

# OKANOGAN CONSERVATION DISTRICT

MARCH 2, 2021

## OPERATIONS MANUAL

**Approved – March 2, 2021**

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## Definitions and Acronyms

Unless defined otherwise in District policies these definitions shall hold for all policies.

**Associate Supervisor** – A person appointed by the Board of Supervisors to provide input on issues relating to conservation, natural resources, district operations, and more. An Associate Supervisor cannot vote unless appointed to a committee.

**Board Supervisor** – A person elected or appointed to the Board of Supervisors for the District. A Board Supervisor is one of five individuals that set the policies, establishes the District program, and is ultimately responsible for the District program.

**Conservation Plan** – The totality of information in a file, including but not limited to, natural resource data, cooperator business or individual information, maps, conservation practices, timeline for implementation of agreed upon practices, and related information used to develop recommendations or that describe the practices to be implemented. A conservation plan may or may not include cost-share contracts. District Conservation Plans will follow the guidelines of conservation plans as may be established by the Washington State Center for Technical Development.

**Personnel Committee Chair** – The Board Supervisor appointed by majority vote of the Board of Supervisors to be the lead contact for all personnel issues with the District.

**Contractor** – An individual, organization, or company that is hired by the District through a written agreement to perform a specific set of duties or implement specific tasks that meet District or project needs.

**Cooperator** – An individual, group, corporation, organization, or agency, that works proactively with District staff and board on conservation projects of mutual interest.

**Cost-share** – Funding that is provided, usually a percentage less than 100%, to landowners to offset the cost of construction or implementation of a conservation practice.

**District**- The Okanogan Conservation District.

**District Auditor** – The Board Supervisor appointed by majority vote of the Board of Supervisors to fulfill the requirements of RCW 89.08.215.

**District Treasurer** – The Board of Supervisors have designated (per RCW 89.08.215) the District Finance Director as the District Treasurer.

**District Official** – Any person who is an elected or appointed supervisor, associate supervisor, paid employee, volunteer or official representative who conducts business for and on behalf of the District.

**Employee** – A person who is paid a wage or salary and in most cases benefits to perform specific duties for the District.

**Farm Plan** – See *Conservation Plan*.

**FSA** – Acronym for the United States Department of Agriculture, Farm Service Agency. The FSA is tasked with administering financial assistance to qualified farmers and producers in the form of loans, conservation payments for specific programs, and grants.

**NACD** – Acronym for the National Association of Conservation Districts. The NACD is a private non-profit association whose membership is comprised of the elected and appointed supervisors of Conservation Districts in the United States and its territories. NACD provides a common voice for legislative and policy development for Conservation Districts in the United States and its territories.

**NCDEA** – Acronym for the National Conservation District Employees Association. The NCDEA is a private association whose membership is comprised of current employees of Conservation Districts in the United States and its territories. NCDEA develops and provides training for its members and provides a common voice for employees on policy level discussion groups.

**NRCS** – Acronym for the United States Department of Agriculture, Natural Resources Conservation Service. The NRCS is tasked with providing voluntary, non-regulatory conservation assistance to private landowners much like conservation districts. This agency is our closest partner.

**OCD** – Acronym for the Okanogan Conservation District.

**Partner** – A non-governmental organization, public agency, company, or group that works with the District to accomplish specific natural resource conservation goals.

**Public Records Officer** – The person who is appointed by the Board to manage requests for disclosure of District owned records.

**Senior Staff on Duty** – In order of seniority it is the Executive Director then the Acting Executive Director (if one has been appointed), then the employee with the greatest number of months of employment with the District.

**Supervisor** – A staff member that directly supervises one or more staff members in their duties and actions.

**The Board** – The 5 Board of Supervisors.

**Volunteer** – A person who is not paid but performs specific duties for the District.

**WACD** – Acronym for the Washington Association of Conservation Districts. The WACD is a private non-profit association whose membership is comprised of the elected and appointed Board supervisors of Washington Conservation Districts. WACD provides a common voice for legislative and policy development for Washington Conservation Districts.

**WADE** – Acronym for the Washington Association of District Employees. The WADE is a private association whose membership is comprised of current and past employees of Washington Conservation Districts. WADE develops and provides training for its members and provides a common voice for employees on policy level discussion groups.

**WSCC** – Acronym for the Washington State Conservation Commission. The WSCC is formed under RCW 89.08 as an agency of the State of Washington. It is governed by a 10-member board and provides funding, technical, and administrative services to Washington Conservation Districts.



# 1 District Governance

The Okanogan Conservation District (OCD) Board of Supervisors (the Board) has full responsibility and authority for all District activities as defined in RCW 89.08. The Board remains ultimately responsible for the activities and outcomes of the District's projects and activities. The Board shall establish policy as guidance for District staff to implement. The Executive Director shall be ultimately responsible for the day to day implementation of the policies established by the Board of Supervisors. Furthermore, the Board expects all District staff to work together as a team to most effectively implement the District program within established policies and procedures.

## 1.1 Board Code of Conduct

To effectively guide the Okanogan Conservation District, the Board of Supervisors must hold themselves and each other to a professional standard of conduct. The Board agrees that each member individually, and all collectively, must act with integrity and in an ethical manner. The Board establishes the following as their own code of conduct.

1. Each Board Member is expected to adhere to a high standard of ethical conduct and to act in accordance with the District's mission and values;
2. The Board recognizes the value of each person and will show respect, dignity, and courtesy to all and shall work harmoniously with each other Board Member, staff, and partners while performing their duties;
3. The Board shall be honest in all deeds and statements, and perform the duties of a conservation district supervisor in accordance with all laws and the policies they collectively establish for the District;
4. Board members agree to avoid conflicts of interest, and shall disclose actual, real, or perceived conflicts of interest at the earliest possible moment and refrain from decision making where such conflicts may exist;
5. The Board is committed to continued learning and training for themselves and for the staff of the District to better deliver conservation programs to our constituents;
6. The Board is dedicated to the principles of voluntary, non-regulatory conservation of natural resources and shall endeavor to promote and support landowners being good stewards of natural resources;

## 1.2 Board Officers

The five-member Board of Supervisors shall consist of a Chair, Vice-Chair, Auditor, and two Members. Each Board Supervisor has one vote on all actions before the Board. The Board shall select their positions each year at the first regularly held Board meeting following the Conservation Commission's certification of the District's election.

The Chair is responsible for working with other Board Supervisors and District staff to set the Board meeting agenda, chair the Board Meetings, and appoint committees as needed.

The Vice-Chair is responsible for filling in as Chair when the Chair is absent or unable to carry out duties on a temporary basis.

The Auditor is responsible for overseeing the District's finances, is the primary official responsible for ensuring annual internal audits are conducted in accordance with established procedures and reviewing monthly treasurer reports for approval by the Board and reviewing bank statements. The other four Board Supervisors are Assistant Auditors, so they may carry out the functions of the Auditor as needed, including check signing.

The remaining Members may be asked to chair committees or represent the District at specific functions or for a specific purpose.

### 1.3 Board Meetings and Board Supervisor Actions

District Board meetings are open to the public per RCW 42.30, except as they may enter into executive session per RCW 42.30.110. District staff and Board Supervisors shall ensure that the public has proper opportunity to engage and provide input into the District's program and board actions.

Prior to the end of the current year, the Board will establish a monthly meeting schedule for the upcoming year. Board meetings shall be held at the Okanogan Ag Service Center, in Okanogan, Washington unless moved due to emergency or by approval of the board.

The Board of Supervisors generally follow Roberts Rules of Order for decisions. All decisions require a simple majority in support of the motion to approve any action of the District.

### 1.4 Elections and Appointments

Okanogan Conservation District election and appointments for Board of Supervisor positions are conducted in accordance with Revised Code of Washington 89.08 and WSCC Procedures for the Election and Appointment of Conservation District Supervisors Washington Administrative Code 135-110. These procedures exist to assist conservation districts and conservation district Board supervisors in the election, appointment, and replacement of Board supervisors who direct the activities of conservation districts in the State of Washington, and to assure fair treatment of all parties involved in the election and appointment of conservation district Board supervisors.

### 1.5 Board Committees

The Board of Supervisors have three standing committees. The committee membership is set once per year by the board Chair. The Finance Committee is automatically chaired by the District Auditor and oversees the District financial processes, documents, and budgets. The Personnel Committee oversees personnel policies and the committee chair is the employee contact for the board. The Legislative Committee oversees legislative and agency policy and works with the Executive Director to provide input to policy makers, the Washington Association of Conservation Districts, and others as appropriate.

The Board Chair may appoint other temporary committees from time to time to address current issues or develop new strategies for the District. These committees shall serve for no more than one year unless otherwise approved by the Board.

## 1.6 Board and Staff Authorities

		<b>Board Role</b>	<b>Staff Role</b>
Personnel	Hiring General	Per RCW 89.08.210 “The supervisors may employ a secretary, treasurer, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require, and determine their qualifications, duties, and compensation.”  The board has the authority to offer employment to anyone at any time.	Staff shall perform the necessary functions to hire, train, manage, discipline, and terminate employment as authorized or directed by the Board of Supervisors.
	Temporary / Seasonal / Interns	The Board authorizes the Executive Director to carry out this function except as they deem necessary.	The Executive Director is authorized to hire any employee whose employment is not expected to exceed 900 hours in any 12-month period. The Executive Director must inform the Personnel Committee Chair within one week of hiring and the entire board will be notified at the next regularly scheduled board meeting if not sooner.
	Regular – New Position	The Board shall authorize the creation of a new position during any regular or special meetings. The Board may appoint a chair of the hiring committee, or when a chair is not appointed the chair shall be the Executive Director, who shall have full authority to conduct the search, interviews, and negotiate employment terms with the selected candidate.	The Executive Director shall by default serve as the hiring committee chair. If another hiring committee chair is selected by the board, District staff shall participate at the level as directed by the hiring committee chair.
	Regular – Existing Position	The Board authorizes the Executive Director to carry out this function as long as workload and budget is sufficient to support the continuation of the position for a minimum of 1,000 hours. If the budget or workload does not meet this standard the Board must authorize filling the position at a regular or special board meeting.	The Executive Director shall serve as the hiring committee chair to recruit, interview, and negotiate employment terms with the selected candidate.
	Discipline	The Board of Supervisors shall be solely responsible for discipline related to the Executive Director. The Board of Supervisors authorizes the Executive Director to discipline employees as described in District policy. The Executive Director is authorized to discipline regular employees up to and	The Executive Director shall administer discipline in accordance with District policy. For any discipline beyond the first written warning the Director shall notify the chair of the District Board’s Personnel Committee of the situation and the action being taken. The Executive Director may take any disciplinary action they deem

		<b>Board Role</b>	<b>Staff Role</b>
		including putting a regular employee on administrative leave.  The Board of Supervisors grants the Personnel Committee authority to hear appeals from employees who have received discipline by the Executive Director.	appropriate in any situation where the safety of district personnel is in question.
	Termination	The Board of Supervisors retains all authority to terminate the Executive Director's work appointment.	The Executive Director shall have the authority to terminate any employee's work appointment.  The Executive Director will take all means necessary to inform the Chair of the Personnel Committee as soon as possible.
	Evaluations	The Board is solely responsible for conducting the Executive Director's performance evaluation.  The Board authorizes the Executive Director to conduct or ensure all other employee's performance evaluations are conducted in accordance with District policy.	The Executive Director shall conduct or ensure employee performance evaluations are conducted in accordance with District policy and provide a report to the Board on employee performance as needed to ensure the Board is informed of employee performance.  The Executive Director shall notify the board of any changes in employee wages, position description, or other terms of employment deemed appropriate.
Contracts/Agreements	Negotiation	The District Board may participate or lead but generally do not have a primary role in contract negotiation.	The Executive Director has the lead role with staff assistance and sometimes co-leads negotiation with a Board Supervisor.
	Approval	New contracts and agreements must be approved by the District Board except as may be delegated to the Executive Director.	The Executive Director and staff shall present contracts to the District Board for consideration at regular and special board meetings. The Executive Director may approve contracts only as the Board may delegate.
	Signature	The District Board shall designate who is authorized to sign an agreement. If no designation is made, any Board Supervisor or the Executive Director may sign agreements approved by the Board.	The Executive Director as designated or in the case of no designation, may sign agreements.
	Inter-Local Agreements	The District Board shall approve all new Inter-Local Agreements except as they may authorize the Executive Director to negotiate and sign.	The Executive Director shall have the authority to approve the renewal of Inter-Local Agreements if the terms have remained unchanged. The Executive Director shall inform the Board of Supervisors at the next regularly scheduled board meeting if an agreement is renewed.

