social security number, and amount of workers' compensation check must be submitted to the Agency when the first check is received. Once benefits begin to be paid, sick leave may not be used. The employee shall, at that time, be placed on a leave-without-pay status, and shall retain the workers'

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

compensation benefits. An employee shall not be entitled to collect workers' compensation benefits and other Agency benefits at the same time. Employees who are on leave-without-pay due to a job-related injury/illness shall receive all regular benefits at the Agency's expense at current rate and contribution. However, benefits shall cease when the individual's status is changed from a "leave-without-pay" status to a "terminated" status.

3. Under no circumstances shall an employee be permitted to receive more income because of an industrial accident, than his or her regular paycheck.
4. In instances where an employee is disabled through the course of his/her employment, and is covered by workers' compensation, the employee's right to return to Agency employment will be governed by the following conditions:
  - a. Within a one (1) year-period, an employee in an approved leave status shall be entitled to the previous held position or one with equivalent pay.
  - b. For an additional year beyond the first granted, there is responsibility to find a position similar in pay to that previously held. The Agency may require medical evidence upon which to make a judgment. (6-7-88) Amendment No. 88-6 amended the workers' compensation provisions of Section XIVC. By adopting a policy similar to the Utah State employee policies.

2/28/2020

Stansbury Service Agency Personnel Policies and Procedures

**SECTION XIV**  
**SPARABILITY CLAUSE**

If any one section of these policies and procedures is found to be invalid, that finding will not invalidate the other sections of the policies and procedures.