		<b>Board Role</b>	<b>Staff Role</b>
			The Executive Director has the authority to approve an Inter-Local agreement with another governmental entity for equipment or personnel if the term will not exceed 60 calendar days, the request is the result of an emergent situation on the part of one of the parties, and the cost is covered entirely by the borrowing party. The Executive Director will get at least the District Chair's verbal approval before executing the agreement.
Administration	Travel Authorization	The Board of Supervisors must authorize all out of state travel for District officials.  The Board of Supervisors may also authorize in-state travel if the Executive Director is unable or unsure of the priority.	The Executive Director is authorized to approve travel for any Board Supervisor, employee, or volunteer for travel within Washington State.  Other supervisory staff may approve in-state travel for their direct reports.
	Letters of Support	The Board of Supervisors may authorize and/or direct that a letter of support for a partner be provided at their discretion.	The Executive Director may write or authorize another staff member to write a letter of support for a proposed partner project where implementation of the proposed project will support the District Long-Range Plan.
	Board Agenda	The Board of Supervisors approves regular meeting agendas at the beginning of each regular meeting.  Special meeting agendas are approved by a Board Supervisor and the Executive Director and advertised ahead of the meeting. Special agendas may not be changed during the meeting.	The Executive Director shall set the draft agenda in consultation with staff and Board Supervisors.
	Budget	The Board shall approve the annual budget for the District following opportunity for public comment.	The District Finance Director shall prepare a draft budget based upon current and anticipated revenues and expenses upon consultation with staff and Board Supervisors.
Grant Administration	Grant Applications	The Board designates the authority to approve grant applications to the Executive Director that directly implement priorities identified in the District Long-Range or Annual Plan.	The Executive Director has the authority to approve or deny the submission of a grant application. The Executive Director shall report to the Board at the next regularly scheduled board meeting that such an application was submitted.
	Grant Acceptance	The Board of Supervisors shall approve and sign grant contracts or designate the Executive Director to do so.	The Executive Director may approve and sign grant contracts as authorized by the Board.

		<b>Board Role</b>	<b>Staff Role</b>
			The Executive Director is authorized to approve and sign recurring Conservation Commission grants.
	Grant Amendment	Grant amendments that change the purpose and intent of a grant must be reviewed and approved by the Board of Supervisors or their designee.	The Executive Director may approve grant amendments that involve a change in funding but do not significantly change the overall scope of work.
	Grant Close-out		The Executive Director may approve grant close-out documents.

The Executive Director or the Board may designate an “Acting Executive Director” to fulfill the role of the Executive Director in the absence of the Executive Director. The Board may appoint other staff to fulfill roles assigned to the Executive Director.

### 1.7 Filling Elected Supervisor Vacancies Mid-Term

The Okanogan Conservation District Board of Supervisors recognizes its authority to fill elected supervisor positions when vacated as stated in RCW 89.08.200 and WAC 135-110-970.

The vacancy shall be publicly announced and published in accordance with procedures established by the Washington State Conservation Commission (Conservation Commission). The Okanogan Conservation District Board of Supervisors hereby establishes the following guidelines for filling vacancies of elected supervisor positions.

A vacancy may be filled after a qualified (per RCW 89.08 and WAC 135-110) individual has attended three of the most recent five regular monthly board meetings and submits a written letter of interest to the Board stating their interest and why they believe they would be a good Board supervisor. The Board may vote to appoint the person interested in the position to the vacant post for the remainder of the position’s term as stated in RCW 89.08.200.

Upon submission of a letter of interest the Board may immediately appoint a current Associate Supervisor to a vacant elected Board Supervisor position after all requirements of WAC 135-110 have been met.

The Board retains the right to deviate from the requirements of this policy. Should an applicant be deemed by the Supervisors to be sufficiently educated on the District program and it is believed to be in the best interest of the District program to expedite the appointment process, the Supervisors may appoint the applicant to the vacant position at their discretion following the requirements of RCW 89.08 and WAC 135-110-970.

### 1.8 Associate Supervisors

Associate Supervisors serve at the pleasure of the Board to provide their unique perspective and input on issues relating to conservation, natural resources, district operations, and more.

### a) Associate Supervisor Appointment

Persons interested in becoming an Associate Supervisor must attend at least three Board meetings before submitting a letter of interest to the District. The letter of interest should outline their experience in natural resources and voluntary conservation, what their interest in the District operations are, and how they believe they will help the District program if appointed. The Board will review the application within 60 days and may vote to appoint the applicant as an Associate Supervisor during any District meeting following receipt of the letter of interest.

### b) Associate Supervisor Voting

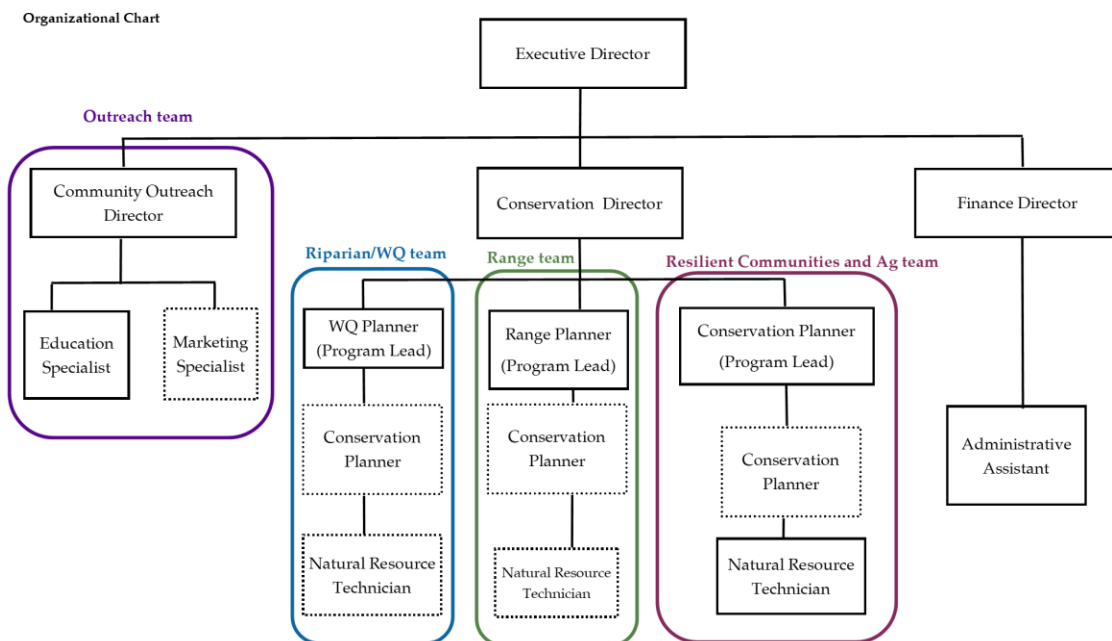
Associate Supervisors are not allowed to vote during meetings of the District Board of Supervisors. However, they can be authorized by a vote of the Board to vote on the District's behalf at certain functions of the Washington Association of Conservation Districts. Further, Associate Supervisors may be asked to represent the District in other areas such as community advisory boards. Associate Supervisors may also be appointed to District committees. Associate Supervisors have voting privileges during District committee meetings.

## 1.9 District Mission

The Okanogan Conservation District Board of Supervisors approved the following as the District's mission on May 7, 2015.

The mission of the Okanogan Conservation District is to help cooperating land managers achieve their conservation goals.

## 1.10 Chain of Command



## 1.11 District History

The Washington State Legislature enacted the Conservation District Act in 1939 (codified as RCW 89.08) which authorized the creation of conservation districts and the formation of the Conservation Commission.

The Loomis Conservation District was formed by a group of landowners in the area of Sinlahekin Valley and nearby areas in the spring of 1940. These landowners gathered the required signatures of their neighbors and submitted them with an application for organization as a conservation district to the Conservation Commission in April 1940. The application presented by Ross Woodard of Loomis, WA and Fred Stiverson of Tonasket, WA was officially approved by Belle Reeves, Washington Secretary of State, on June 7, 1940. Thus began the first non-regulatory private lands conservation organization in Okanogan County and the fifth (5<sup>th</sup>) in Washington State. The area included in this district were generally all private lands not within incorporated cities or towns north and west of Tonasket, WA.

The Methow Valley Conservation District applied for incorporation in late 1945. The application submitted by J.C. Bolinger of Methow, WA, and Paul Spaeth of Winthrop, WA was approved by Belle Reeves, Washington Secretary of State on January 14, 1946. The area included in this district was generally all private lands not within incorporated cities or towns within the Methow Valley.

The Northeast Okanogan Conservation District applied for incorporation in early 1948. The application submitted by William Carlquist of Molson, WA, and E.L. Kurtz of Wauconda, WA was approved by Earl Coe, Washington Secretary of State on July 1, 1948. The area included in this district was generally all private lands not within incorporated cities or towns north of the Colville Indian Reservation and east of the Loomis Conservation District to the Okanogan-Ferry Counties border.

The Southeast Okanogan Conservation District applied for incorporation in early 1948 as well. The application submitted by Ed Friedlander of Nespelem, WA and Leo Joy of Okanogan, WA was approved by Earl Coe, Washington Secretary of State on July 1, 1948. The area included in this district were all private lands within Colville Indian Reservation including incorporated cities and towns.

The South-Central Okanogan Conservation District applied for incorporation in early 1949. The application submitted by Harold Cox of Brewster, WA, and George Davis of Malott, WA was approved by Earl Coe, Washington Secretary of State on July 30, 1949. This district generally included all private lands not within incorporated cities or towns bounded by the Methow Valley Conservation District in the west, the Loomis Conservation District to the north, the Southeast Okanogan Conservation District to the east, and the Okanogan County border (Columbia River) to the south.

On July 1, 1963, Victor Meyers, Washington Secretary of State, approved an application to consolidate the Loomis and Northeast Okanogan Conservation Districts to form the North Okanogan Conservation District.

On February 1, 1971, Ludlow Kramer, Washington Secretary of State, approved an application to consolidate the Methow Valley and South-Central Okanogan Conservation District to form the South Okanogan Conservation District.

On March 17, 1976, Bruce Chapman, Washington Secretary of State, approved an application to consolidate the North Okanogan, South Okanogan, and Southeast Okanogan Conservation Districts to form the Okanogan County Conservation District.

On December 17, 1992, Ralph Munro, Washington Secretary of State, approved an application to modify the name of the Okanogan County Conservation District to the Okanogan Conservation District.



In 2006, the Confederated Tribes of the Colville Reservation developed the Colville Reservation Conservation District (CRCD) in partnership with the USDA Natural Resources Conservation Service. The CRCD is governed by six supervisors, with one supervisor each from the four business districts of the reservation and two members at large. The CRCD is not organized under Washington State RCW 89.08 so both the Okanogan and Colville Reservation CDs overlap in Okanogan County within the boundaries of the Colville Reservation. We have maintained an open dialogue on programs and work to assist each other where appropriate.

## 1.12 Standards of Ethical Conduct & Conflict of Interest

No employee, officer or agent of the District shall participate in the award or administration of a contract under a grant or loan if a conflict of interest, real or apparent would be involved. Such a conflict would arise when: the employee, officer or agent; any member of their immediate family; their partner, or an organization that employs, or is about to employ the person, has a personal financial interest in the firm solicited. Board members shall disclose real or apparent conflicts of interest they may have when considering actions taken by the board, and recuse themselves from action taken by the Board of Supervisors in any actions that may be taken regarding the issue that concerns the conflict.

The District's officers, employees, or agents must not solicit or accept gratuities, favors, or anything of monetary value exceeding \$75 from contractors, potential contractors, or other parties to contracts.

Board Supervisors can receive cost-share funds and technical assistance from District programs per RCW 89.08.222(4) and RCW 42.23.030 and where such assistance is provided according District cost-share policy. Employees and Associate Supervisors are allowed to receive cost-share funds and technical assistance up to a value of \$1,500 per month.

Employees are prohibited from performing work outside of District employment which could be construed as a "conflict of interest". Providing services similar in nature to that of an employee's job description is restricted within the boundaries of the District's service area. District officials are not to use OCD's name, equipment, or vehicles for personal gain.

If an employee believes their outside activities may be a conflict of interest, they must immediately address the issue with their immediate supervisor. The employee's supervisor may require the employee to cease the outside activities. Failure to comply may result in termination of employment for the employee.

The following acts are prohibited by district officials:

1. Use of intangible assets, such as the District's name, logo, intellectual property, mailing list, computer file, or any other intangible asset for any purpose for which the individual is compensated by someone other than the District.
2. Use of any physical asset, such as a District vehicle, or a tool, or office space, for any purpose for which the individual is compensated by someone other than the District.
3. Awarding of District business, anything paid for, to any person or entity that shares a direct financial interest with a District employee or Board member. For example, a partnership between a District employee and a District Board member and a third party should not be awarded District business.
4. Awarding of District business, anything paid for, to a relative of an employee or Board member. Relative is defined as immediate family, including husband, wife, child, mother, father, sibling,

and any other relatives if the appearance of conflict would be harmful to the District, except as may be allowed for cost-share per RCW 89.08.222(4) and RCW 42.23.030.

5. Accepting gifts from any person or entity that is awarded District business.
6. Accepting remuneration or gifts from the public for performing acts one is required to perform an authorized District function.
7. Any act would cause the appearance of violating this policy to a reasonable member of the community within the District.

The following acts are allowed by district officials:

1. Accepting food and refreshments from landowners, vendors, or potential vendors in the context of normal District duties.
2. Accepting promotional materials, such as pens, notepads, calendars, and other similar items having a small value.
3. Accepting achievement awards from any entity provided the award has only nominal cash value.

### 1.13 District Boundaries

The Okanogan Conservation District external boundary is the same as Okanogan County. Excluded from the District are lands within the incorporated city limits of Oroville, Tonasket, Brewster, Pateros, Twisp, Riverside, and the portion of Omak west of the Okanogan River. All other lands, and incorporated cities, within Okanogan County are included within the service area of the Okanogan Conservation District.

### 1.14 District Long Range Plan

The OCD Board of Supervisors develops and approves a Long Range (5 year) Plan per RCW 89.08.220 (§7). The District solicits public input on the highest priority natural resource needs within its boundaries and incorporates that information with input from District and partner agency staff to develop a Long-Range Plan that directs the District's work for the planning period. The Long-Range Plan is on file at the District office and available for review during District business hours.

### 1.15 District Annual Plan

The Board of Supervisors approves an Annual Plan of Work (RCW 89.08.220 (§7)) that details the District's anticipated work for each fiscal year (July 1 through June 30). The District solicits public input on priority activities each fiscal year and combines that with existing contracted and anticipated work to develop the plan each spring for the coming fiscal year. The Annual Plan of Work is on file at the District office and available for review during District business hours.

### 1.16 Recognition and Awards

The OCD may provide recognition awards at any time for individuals or groups that the Board Supervisors deem eligible for recognition and awards.

Those who have supported OCD programs or other local natural resource programs, are eligible for recognition, including, but not limited to, the following:

- Landowners and land occupiers within the district
- Project Partners
- Businesses, individuals and organizations that have made financial or in-kind contributions to a District supported/recognized conservation program

The Board shall determine the appropriate form of recognition or direct District staff to determine an appropriate recognition. Individual value of awards (plaques or other nominal gift items) shall not exceed seventy-five dollars, except as may be approved by the Board in limited cases.

Award recipients, who are recognized at the District Conservation Celebration or other appropriate venue as decided by the Board, may receive dinner for him or herself and a guest of the awardees choosing, a certificate, and an award, such as a t-shirt, shopping bag, plaque, or other such item of minimal monetary value. Special awards, such as engraved items, may be given in addition to the items specified above to individuals who have demonstrated outstanding meritorious efforts.

## 2 District Operations

### 2.1 District Business Hours

Normal business hours are 8:00AM to 4:30 PM Monday through Friday. Business hours may be adjusted periodically due to, but not limited to, the following: holidays, inclement weather, special functions, or workload. Periodically, the District office will be closed during normal working hours because staff will be working outside of the office or travelling for work purposes and no other staff are available to be in the office.

### 2.2 Basis of Accounting

Accounting records are maintained in accordance with methods prescribed by the State Auditor under the authority of Chapter 43.09 RCW using the *Budgeting, Accounting and Reporting System for Conservation Districts in the State of Washington*.

OCD uses the cash basis of accounting where revenues are recognized when received and expenditures are recognized when paid. For reporting purposes, the activities of the OCD's funds are combined.

The District maintains two financial accounts at one financial institution. A checking and savings accounts are held at North Cascades Bank. Authorized signatures include the District Supervisors and the Executive Director.

### 2.3 Payment of Usual and Accustomed Expenses

OCD incurs certain recurring operating expenses which become due before the monthly board meeting. To reimburse these expenses in a timely manner, enhance operational efficiency and reduce costs to the public it is necessary to issue payments between the Board of Supervisors monthly meetings.

The Board does hereby recognize its authority to issue warrants or checks before approval by the Board as stated in RCW 42.24.180. The Board shall review all supporting documentation for claims paid and for its approval of all checks issued in payment at its next regularly scheduled public meeting.

If any claims are disapproved by the Board, the District Auditor and the officer or agent designated to sign the checks shall jointly cause the disapproved claims to be recognized as receivables of the Okanogan Conservation District and shall pursue collection diligently until the amounts disapproved are collected or until the District is satisfied and approves the claim.

### 2.4 Purchase Approval

The goal of the purchase policy is to ensure that goods and services are acquired in an efficient and effective manner consistent with good internal control. Purchasing decisions shall be conducted in a manner above reproach, with complete impartiality and without preferential treatment. District officials shall avoid any conflicts of interest. No official may solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, loan, or anything of value from any vendor. The District will use sound business judgment and fair administrative procedures in acquiring goods and services.

The Executive Director has authority to purchase items identified in approved grants and the approved District Budget. The Executive Director may also make other purchases up to \$5,000 per purchase with a monthly combined maximum of \$10,000. Other District staff members are authorized to purchase items included in approved grants they administer. District staff may make other incidental purchases up to \$1,000 per purchase with a monthly combined maximum of \$3,000 to be authorized by the Executive Director or Board of Supervisors.

Purchases exceeding the limits in this policy must be pre-approved by the Board.

The Board may rescind this authority at any time, and it is contingent upon accurate tracking of purchases. The Executive Director, in cooperation with the Finance Director, shall establish procedures as necessary to ensure accurate and verifiable tracking of purchases.

Purchases must follow current local, state, and federal laws for the expenditure of public funds. Employees are strongly encouraged to seek guidance and where appropriate concurrence of the Executive Director or Finance Director for monetarily large purchases.

## 2.5 Credit Card Policies

The proper usage and control of a credit card is the responsibility of the employee or supervisor to which it is assigned. To aid in the reasonable assurance that a credit card is used properly and effectively, each cardholder must adhere to the following policy:

- A. Each cardholder may use a credit card to procure goods and services for job related activities only.
- B. The credit card limit for each cardholder will be \$3,000, with the exception of the Executive Director who will have a limit of \$10,000. Prior arrangement must be made with the Executive Director and/or Board of Supervisors to increase the limit if needed on a case by case basis.
- C. Cardholders must submit receipts for purchases made with District credit cards within 30 days of the purchase. Failure to submit a receipt may lead to disciplinary action including, but not limited to, reimbursing the District for said purchases.
- D. Use of a credit card is to be handled in such a manner to:
  - a. Ensure it is used only for authorized purposes; and,
  - b. Follow laws, rules, and regulations governing the disbursement.
- E. A credit card must **NOT** be used to:
  - a. Obtain cash advances from financial institutions;
  - b. Make personal purchases;
  - c. Purchase equipment, materials, or supplies restricted by District policies, guidelines, or contractual agreements;
  - d. Purchase materials or services from any member of the cardholder's immediate family or business owned by a member of the cardholder's immediate family.
  - e. Purchase fuel for a personal vehicle.
- F. Each cardholder must report lost or stolen credit cards in writing immediately after the loss is discovered to the Finance Director or Executive Director, who will call the First Bankcard customer service center.
- G. Any transactions that are deemed to be not job-related and disallowable are the fiscal responsibility of the cardholder. If an employee is unable to reimburse the District in cash or check immediately for the disallowed charges plus any interest accrued, the corresponding

amount will be deducted from the employee's pay. Misuse or authorization of improper charges may result in disciplinary action up to and including termination.

- H. Cardholders with history of card misuse or who fail to observe this policy will have their credit card privileges revoked and will immediately surrender all cards in their possession to the Executive Director and/or Board of Supervisors.
- I. Cardholders must surrender the cards to the Finance Director upon termination or change of employment.
- J. All users of a card must have familiarity with these procedures, and knowledge of the location of a written reference copy of these procedures.

The Executive Director will be responsible for:

- A. Designating individuals to have electronic access to purchase card information; and,
- B. Establishing card renewal procedures.
- C. Reviewing and signing the reconciliation;
- D. Taking prompt, and appropriate measures to solve disputes and correct any misuse;
- E. Initiating resolution action regarding discrepancies or disputes;
- F. Resolving disputes within 60 days from discovery of the disputed item;
- G. Notifying the cardholder, in writing, of the discrepancy and the action required if the organization is unable to successfully resolve the discrepancy of dispute;

The Finance Director will be responsible for:

- A. Securing the cards;
- B. Issuing the cards to authorized users;
- C. Securing and retaining original documentation supporting purchases charged to the credit cards;
- D. Reconciling purchases to the transaction log and monthly statement;
- E. Notifying the Executive Director promptly of any known or suspected inappropriate use of the credit cards;
- F. Reporting lost or stolen cards immediately to the Executive Director; and,
- G. Monitoring the usage of the cards. First Bankcard, the credit card provider, shall send the Finance Director a statement that displays detailed transaction activity for each card during the current billing cycle.

## 2.6 Asset Management

OCD may "...acquire in any manner, except by condemnation, by purchase, exchange, lease, gift, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein..." (RCW 89.08.220). The District must maintain and track the inventory of said items for the purpose of preventing loss, unauthorized use, and ensuring the investments of public funds are maintained.

This policy is designed to meet statutory requirements, to produce adequate records and reports, and to safeguard both capital assets and small and attractive assets properly by maintaining record of what assets we own, where they are, what condition they are in, and that they are protected from loss and unauthorized use. This policy will also help avoid unnecessary duplication of assets and establish a basis for the amount of insurance coverage required.

A “capital asset” is an asset with an acquisition cost greater than or equal to \$1,000, and with a life expectancy of more than one year. Examples of capital assets are: land and land rights, improvements, buildings, furnishings, fixtures, furniture, equipment, computer systems, software, machinery, vehicles, tools and capital leases.

Small and attractive assets include items with an original cost between \$250 and \$1,000 and a life expectancy of more than one year **or** any portable asset with an original cost less than \$250 that is considered “attractive” and easily converted to personal use, i.e. a digital camera that cost \$200.

All assets will be tagged and numbered upon acquisition by a permanent method of identification. Two district officials will conduct an annual inventory of all capital and small and attractive assets. Complete or partial inventories may be conducted when any employee terminates or for other reasons as deemed appropriate. The following information shall be maintained for all capital and small and attractive assets.

• Asset number	• Item description
• Date of purchase	• Funds source
• Location stored	• Purchase price
• Serial number	• Funding source release
• Model number	• Person to whom item is assigned

Any employee determining that a loss of or damage to capital or small and attractive assets has occurred shall notify the Executive Director immediately. Loss or damage to capital or small and attractive assets shall be reconciled within the annual inventory process or as appropriate during interim asset reconciliation.

#### a) Surplus Assets

Assets that are no longer useable or are of no value to the District may be sold or disposed of in a cost effective and efficient manner that achieves the highest net resale proceeds. The Executive Director and Finance Director may jointly approve any District asset as surplus and following these policies and applicable laws, properly surplus the item(s).

The District will generally follow the process outlined below to dispose of surplus assets:

1. If the asset was purchased with grant and/or other entity funds staff shall contact the funding entity and determine appropriate procedures for disposal.
2. District staff shall determine if the property could be of value to other governmental entities in Washington such as other conservation districts, school districts, weed districts, etc. If so, the property shall be offered to these entities. Compensation may not be less than the fair market value, and may take the form of monetary payment, services, materials, or other assets provided in exchange for the asset. However, if the asset was purchased with grant funds, the granting agency may require the transfer of surplus assets to another type or specific public entity at a cost less than current market value. If the

property is not purchased by another governmental entity, then District staff shall follow Washington State law on the sale of surplus property

3. If the asset was purchased with District funds or cleared by the funding source for disposal by the district, staff shall dispose of the property in accordance with state law and District procedures, in accordance with the following priorities:
  - a. An appropriate value will be assigned to each asset that is declared surplus worth \$500 or more;
  - b. District officials and municipal officers of the District are prohibited by state law from benefiting from the disposal of public assets. They, and their immediate family, are prohibited from purchasing surplus assets;
  - c. District staff shall select the most efficient and cost-effective method for the sale of surplus property. This may include, but is not limited to, conducting an auction, direct sale through advertising, or other methods available and allowable by law.

If the asset proposed as surplus is evidence released by the Court, seized assets or unclaimed property, the Board of Supervisors must seek qualified legal counsel prior to declaring it surplus.

If the value of the asset is estimated to be more than \$50,000, provision of Section 39.33.020 RCW will apply. This includes several requirements, including a public hearing and certain notice provisions.

## 2.7 Travel

Travel expenses may include transportation, lodging, meals, and related expenses. OCD will pay for travel expenses for District officials who are on approved travel status for official District business. Travel expenses will only be reimbursed for individuals representing the District in an official capacity or as approved by the Board. Payment will be made based on the following travel reimbursement rates and policies. Where a policy is not identified here, the District shall follow Washington State guidelines.

### a) Travel Status

A District official will be paid for travel related meal expenses only after the traveler is away from the city or town where the District office is located (or the supervisors or official designee's residence or place of work) for at least one overnight stay. Meal and lodging reimbursement is based upon rates established by the Washington State Office of Financial Management for travel within Washington State and the US General Services Administration for all other travel. Lodging expenses may be reimbursed at rates exceeding published per diem rates only if their attendance at the function meets criteria on the "Exceeding Maximum Per Diem Form".

Prior to leaving on official travel for the District, District officials must have prior approval, in writing, by either a Board Supervisor or the Executive Director. The Executive Director is authorized to travel within the State of Washington and may authorize in-state travel of other employees, supervisors, and other District officials. Out of state travel for any District official must be approved by the Board. The District Chair may authorize out of state travel for a high priority emergent purpose of up to three nights. Immediate family members of District officials may travel with authorized representatives of the District with prior approval by the Executive Director.

All travel to be reimbursed or paid must be authorized first. To receive reimbursement, the employee must complete a Travel Voucher Form, which is available in electronic format, and attach pertinent receipts. Requests for travel reimbursement must be submitted within 45 days following the



completion of travel. The District reserves the right to refuse any travel reimbursements requests that are submitted more than 45 days after the travel expense is incurred.

#### b) Meal, Lodging, and Travel Reimbursement

Meal reimbursements for travel will be paid as per diem based upon where the traveler will be staying overnight, or in the case of the day they return home, the city/community where they most recently slept as determined by the Washington State Office of Financial Management for travel within Washington State and the US General Services Administration for all other travel.

Meal reimbursement is only allowable if the District official is in travel status during the meal period for which the official seeks reimbursement. For the purposes of clarifying this policy, meal periods will generally be defined as 6:00 AM to 8:00 AM for breakfast, 11:30 AM to 1:30 PM for lunch, and 5:00 PM to 7:00 PM for dinner.

An employee, supervisor, or official representative will be paid for lodging when they are required to stay overnight, more than fifty miles beyond the District office or their residence (whichever is closer). A receipt must be turned in along with a separate travel voucher. Lodging reimbursement is based upon the Washington State Office of Financial Management for travel within Washington State and the US General Services Administration for all other travel. The Board of Supervisors may authorize travel expenses when an overnight stay closer than the 50-mile rule would be appropriate due to the meeting schedule, or other factors the board deems reasonable. The Executive Director may authorize one overnight stay closer than the 50-mile rule due to hazardous travel conditions.

Meals may be paid by OCD for authorized District officials who are attending a conference, convention, or training session where an overnight stay does not occur. This is only allowable where the District official's attendance is deemed a priority for the District, the District official's participation or attendance of the event during the meal period is mandatory, and the District official has prior approval of the District Board or Executive Director.

An employee is only in pay status during a meal if the employee is engaged in a work-related meeting. Casual conversation regarding work is not considered being engaged in a work-related meeting.

#### c) Supervisor Monthly Meeting Mileage Reimbursement

The Board of Supervisors may be compensated for one-third of the round-trip miles they travel from their home or place of work, whichever is nearer, to the District office only for District board meetings. Non-voting Associate Supervisors are not eligible for reimbursement under this policy. The reimbursement shall be paid quarterly at a regular monthly board meeting.

Each Supervisor must file a signed mileage statement with the Finance Director that identifies the total round trip mileage from their home to the District office prior to being eligible to receive reimbursement. Board Supervisors are responsible for filing an updated mileage statement at the subsequent regular monthly board meeting if they move while this policy is in effect.

The reimbursement is computed by multiplying one-third of the total round-trip miles by the current mileage reimbursement rate established by the Washington State Office of Financial Management.

## 2.8 Meals at Meetings

District officials occasionally must conduct meetings during meal periods to accommodate schedules of the public, district officials, or for other reasons. When these occasions occur, the Board of Supervisors

may authorize the reimbursement or payment of reasonable meal expenses for District officials that are required to be at the meeting.

District board meetings that are held during normal meal periods as described in these policies may have light refreshments provided to all attendees. Light refreshments for these meetings may include sodas, water, coffee, tea, snacks, meats, cheeses, fruit, crackers, and other light meals and hors d'oeuvres are allowed to ensure continuity of meetings.

## 2.9 Vehicle Use

The equipment included in this policy will be all motorized vehicles, trailers, and associated equipment the District or NRCS owns or operates under agreement.

Authorized operators shall include all District officials who have been given approval by the Executive Director. Approval to use NRCS vehicles may only be granted by the NRCS District Conservationist, or their designee. Only persons who are on official District business, or our project partners are authorized to be passengers. Immediate family members of District officials may be authorized to travel in District vehicles on a case-by-case basis by the Executive Director. Staff can clarify authorizations with the Executive Director.

All equipment, vehicles, and machinery will be used for the purpose only for which they were intended, designed, and acquired. Operators of vehicles and equipment must obey all laws, rules, and regulations that apply to their operation. Operation of a vehicle in an illegal, malicious, or negligent manner may result in disciplinary action.

Vehicle maintenance is the ultimate responsibility of the Executive Director or their designee. However, operators of vehicles must report all damages, improperly working equipment, or other maintenance and safety issues to the Executive Director or their designee immediately. Operators must maintain the vehicles that they are using. At the end of each workweek, the equipment should be left clean on the inside and outside. Operators of vehicles are responsible for the following:

- Ensuring that transmission and engine fluids are clean of debris and at proper levels.
- Tires are to be visually inspected for proper inflation.
- All signal, brake, and headlights are functioning properly.

Vehicles shall be used exclusively for the purpose of carrying out the official activities of the District. Vehicles shall not be used for personal use. Unauthorized use of a vehicle may result in disciplinary action.

Each vehicle is equipped with a fuel card to be used at Pacific Pride Card lock stations only. Users must log each fuel purchase and beginning and ending odometer readings each day in the fuel log maintained in each vehicle. Any fuel charge that appears on the billing statement but is not recorded on the vehicle fuel log may be the financial responsibility of the person who used the card.

In the case of a single vehicle accident, first ensure that any and all injuries are properly taken care of as the situation dictates. Notify the police. Report the accident to the Executive Director or a Board Supervisor as soon as possible. Fill out a State Patrol Accident report and submit a copy to the Executive Director and one to the State Patrol as may be required. If the accident occurred while operating an NRCS vehicle the user must follow NRCS policy on accident reporting.

In the case of a multiple vehicle accident, first seek medical attention as necessary for all parties involved. Notify the police. Then, get the following information from all other parties involved: vehicle make, model, license plate number, and driver's license number of all vehicles and persons involved including passengers and witnesses. Report the accident to the Executive Director or a District Board Supervisor as soon as possible. Fill out a State Patrol Accident report and submit a copy to the Executive Director or District Board Supervisor. If the accident occurred while operating an NRCS vehicle the user must follow NRCS policy on accident reporting.

## 2.10 Internet and E-mail use

As part of the District's commitment to the utilization of technology, our employees have access to the Internet and e-mail. The following policy has been established to ensure compliance with existing copyrights and decency laws, and to protect us from being victimized by the threat of viruses or hacking into our systems.

Employees will limit Internet and e-mail access to official business during business hours. They are authorized to access the Internet and e-mail on a limited basis for personal business after-hours and during un-paid breaks (including lunch), and in strict compliance with the other terms of this policy. The introduction of viruses, or malicious tampering with any computer system, is expressly prohibited. Any such activity will result in disciplinary action and possible termination of employment.

The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet may be at risk of detection by a third party. Employees must exercise caution and care when transferring such material in any form. United States copyright and patent laws protect the interests of authors and software developers in their products. It is against federal law and District policy to violate the copyrights or patents of others on or through the Internet. Employees may not download or use copyrighted material without obtaining proper authorization.

Any infringing activity by an employee may be the responsibility of the District. Therefore, OCD may choose to hold the employee liable for their actions. You may not disclose confidential information or promote:

- Personal political beliefs
- Personal business interests
- Discrimination
- Sexual harassment
- Any unlawful activity

Keeping electronic files that violate the District's discrimination and/or sexual harassment policy within your computer account can result in disciplinary action. The OCD reserves the right to inspect any computers and other electronic devices, software, programs, and Internet accounts provided by the district to an employee, supervisor, or other District official at any time, for any reason.

## 2.11 Equipment Use by District Officials

District equipment is to be used by District officials for the purpose for which it was intended and to be maintained in proper working condition at all times. District staff are assigned specific pieces of

equipment for regular and routine use. This equipment assignment is noted in the District inventory and will be checked periodically to ensure it is still in proper working condition.

Some equipment is for all District officials to use on short term or on a periodic basis. This includes, but is not limited to, vehicles, computers, projectors, AV equipment, and more. District officials wishing to use such equipment must check it out using the appropriate equipment check-out calendar. Equipment must be returned to its proper storage location upon end of use.

District officials are required to maintain equipment that is assigned to them on a regular or temporary basis. If equipment becomes damaged through misuse the District official may be required to replace or repair the equipment at their personal expense. If equipment is damaged or not working properly, the employee must notify the Executive Director so the equipment may be repaired or replaced as appropriate.

## 2.12 Equipment Use by Outside Organizations

Specialized equipment may be periodically rented or loaned out to private individuals, organizations, or public agencies. OCD reserves the right not to loan out equipment if it is needed for District projects or if the person requesting such equipment has not returned equipment, previously borrowed from the District, in operating condition. The District reserves the right to require a security deposit (up to 50% of current value of the equipment to be loaned), for rented or loaned equipment. Equipment may only be rented or loaned out if it is to be used for the design, implementation, or measurement of Best Management Practices. Equipment **may not** be rented or loaned to anyone for commercial or recreational purposes.

Before checking out District equipment a District official must fill out a District Equipment Checkout form and ensure that the official and the person borrowing the equipment sign the form and the form is on file with the District. Equipment Checkout forms must be submitted to the Administrative Assistant or Finance Director. When the equipment is returned a District official must inspect the equipment to ensure it is being returned in the same condition as the item was when borrowed and they sign the District Equipment Checkout form along with the person who borrowed the equipment.

Equipment will be returned to the District in a condition that is the same or nearly the same as its condition when checked out. Equipment that is broken by the normal use associated for said equipment shall be returned to the District so that the item can be repaired or properly removed from the inventory. If in the opinion of the Executive Director, the equipment was damaged or broken due to normal use there will be no charge for repair or replacement.

Replacement of equipment that is lost or damaged due to negligent use (as determined by the Executive Director) shall be the financial responsibility of the person or persons to whom the equipment was checked out. Replacement shall occur within 30 days of damage incurrance or date of loss or the District reserves the right to replace the equipment and bill the person or persons to whom the equipment was checked out.

## 2.13 Cell Phone Use

District cellular phones may be available for staff and supervisors to use when executing official District business. The District Board of Supervisors reserves the right to cancel the District's cell phone contract and discontinue use of District owned cell phones at any time.

District cellular phones must only be used for official district business or emergency communication. Maintenance and security of District owned cell phones is the responsibility of the individuals who have a phone checked out to them.

Employees may on occasion make a personal call in emergency situations and/or when returning later than expected from events outside of normal working hours. The Executive Director or Board of Supervisors may rescind this privilege on a case-by-case basis if they determine an employee or supervisor is abusing this privilege.

## 2.14 Social Media

### a) Purpose

Agency-sponsored social media tools are used by the District when appropriate to enhance communication, engagement, and outreach with landowners, partners, stakeholders and others to support our strategic goals and mission. This policy acts as a guide for employees in proper use of OCD-sponsored social media accounts.

### b) OCD-Sponsored Social Media Accounts

Individual employees may not establish an OCD-sponsored social media account unless approved by the Executive Director. Upon approval, designated staff must manage social media accounts in close collaboration with the Executive Director, OCD's Community Outreach Director, and IT systems administrator. The account must conform to District branding, messaging, and district policies. Further, the account login information will be shared with the Executive Director, Community Outreach Director, and IT systems administrator.

### c) Social Media Records Management

Designated employees can communicate via the OCD-sponsored social media accounts. Consequently, any communication on these sites (whether a public employee or the general public) may be subject to monitoring and disclosure to third parties in accordance with Chapter 42.56 RCW (Public Records Act). The District Community Outreach Director and IT systems administrator shall back-up and record all social media activity for the District.

### d) Social Media Posting Guide

The following statements shall serve as the guideline for what material is allowed on social media accounts. Employees granted the authority to post to the District page are strongly encouraged to use discretion and caution when choosing content to post.

- A. Respect: Graphic, obscene, explicit, racial, and/or blatantly discriminatory comments or posts will be deleted. In addition, we do not allow comments that are abusive, hateful, or intended to defame anyone or any association; harassment and bullying of any kind will not be tolerated. Comments that suggest or encourage illegal activity will also not be tolerated.

- B. Relevance: Off-topic posts will not be allowed; please keep comments and posts relevant, clean and related to mission and goals of the OCD.
- C. Honesty: Posts and comments that are blatantly untrue, misrepresent facts, or promote personal opinions as “fact” may be subject to removal.
- D. Integrity: Spam, unsolicited messaging, particularly when it becomes excessive or contains malware or other attempts to breach common technological security, is not allowed and will be removed.
- E. Nonpartisan: Endorsements, advertisements, promotion or opposition of political candidates or ballot issues are not allowed. Any political posts by others is not an endorsement or opposition by the OCD. The District may use social media to inform the public of openings on the District board and to inform who has filed for said positions so the public may research the candidates.
- F. Privacy: We acknowledge the limits of privacy inherent in using social media, but we do our best to honor users’ and followers’ privacy to the maximum extent allowed by law. Any personal information including email addresses, telephone numbers, mailing addresses, or any type of identification numbers (excluding agency and partner contact information) will be removed before the District posts information and material.
- G. The OCD has the right to ban any user/s who repeatedly violate this policy.
- H. The OCD monitors its own account and monitors all mentions of the OCD on other social media accounts. The OCD reserves the right to remove any comments, posts, and/or mentions of our agency that contain any of the disallowed content listed above.
- I. Comments posted on District social media accounts do not constitute giving official notice to the agency, including public records requests.
- J. Only staff authorized by the Executive Director or Community Outreach Director may post to District controlled social media accounts on behalf of the District.
- K. OCD Social Media Copyright Policy: All information and materials generated by the Okanogan Conservation District and provided in the OCD’s social media accounts are the property of the OCD. The OCD retains copyright on all text, graphic images, and other content that was produced by the OCD and found in our accounts. Other users may print copies of information and material for their own non-commercial use, provided that you include a credit line reading: "credit: Okanogan Conservation District" or "Courtesy of Okanogan Conservation District." Commercial use of text, OCD logos, photos, and other graphics is prohibited without written permission of the OCD.

## 2.15 Non-Disclosure Policy

District officials may have access to information that is confidential in nature to the District, its customers, and vendors.

District officials are bound to hold in strictest confidence information that is not generally known and that is proprietary to OCD, or others such as landowners, cooperators, or partners that the District has, does, or may work with. At the request of OCD, or upon separation from the District, District officials will provide to the Executive Director or Board Chair materials furnished to them by the OCD, such as papers, notes, data, drawings, photographs, etc.

District officials are bound to maintain the confidentiality of any other party with whom they have confidentiality or proprietary rights including, but not limited to, intellectual property, inventions, works

of authorship, or confidential information. If this policy is breached, OCD is entitled to injunctive relief to enforce the policy.

District officials are not to disclose any such confidential information to any other person in the agency unless there is a legitimate business reason for doing so, or any person outside the District unless management has expressly stated that the information can be disclosed to that person.

This obligation exists even after the employee leaves the organization. Compliance with the Public Disclosure Requests must be handled according to the law and by following the District's policy for dealing with such requests.

Any questions related to disclosure or non-disclosure should be directed to the Public Records Officer.

## 2.16 Inventions and Creative Output

Employee and volunteer inventions, creative output, and other such intellectual property created using District equipment, supplies, facilities, or trade secrets, is considered the property of OCD and such information is to be maintained in confidence. Employees will not disclose any confidential or proprietary information without the express permission of management.

Intellectual property includes inventions, patents, copyrights, and works of authorship and any other confidential information belonging to the District.

OCD intellectual property must be held in a confidential and proprietary manner and not disclosed to any person or used for the benefit of anyone other than the District. Upon termination, employees must deliver to their manager or supervisor all papers, notes, data, reference materials, drawings, photographs, or any other documentation of a proprietary nature, software, tools, or other materials.

Violation of this policy may result in disciplinary action, up to and including termination.

Inventions and creative output developed by the employee not on company time, not using company equipment, supplies or facilities, and having no connection with OCD is not considered to be District property. Intellectual property made prior to an employee's employment or association with the District is excluded from the scope of this policy.

## 2.17 Data and File Storage and Access

### a) Paper Records

All original (hard copy) contracts, legal records, files, and financial documents shall remain at the OCD Office at all times. The only exceptions to this rule are for when employees may have bank deposit slips and receipts at their home as a result of conducting official District business while en-route to their residence at the end of the workday.

All records must be returned to the District office at the beginning of the next official workday. Employees may take original documents out of the office while conducting official District business in the field, at meetings, at trainings, or as may be authorized per District policy allowing employees to work remotely.

District financial records, except as noted above, requested from the State Auditor's Office or released by court order, shall remain in the District office at all times.

#### b) District File Access

All electronic files pertaining to official District business will be stored on the District's server to allow appropriate backup, data integrity and access. District Employees will utilize District equipment for District business when feasible and available over personal electronic devices. Files created or stored on personal computers and main hard drives of District equipment must be uploaded to the District server within 5 business days of creation.

Business cloud services such as Microsoft Office 365 and Dropbox allow the District staff to share documents, collaborate with others, and have ready access to files away from the District office. Files stored in the "cloud" should only be temporary copies used during collaboration and for temporary use while away from the office. As soon as possible, the files in the cloud should be moved to the District file server for final storage.

#### c) Website Accounts

The District's network administration will, whenever possible, work to utilize secure and existing business solutions for web-based services utilized by the District (for example, Office 365). These solutions utilize central control over accounts and allow for best practices for access and integrity of District systems.

All web logon names and passwords must be provided to the District Internet Technology (IT) administrator and the Executive Director. Employees should only use personal accounts for District business with permission from the Executive Director.

#### d) Data Backups

The District IT administrator will ensure that daily and weekly backups of District server files are completed. Daily backups will be stored on-site, while weekly backups will be stored off-site. The District currently has an agreement with the Whatcom CD for them to host our weekly backup server.

## 2.18 Public Disclosure

The District owns the records in their possession except as may be agreed upon in an Inter-Local Agreement where data and information may be shared which is owned by another entity. The District is responsible to manage records owned by the District and allow the public to inspect and obtain copies of those records.

The following is a general guideline for District officials to follow and to inform the public about District policy and procedures for public record retention, examination, and release. However, there is no way to address all possible scenarios of public records management and release upon request so the District shall follow current federal, state, and local statute as the overall guide.

#### a) Retention and Destruction of Public Records

The public record retention and destruction process is governed by Chapter 40.14 of the Revised Code of Washington (RCW) and Chapter 434-615 of the Washington Administrative Code (WAC).



Note: Under RCW 42.56.100, if a public records request is made at a time when the record exists but is scheduled for destruction in the near future, the local government cannot destroy or erase the record until the disclosure request is resolved.

#### b) Records Available for Public Inspection

Revised Code of Washington Chapter 42.56.070(1) requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public record" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency.

The District shall follow the extent practicable, the 2018 (or as amended) Washington State Attorney General model rules and best practices for the public disclosure.

#### c) Public Records Officer

The Board of Supervisors appoints a public records officer to serve as a "point of contact" for members of the public seeking public records. The District's Public Records Officer is the Executive Director. The public records officer's name and contact shall be posted on the District website and is on file with the Okanogan County Auditor's office.

#### d) Hours for Inspection of Records

Public records are available for inspection and copying during normal business hours of the District, Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding legal holidays and temporary office closures. Records must be inspected at the District office.

#### e) Organization of Records

Records will be maintained in a reasonably organized manner and take reasonable actions to protect records from damage and disorganization. District records shall not be moved from District offices without the permission of the public records officer or designee. A variety of records are available on the District web site at <http://www.okanogancd.org>. Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

#### f) Requests for Public Records

State law allows for public records requests to be submitted using many different methods. The District asks requestors to provide a written request that identifies the desired public records adequately for identification, and the requestors contact information for clarifying requests and so the District may inform the requestor when their request is ready to be picked up.

#### g) Public Records Request Log

The Public Records Officer shall compile and maintain an accurate log of public records requests that includes all information required now and as may be amended per law or rule. Generally, the log shall include the date of request, requestor name and contact information, the records being sought, description of records provided or not provided, and the date that request was fulfilled and closed.

#### h) Costs of Providing Copies of Public Records

There is no fee for inspecting public records. A requestor may also request copies of the records and arrange to pay for copies of the records or a deposit. The cost of electronic copies of records shall be established by the District and be in accordance with current law.

The cost of copies and charges to the requestor will be based upon copy rates established by the District or the cost of commercial printing expenses for larger requests. Payment must be made at time of pick-up for all copies produced and must be made in cash, personal check, or cashier's check.

For administrative convenience, copying charges may be waived for small requests (up to \$2.00 in total charge for total request). The District will charge actual costs for nonstandard copies including color copies, engineering drawings, and photographs. A copying project may be sent to a commercial copying center and the amount charged by the vendor will be billed to the requestor. The District can arrange with the requestor for the requestor to pay the vendor directly.

The public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying the records selected by the requestor. The public records officer or designee may also require payment for the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The District will not charge sales tax when it makes copies of public records.

If a requestor asks the District to mail copies, the District will charge for the actual cost of postage and the shipping container (such as package envelopes, boxes, CD-ROM mailer, etc.).

#### i) Responsibilities of the District in Processing Requests

The Public Records Officer shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request, except as may be required by law. The District may inquire as to the purpose of the request in an effort to better understand the request and provide all responsive records, however, the requestor is not required to answer that inquiry, except to ensure that the request is not for a commercial use or would violate another statute prohibiting disclosure.

The District shall provide the fullest assistance, take the timeliest possible action on requests to make records promptly available. The District will devote sufficient staff time to processing records requests, consistent with the act's requirement that fulfilling requests should not be an "excessive interference" with the District's other essential functions. It should be noted that while the District intends to provide the timeliest "possible" action on requests, the District is not always capable of fulfilling a request as quickly as the requestor would like.

Communication is usually the key to a smooth public records process for both requestors and the District. Clear requests for a small number of records usually do not require predelivery communication with the requestor. However, when the District receives a large or unclear request, the District should communicate with the requestor to clarify the request. If the request is modified orally, the public records officer or designee should memorialize the communication in writing.

For large requests, the District may ask the requestor to prioritize the request so that he or she receives the most important records first. If feasible, the District should provide periodic updates to the requestor of the progress of the request. Similarly, the requestor should periodically communicate with the District and promptly answer any clarification questions.

Within five business days of receiving a request, the District must provide an initial response to requestor. The initial response must do one of four things:

- A. Provide the record;
- B. Acknowledge that the agency has received the request and provide a reasonable estimate of the time it will require to fully respond;

- C. Seek a clarification of the request; or
- D. Deny the request. RCW 42.56.520 / 42.56.530.

An agency's failure to provide an initial response is arguably a violation of the act. Unless it is providing the records or claiming an exemption from disclosure within the five-business day period, the District will provide a reasonable estimate of the time it will take to fully respond to the request. Fully responding can mean processing the request (assembling records, redacting, preparing a withholding index, or notifying third parties named in the records who might seek an injunction against disclosure) or determining if the records are exempt from disclosure.

The District may seek a clarification of an "unclear" request when the request is objectively "unclear." If the requestor does not respond to the District's request for a clarification within 10 days of the District's request, the District may consider the request abandoned and send a closing letter to the requestor.

The District will conduct an objectively reasonable search for responsive records. A reasonable District search usually begins with the public records officer and may expand to other staff depending on the request. All District staff are required to promptly respond to inquiries about responsive records.

After records which are deemed responsive are located, the District will take reasonable steps to narrow down the number of records to those which are responsive. In some cases, it will be helpful to consult with the requestor on the scope of the documents to be assembled. The District cannot "bury" a requestor with nonresponsive documents. However, the District is allowed to provide arguably, but not clearly, responsive records to allow the requestor to select the ones they want, particularly if the requestor is unable or unwilling to help narrow the scope of the documents.

The District should provide a record within the time provided in its reasonable estimate or communicate with the requestor that additional time is required to fulfill the request based on specified criteria. Unjustified failure to provide the record by the expiration of the estimate is a denial of access to the record.

If the District becomes aware of the existence of records responsive to a request which were not provided, the District should notify the requestor in writing and provide a brief explanation of the circumstances.

#### j) Third Party Notice

Sometimes the District determines it must release all or a part of a public record affecting a third party. The third party can file an action to obtain an injunction to prevent an agency from disclosing it, but the third party must prove the record or portion of it is exempt from disclosure. Before sending a notice to an affected third party, the District should have a reasonable belief that the record is arguably exempt. Notices to affected third parties when the records could not reasonably be considered exempt might have the effect of unreasonably delaying the requestor's access to a disclosable record.

Before releasing a record, the District may choose to provide notice to a person named in a public record or to whom the record specifically pertains (unless notice is required by law). This would include all of those whose identity could reasonably be ascertained in the record and who might have a reason to seek to prevent the release of the record. The notice informs the third party that release will occur on the stated date unless he or she obtains an order from a court enjoining release. The requestor has an interest in any legal action to prevent the disclosure of the records he or she requested. Therefore, the District's notice should inform the third party that he or she should name the requestor as a party to any action to enjoin disclosure. If an injunctive action is filed, the third party or District should name the

requestor as a party or, at a minimum, must inform the requestor of the action to allow the requestor to intervene.

#### k) Exempt Public Records

The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the District for inspection and copying:

- **Farm plans** — Disclosure of information. RCW 89.08.560
- Attorney-client privilege – RCW 5.60.060
- **Deliberative process exemption.** RCW 42.56.210 exempts "Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended" except if the record is cited by the District.
- **Commercial use exemption.** The act does not allow an agency to provide access to "lists of individuals requested for commercial purposes."

#### l) Denial of Access to Public Records

Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.

The public records officer shall promptly provide the petition and any other relevant information to the Chair of the Board of Supervisors or District legal counsel to conduct the review. That person will immediately consider the petition and either affirm or reverse the denial within five business days following the District's receipt of the petition, or within such other time as District and the requestor mutually agree to.

## 2.19 Contracting

The District follows State of Washington rules and guidelines for all contracting including personal services, professional services, and public works types of contracting. For more information go to the MRSC website at: <http://mrsc.org/procurement/procurement-sourcebook.aspx>.

Seeking competition is always recommended but not always required. The District shall follow current guidance of the Municipal Research Services Center (MRSC) regarding the level of purchase competition that should be sought based upon estimated cost of the goods or services. Definitions and guidelines can be found in the [MRSC Guidelines for Purchasing, Bidding, and Contracting for Washington State Conservation Districts](#). The Finance Director will hold the most recent version for MRSC Guidelines.

In general, the competitive bidding requirements fall into three categories: minimal, informal and formal competition. The requirements are further defined by the type of contract such as professional services vs. purchased services. The anticipated value and type of contracts determine the level of competition in addition to the factors listed below. Staff will consult the aforementioned guide from MRSC with each contract to ensure the correct level of competition.

Where appropriate the District will use the MRSC Small Works Roster program for contracting. This program allows the District to select contractors for work from a limited list that is compiled by MRSC. The Executive Director shall make the final decision on whether this route for contracting is utilized on a case by case basis.

Uniform Exemptions - RCW 39.04.280 provides uniform exemptions to competitive bidding requirements when awarding contracts for equipment, supplies and material purchases and for public works projects. Competitive bidding procedures may be waived by resolution of the Board of Supervisors for:

- Purchases that are clearly and legitimately limited to a single, sole source of supply
- Purchases involving special facilities or market conditions
- Purchases in the event of an emergency
- Purchases of insurance or bonds
- Public works contracts in the event of an emergency
- Special facilities or market conditions
- Purchase of equipment at auctions, whether private or public

Competitive bidding procedures may be waived under the preceding circumstances by adopting either a resolution at the time of contracting or by written policies beforehand. A resolution at the time of contracting must state the factual basis for the exception. If written policies are used to waive competitive bidding requirements, the contract and a factual basis for the exception must be recorded and open to public inspection immediately after a contract is awarded under those policies.

Request for bids/proposals will be advertised in the appropriate newspapers or other media channels to reach the widest possible distribution to potential bidders where appropriate. Bids need not be awarded to the lowest cost proposer if factors related to quality, experience or support for local providers warrants selection of a higher bid. For more information on formal competition contact the Executive Director or their designee.

## 2.20 Cost Share

### a) Purpose

Okanogan CD provides cooperators with opportunities to implement projects that maintain, improve or protect the natural resources of Okanogan County and provide public benefit. To achieve that goal, the OCD must focus and coordinate all available technical, financial and educational resources.

These policies are not intended to be a complete or final statement of all OCD cost share policies. These policies are to serve as a guide and may require periodic review or revision. It is understood that the OCD Board of Supervisors will meet as needed for that purpose. Further, if a funding source requires different procedures, cost-share rates, or rules that conflict with these policies, the funding source guidelines shall be followed for the application of their funds. As with all policies of the District, the Board may deviate from policy from time to time as situational conditions dictate.

### b) Eligibility Requirements

First, it should be emphasized that the OCD is almost entirely grant funded, so the type and number of projects the OCD is able to assist with is entirely dependent upon the availability of funds from various funding sources. Private property owners and managers and public land managers within the District's

boundaries are eligible to request technical and financial assistance from the OCD. Financial assistance for projects on publicly managed lands is dependent upon the District and the managing agency having an active cooperative agreement in place in addition to availability of funds and funding priorities. In such a case, the agreement between the District and the managing agency may also dictate specific rules for financial assistance.

District Supervisors who are either elected or appointed to the Board qualify for cost-share and are exempt from the prohibitions of RCW 42.23.030 Code of Ethics for Municipal Officers. In such cases, the District Supervisor must state their conflict of interest in any decisions regarding the receipt or implementation of these public funds and recuse themselves from any and all decisions regarding their application and cost-share implementation.

Associate Supervisors and District employees may qualify for cost-share contracts with the District, but their cost-share contracts are subject to RCW 42.23.030 Code of Ethics for Municipal Officers. In such cases, they may receive no more than \$1,500 per month for cost-share. The amount may not be averaged out over the life of the contract or multiple practices. Associate Supervisors or staff members requesting cost-share shall be removed from the project review, ranking, and decision on approval in all aspects.

Additional eligibility requirements will be determined by the funding source policies, amount and types of grant funds available and the type of project for which assistance is being requested. Projects must meet not only the District's priorities as stated in our Long-Range Plan, they must also meet priority and eligibility requirements of potential fund sources.

### c) Cost Share Approval

Upon receipt of a signed cost-share application and agreement, the lead planner and Executive Director, at a minimum, shall review the project and determine if it fits within the District's Long-Range Plan priorities. This information will be presented to the Board of Supervisors for all projects requesting cost-share assistance for their review and consideration. The Board may authorize cost-share to projects they believe will provide the greatest natural resource and public return for funding proposed based upon District policies, priorities, and grant priorities. The Board may also choose to not authorize cost-share funding to any project that is proposed or may offer a different amount of funding for a project that is proposed. Generally, approval of the cost-share application **doesn't** constitute an authorization for the recipient to expend funds or incur expenses.

### d) Cost Share Rates

All technical and financial (cost-share) assistance to cooperators by the OCD is funded by grants from various organizations or agencies. This means that cost share funds provided to cooperators is dependent upon the requirements and priorities of the grant source. It is the goal of the OCD to match cooperators and their projects with the most appropriate funding source. Sometimes this involves the cooperator's agreement to cost share rates that are less than those defined in this section. Often, the more project cost a cooperator is willing to assume, the greater chance the grant source and District will be able award funds.

It should also be noted that 100% cost share for a project is **NOT** possible. No matter how well planned, all projects have unexpected costs or costs that because of the funding source, are not eligible for cost share. At a minimum, it will be necessary for the cooperator to provide their personal time in the development of the project, review of applications to funding sources, applications for permits and, if desired, to seek professional legal or financial advice regarding the project. **These costs to the cooperator are not reimbursable.** Some of these costs may be eligible as landowner match for a project

if allowable by the funding source and as pre-approved by the District. In cases where cost share rates to cooperators are not specifically defined by the granting agency or organization, the following guidelines will be implemented, unless amended for a specific program or individual cost-share project by the board of supervisors.

Practice Type	Maximum Cost Share Rate
In-Stream	100% (except costs such as those described above)
Riparian	75%
Upland	50%

Generally, cooperators may only be reimbursed for material purchases made after signing a cost-share agreement with the District. The cooperator may or may not be reimbursed (paid) for equipment and/or materials they previously owned prior to project approval based on the rules of the funding agency or hardship considerations. The Board must approve reimbursement for materials owned by a cooperator prior to the cost-share agreement. Typically, these expenses are donations that may be counted at reasonable rates established by the District or funding source as all or part of the cooperators match. Some funding sources may allow the use of previously owned materials but may not allow them to be counted towards the cooperator’s match. Previously owned material must still meet requirements for the standards and specifications for the practice to which they are applied.

Sometimes either the OCD or the cooperator involved is able to secure multiple funding sources to implement a specific project. The OCD may provide assistance in the coordination of the multiple funding sources where possible and as requested by the landowner. It should be noted that even with multiple funding sources, **it is not possible to implement a project that results in no cost to the cooperator.**

#### e) Cooperator Responsibilities

Cooperators who wish to work together with the OCD on a particular project must be aware that the OCD’s role is to support and assist the cooperator through the project. The OCD facilitates funding, assists with project design and permitting, but the project is ultimately led by the cooperator. The cooperator is usually responsible for finding suitable contractors and vendors to provide the materials or work required to complete the BMPs. Generally, the vendor or contractor communicates only with the cooperator, unless otherwise authorized by the cooperator in writing to work with District staff and/or authorized representatives. In some cases, the cooperator may request that the District represent the cooperator during selection of the contractor, administration of the contract, permit applications and compliance, and implementation of practices. If this request is approved by the Board the cooperator must sign an agreement with the District which holds the District harmless of any and all faults or failures resulting from the contractor selection, administration of the contract, permit applications and compliance, cooperator performance, and implementation of the practices.

#### f) Project Permitting

Permits are necessary with nearly every project a cooperator considers. Federal, state, and local permits and requirements will vary by project and by funding source.

Cultural and archeological resource evaluations may also be required. When required, this process will likely add three to twelve months to a project and must be complete before any ground disturbing activities takes place.

Responsibility to ensure that all necessary permits are in place prior to construction lies solely with the cooperator unless a written and signed agreement is in place with the cooperator as provided by these policies.

Recognizing the complexity of permit applications, especially with fisheries related projects, OCD staff will assist the cooperator with actual application forms and the application process. OCD staff can provide maps, project designs, background information, etc. as requested by the cooperator. The cooperator may be more comfortable referring the land (access easements) and water right issues to legal counsel. Costs associated with the use of legal counsel are generally not eligible for cost share, although, unless specifically restricted by the funding source, the costs may be eligible to count as a portion of the cooperator's share of the project cost. The same is true of any fees associated with permit applications, changes in water rights or the acquisition of necessary easements.

#### g) Application and Agreement for Cost Sharing Assistance

OCD uses a cost-share application and agreement form based upon the Conservation Commission "Application and Agreement for Cost Sharing Assistance" for cost-share applications and agreement unless a funding source requires a different form. This document is both the application and contractual agreement and may be amended if the funding source so requires. All amendments after signature must be in writing and signed by both the cooperator (and landowner if different than the applicant) and the District Authorized Signer.

Some funding sources may require additional contracts and/or agreements as a condition of receiving cost-share funding. In these situations, both agreements will need to be fully executed by all parties and both agreements will remain in full force as described by each agreement.

If any statement included in the agreement is found to be contrary to the policy of the agency or group providing the project funding, the policy of the agency or group prevails.

The agreement is not active until the cost-share application is signed by the cooperator (and landowner, if different than the applicant), the District staff member assisting with the project, and the District Board, or their designee, and the cooperator has received a **written authorization to proceed**.

Partial payments may be made prior to final review. For partial payment procedure see **Payment Procedures** below. Twenty five percent of the total cost share available in a contract will be held by the OCD until the final review and inspection is complete and the cost-share agreements are signed by all parties to the agreement.

Project plans and specifications will meet NRCS standards or must be designed and stamped by a licensed Washington Professional Engineer and may be prepared by the OCD staff or by a licensed engineer (depending on the complexity of the project).

Many funding sources require some level of monitoring to ensure project success. Generally, this monitoring is the responsibility of the cooperator and OCD working collaboratively. The monitoring plan establishes when monitoring will occur, what types of monitoring will be conducted, and who will do it. For example, OCD staff may monitor a tree planting site for 3 years to ensure maximum survivability. Unless otherwise established in writing, all long-term operations and maintenance of a project are the sole responsibility of the cooperator.



#### h) Termination

There are three levels of termination regarding cost share funding. Any time after signing and returning the Application and Agreement for Cost Share Assistance, the OCD or the cooperator may terminate pursuit of the project without liability if cost-share has not been awarded.

Once cost-share has been approved and the cooperator has received written authorization to proceed, termination may occur by mutual agreement of both parties. In this case, partially completed work by the applicant may be reimbursed by the District but only for fully completed and installed practices that meet NRCS design specification or a Washington State Licensed Engineer design. This is decided by the District Board based upon a written request by the applicant that states the reason for the termination, an explanation of how the partially completed practice will provide public benefit, and the amount being requested for reimbursement. All decisions by the District Board are final.

If the cooperator does not commence or complete work in a timely fashion as decided by the District Board the cooperator will be notified by the District that their cost-share agreement may be terminated at the following regularly scheduled Board meeting. The District Board will provide the cooperator an opportunity to explain any delays and set forth a plan for completing the project. At that time, with or without input from the cooperator, the Board will decide whether to cancel or continue the contract. The cooperator will be notified in writing if their cost share contract is cancelled and they may request partial payment for any completed practices per these policies. All decisions by the District Board are final.

#### i) Funding Reduction

The District may be required by funding sources to reduce cost-share funding for projects that are not complete. This may happen from time to time due to funding constraints set upon the granting agency or for other reasons. When this occurs, the District will contact all affected cooperators and negotiate a new cost-share agreement that notes the reduction and may reduce the types and number of practices to be installed. The cooperator may choose to terminate the agreement and request payment for partial implementation for practices that are complete at that time.

#### j) Operations & Maintenance

Operation and maintenance of any practice defined in the Application and Agreement for Cost Share Assistance is the sole responsibility of the cooperator. An operation and maintenance plan may be developed and provided to the cooperator for complex projects or as the District project personnel deem necessary. This is a safeguard to protect the investment of public funds and to ensure that the individual practices will be maintained for their expected life. Cooperators shall notify the District upon sale of their property where a project is located and still within its design life. They shall provide the contact information for the buyers to the District as well as notify the buyers that a publicly funded cost-share project exists on the property and there are on-going maintenance and operation requirements.

#### k) Payment Procedures

Reimbursement of costs incurred will be based on forms provided by the District and receipts of goods and services rendered to implement practices for which the cooperator is seeking reimbursement. Written notice to proceed must be given by OCD prior to initiating any work or incurring any costs that are part of the project. Only work done or costs incurred after receiving the notice to proceed will be eligible for reimbursement.

If a single BMP exceeds \$5,000 in cost, the cooperator must obtain a minimum of two bids from vendors or contractors. All bids must be submitted to OCD before work commences. If the bids differ by more

than 10%, and the cooperator chooses the higher bid, they must provide a written statement defining why the higher bid was chosen. The cooperator must also provide a written explanation if it is not possible to obtain two bids. The OCD Board or designee shall make a final determination of the amount the District will fund the BMP at the higher rate or the rate of the single bid when two bids were not obtained.

All practices must be implemented as defined in the Project Design. Any deviations from the Project Design (plans and specifications) must be approved in writing by the OCD in order to be eligible for payment.

Prior to providing payment for any individual practice, it must be implemented and certified either by a licensed engineer, OCD staff or NRCS staff with approval authority. A completed signed contract and documentation of Cultural Resources and all required permits must also be provided. If individual invoices do not provide proof of payment, the OCD will require the cooperator and contractor(s) and/or vendor(s) to sign and "Assignment of Payment" form which will allow the District to make direct payment to the appropriate business.

All receipts or invoices must be detailed and should be originals when possible. No lump sum receipts, credit card statements or invoices will be accepted. For example, if the cooperator hires a contractor to install buried PVC pipelines, the receipt or invoice must include a separate line item for the PVC pipe, fittings, heavy equipment, labor, sales tax, etc. All invoices must be in the cooperator's name. Invoices billed directly to the OCD will not be accepted.

The timeline for reimbursement of costs depends on the individual funding source.

#### l) Monitoring and Maintenance

Maintenance of all practices is the responsibility of the cooperator. The necessary maintenance will be detailed for each practice in the Operation and Maintenance plan.

Project monitoring is required for a period of the life of each individual practice. District staff will inform the landowner of what monitoring must be done as part of the cost-share application and contract process. The landowner will be responsible for said monitoring activities. Further, the District and its funding sources reserve the right to inspect cost-shared practices for the duration of the design life and upon reasonable notification to the landowner/cooperator.

## 2.21 Unintended Discoveries (Cultural Resources)

The Okanogan Conservation District assists landowners to implement natural resource conservation work on their property. The following Unanticipated Discovery Plan (UDP) outlines procedures to follow, in accordance with state and federal laws, if archaeological materials or human remains are discovered while doing conservation work on your land.

#### a) Recognizing Cultural Resources

A cultural resource discovery could be historic or prehistoric. Examples of cultural resources include:

- An accumulation of shell, burned rocks, or other food related materials
- Bones or small pieces of bone,
- An area of charcoal or very dark stained soil with artifacts,
- Stone tools or waste flakes (i.e. an arrowhead, or stone chips),

- Clusters of tin cans or bottles, logging or agricultural equipment that appears to be older than 50 years and not in current use,
- Buried railroad tracks, decking, or other industrial materials.

When in doubt, assume the material is a cultural resource.

### b) On-Site Responsibilities

**STEP 1:** Stop work. If any landowner or other person believes that he or she has uncovered a cultural resource at any point in doing conservation work, all work adjacent to the discovery must stop. The discovery location should be secured from further disturbance at all times.

**If human remains are encountered**, the landowner or other responsible person onsite (i.e.: contractors, equipment operators) will immediately notify the local law enforcement agency **and** the coroner's office at (509) 422-7221, before completing the other steps in Section **(b)** of this policy.

Please review Section (d) Special Procedures for the Discovery of Human Skeletal Remains for more information.

**STEP 2:** Contact the Okanogan CD at phone number: (509) 422-0855

If the discovery is made after normal business hours, on a weekend, or holiday, contact Craig Nelson by dialing (509) 846-6216. The landowner may direct construction to continue away from the potential cultural resources.

### c) General Responsibilities

The landowner or responsible person on site shall ensure that all work is stopped in an area adequate to provide for the total security, protection, and integrity of the cultural resource. Vehicles, equipment, and unauthorized personnel should not be permitted to traverse the discovery site. Work in the immediate area should not resume until treatment of the discovery has been completed following provisions for treating archaeological/cultural material as set forth in this document.

The Landowner may direct construction to continue away from the potential cultural resources only if the area containing the archaeological/cultural material is protected from any and all disturbances.

OCD will assist the landowner to ensure that a professional archaeologist examines the find to determine if it is archaeological and document their findings.

- If it is determined not archaeological, work may proceed with no further delay.
- If it is determined to be archaeological, OCD will assist the landowner to continue with proper notifications and permitting
- If human remains are found, the procedure described in Section **(d)** will be followed.

The OCD will assist the landowner to contact the Department of Archaeology and Historic Preservation (DAHP).

### d) Special Procedures for the Discovery of Human Skeletal Material

The landowner or other responsible person onsite will immediately notify the local law enforcement agency and the coroner's office at phone # 509-422-7221.

From the WA Department of Archaeology and Historic Preservation:

"If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity **will cease** that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance.

The finding of human skeletal remains will be reported to the county medical examiner/coroner **and** local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic.

If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains."

When consultation and documentation activities are complete, OCD will provide direction to resume construction in the discovery area.

#### e) Proceeding with Construction

Project construction outside the discovery location may continue while documentation and assessment of the cultural resources proceed. An archeologist must determine the boundaries of the discovery location. Construction may continue at the discovery location only after the process outlined in this plan is followed and the District determines that compliance with state and federal laws is complete.

FOR OKANOGAN CONSERVATION DISTRICT ONLY

AGENCY CONTACT INFORMATION

#### **The following contact information is NOT to be distributed to landowners**

##### **Department of Archaeology and Historic Preservation:**

Local Governments Archaeologist  
360-586-3088

Or Dr. Allyson Brooks, State Historic Preservation Officer  
360- 586-3066

Or Dr. Guy Tasa, State Physical Anthropologist  
360-586-3534

##### **Potential Affected Tribes:**

If the discovery may relate to Native American interests, the Conservation District will assist the landowner to contact the appropriate Tribal Liaison(s).

The Tribes that may have potential have interest within our district are:

Confederated Tribes of the Colville Reservation

Contact: Guy Moura

Tribal Historic Preservation Officer

509-634-2695

[guy.moura@colvilletribes.com](mailto:guy.moura@colvilletribes.com)

Yakama Nation

Contact: Kate Valdez

Tribal Historic Preservation Officer

509-985-7596

[kate@yakama.com](mailto:kate@yakama.com)

## 2.22 Emergency Office Closures

During severe weather events, including but not limited to, heavy snowfall, ice storms, and flooding, or prolonged power outages, the office may be closed. Employees are encouraged to contact the Executive Director or senior staff on duty to determine if the office will be open when inclement weather occurs. If severe weather or power outage occurs during the workday, the office may close early to allow employees to get home safely. It is the discretion of the senior supervisor on duty whether office closures are paid administrative leave, if employees shall be directed to work from home, or if employees may use vacation, compensatory, and/or exchange leave.

The District will follow to the extent possible the USDA Okanogan Ag Service Center policy on office closures for snow and/or ice. The Executive Director, or their designee, shall confer with senior staff of the USDA agencies and review current conditions such as, but not limited to the following: closure or travel restrictions on local roads, school closures and delays, status of operations of other government facilities in the local area, National Weather Service Announcements (particularly Weather Warnings), and announcements by law enforcement or emergency management. Decisions on office closure will be made following that evaluation.

The office may close due to public health or other emergencies, at the discretion of the Executive Director or their designee. It is the discretion of the senior supervisor on duty whether office closures are paid administrative leave, if employees shall be directed to work from home, or if employees may use vacation, compensatory, and/or exchange leave.

## 3 Personnel Policies

### 3.1 Orientation

To provide new employees, volunteers, and interns with the best possible opportunity to succeed in their new position, new staff members will receive an orientation to review the District Operations Manual, job duties, and familiarize themselves with available resources and office functions. A staff member or Board Supervisor will conduct the orientation when time permits but generally in the employee's first week on the job.

Each new paid employee and volunteer will be provided with a personal copy of the current Okanogan Conservation District Operations Manual. Each employee, volunteer, and intern will be required to review the Operations Manual and will be afforded time to ask questions for clarification and understanding on any policy or procedure. Following their review, employees will be required to sign a statement documenting that they have read the policies and procedures and agree to abide by them. Employees are expected to review the District Operations Manual annually and sign a certification that they have had an opportunity to ask questions and will continue to abide by the policies therein.

### 3.2 Employment Status

Employment status includes whether an employee is exempt or non-exempt, regular or probationary or temporary, seasonal or intern, part-time or full-time, hourly or salary, and what benefits they are eligible to receive. An employee may request a change in employment status no more than once per calendar year. The Board reserves the right to change the employment status of any employee at any time and/or frequency as it best meets the needs of the District.

#### a) Probationary Period

New employees are typically hired on a six-month probationary basis, however, the length of the probationary period may differ as required by funding sources and timelines, time of year and type of position, or other reasons. The length of the probationary period for new hires will be specified in the employee's appointment letter.

The probationary period provides supervisors the opportunity to evaluate the employees' performance and to determine whether they are fulfilling the duties of the position for which they were selected. It also provides the employee an opportunity to evaluate their specific job responsibilities and compatibility with the District. The dependability and performance of an employee during this period is subject to careful evaluation by their supervisor. New employees may receive continuous performance feedback so they will know how well they are doing, as well as be informed of factors which might improve their performance. The abundance or lack of immediate feedback should not be construed by the employee as indicative of their performance. A performance assessment will be conducted to indicate job performance.

After a performance assessment has been completed near the end of the probationary period, the Board will determine the employee's status with the District and, if retained, in what employment capacity. Employees may be placed on continued probationary status or terminated from employment.

Employees who have not yet completed their probationary period are usually not eligible for pay increases. Only those employees that have completed three months of their probationary period with

exceptional performance in all aspects should be considered for pay increases before the conclusion of their probationary period.

#### b) Employment Classification

In accordance with the provisions of the Fair Labor Standards Act (FLSA), District employees are classified as either exempt or nonexempt. Exempt or nonexempt status is based on duties and responsibilities and affects eligibility for overtime.

#### c) Full-Time and Part-Time Employee Definition

Employees that are scheduled to work 32 hours per week are classified as full-time employees. Employees scheduled to work less than 32 hours a week are classified as part-time employees.

Employment benefits for leave and holidays are based on a 40-hour work week and are generally pro-rated based upon the hours an employee is scheduled to work. Medical and retirement benefits will be pro-rated for employees working under 32 hours. More detail on benefits are in specific sections for each benefit offered by the District. The Board may approve deviations in benefit payment on an individual basis in an employee appointment letter.

#### d) Employee Categories

*Probationary Employees* – are regular, temporary/seasonal & intern employees that have not completed the probationary period as defined in their appointment letter. Probationary employee’s eligibility for sick, vacation, and holiday leave as well as other benefits will be described in their appointment letter. Benefits may be amended by the Board at any time during the employee’s probationary period.

*Regular Employees* – are those employees who successfully fulfilled their probationary period and have been offered regular employment by the Board. Regular employees are eligible for sick leave, vacation leave, paid holidays, and other benefits as established in their appointment letters. Benefits will be pro-rated based strictly on a percentage basis of full-time employment worked.

*Temporary, Seasonal & Intern Employees* – are employees hired in a temporary position needed to complete the goals of the District. Length of employment and eligibility for sick leave, vacation leave, paid holidays, and other benefits will be set out in the terms of the appointment letter. Benefits will be prorated based on a percentage of full-time employment.

*Volunteers*– are those persons who voluntarily donate time to OCD. All volunteers will be screened and selected to fill the limited number of slots available. The criteria will vary based on need. All volunteers shall comply with the applicable provisions of the policies and procedures of the District. All volunteers are required to complete the necessary forms required of the USDA Earth Team Program including, but not limited to, enrollment application and timesheets. The NRCS District Conservationist must sign the Earth Team forms prior to the volunteer activity.

### 3.3 Reduction in Force

#### a) Authority

The Board maintains its authority in RCW 89.08 to employ such staff as is necessary to carry out the District program. The Board has the authority to layoff, temporarily or permanently, any employee who is employed in a position the Board feels is not necessary to the success of the District.

The Executive Director may lay off any employee because of a shortage of funds or work prior to Board approval. The Executive Director shall notify the Chair of the OCD Board's Personnel Committee before the layoff when feasible, but as soon as possible after if prior notice is not possible. The Executive Director will communicate the action taken to the full board no later than the next regularly scheduled board meeting.

#### b) Reason for Reduction In Force

The Executive Director may recommend to lay off an employee because of abolition of position, shortage of funds or work, a material change of duties, the employee's physical inability to perform the assigned duties with reasonable accommodation, change in the agency, or for other reasons which do not reflect discredit on the employee.

The Executive Director may change the number of hours an employee works to meet the needs of the District and as funding allows. For example, the Executive Director may reduce an employee's hours due to a lack of work or funding and may conversely increase employee hours due to increased workload and/or funding.

Duties performed by laid off employees may be reassigned to other employees already working. A temporary or permanent separation of an employee from the District's service as a penalty or disciplinary action shall not be considered a layoff.

#### c) Notice of Reduction in Force

Written notice of a pending lay off shall be given to any regular full-time or part-time employee at least 10 business days in advance of the effective date, except in emergency situations. Probationary, temporary, and provisional employees may be laid off without prior notice.

#### d) Recall Rights

Employees who have been laid off should be given first consideration over other applicants for positions which might arise subsequent to their layoff, provided they are qualified to perform the work of the position.

In the event the position of the laid off employee is reinstated, or a vacancy occurs within six (6) months of the time the employee was laid off, that employee shall have first right of refusal to their prior position. It shall be the employee's responsibility to maintain contact with the District in the event of layoff, not the District's responsibility. Failure to do so will disqualify the employee from consideration.

#### e) Payout of Benefits

Employees laid off are eligible for accrued leave payout in accordance with each leave category's payout rules in these policies (3.17 Leave d) Sick Leave). All benefit accruals cease upon the employee entering un-paid status.

### 3.4 At Will Policy of Employment

OCD is an "at-will" employer, which means employees have the right to resign their position at any time, with or without notice and with or without cause. As the employer, the District has rights to terminate the employment relationship at any time, with or without notice and with or without cause. The Board may terminate employment of any employee at any time, in accordance with state and federal laws.



### 3.5 Termination from Employment

When an employee leaves employment from OCD (voluntary or involuntary) the Executive Director or Personnel Committee Chair may choose to conduct an “exit interview”. The purpose of the exit interview is to establish the reason for leaving in the case of voluntary separation, what the employee feels may need to be changed at the District to improve the working environment. The Executive Director or the Personnel Committee Chair may provide an “exit letter” for an employee at their termination which will be added to the employee’s personnel file. The exit letter may include the information above, and additional information deemed pertinent by the Executive Director or Contact Supervisor.

### 3.6 Background and Security Checks

All employees and volunteers who are likely to work closely with minors or vulnerable adults on a regular or routine basis shall be required to undergo a Washington State Patrol background check. Employees and volunteers who are found to have a conviction for a crime against a minor or vulnerable adult may not be employed by, or volunteer with the District.

Some employees, interns, and volunteers may be required by our Federal partners to complete a federal security background check. Procedures and documentation for this requirement are established by the USDA Natural Resources Conservation Service. Employees and volunteers who do not pass this background check may not be employed by the District.

### 3.7 Reasonable Accommodation

OCD is committed to ensuring all employees and applicants for employment are provided with equal employment opportunity. The District recognizes that the responsibility to provide reasonable accommodation in employment is an institutional obligation and will support organizational efforts to ensure equal opportunity for qualified persons with disabilities.

Reasonable accommodations will be provided to the known physical, mental, or sensory limitations of an otherwise qualified individual with a disability. Reasonable accommodation applies to all aspects of employment. The duty to provide reasonable accommodation is ongoing and may arise any time that a person’s disability or job changes.

The need for a reasonable accommodation shall not adversely affect the consideration of an individual with a disability for employment, training, promotion or opportunity to enjoy equal terms, benefits, privileges, and conditions of employment.

It is the obligation of an individual with a disability to provide timely notice and documentation on the nature and extent of their disability and, if known, the accommodations needed. OCD may also require the individual to provide additional documentation on the nature and extent of the disability as may be necessary to determine appropriate accommodations.

A qualified individual with a disability has the right to refuse an accommodation. However, any individual with a disability who cannot perform the essential functions of the job without the accommodation will not be considered to be an otherwise qualified individual with a disability, if he or

she refuses the accommodation or fails to provide documentation regarding the disability as required by OCD policy.

All information regarding the presence or nature of an employee's or applicant's disability will be treated as a confidential medical record and shall be maintained in a secure manner, apart from personnel files. The access to this information is restricted to human resource and management personnel involved in the review of a request for accommodation or in the provision of reasonable accommodation and the individual accessing the information is determined by the Board to have a legitimate purpose.

If a particular accommodation would impose undue hardship, OCD will consider whether there are alternative accommodations that would not impose such hardship.

If the cost of accommodation would impose an undue hardship and there are no other practical financial resources available, the individual with a disability will be given the option of providing the accommodation or paying that portion of the cost which would constitute an undue hardship.

An accommodation would impose undue hardship if it has negative impact on the operation of a facility including the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business.

### 3.8 Employee Conduct and Ethics

Each employee plays a significant role in the accomplishment of the District's mission. As a result, the District expects all employees to respect the rights and feelings of everyone they interact with and to exhibit a high degree of personal integrity and professionalism. The following lists set forth examples of the types of conduct that the District believes is inappropriate.

Employees are expected to perform assigned duties during the entire schedule for which compensation is being received, except for reasonable amounts of time for personal needs. Employees are expected to meet established performance standards outlined in employee performance assessments and this Operations Manual. Any conditions or circumstances in the work environment which prevent an employee from performing effectively are to be reported immediately to their supervisor.

An employee who chooses to act in an irresponsible manner in one or more of the ways listed below can anticipate progressive disciplinary action:

- Failure to accurately and timely complete and sign timesheets in accordance with established procedures.
- Failure to come to work in a timely manner.
- Failure to advise the District of intended absence or tardiness in a timely manner.
- Failure to use District property in a careful and considerate manner.
- Failure to observe safety rules and regulations.

An employee who acts in an irresponsible manner in one or more of the ways listed below can anticipate immediate suspension or termination from employment:

- Engaging in sexual or other unlawful harassment.
- Violating the District's Equal Employment Opportunity policy.

- Fighting or engaging in any violent act or conduct endangering the safety or health of others.
- Accepting gifts or favors for personal use of more than token value (in excess of \$50) from anyone doing or seeking to do business with the District.
- Engaging in any activity, which represents a conflict of interest with District operations.
- Falsifying any District records, including, but not limited to, timesheets and employment applications.
- Deliberately accessing or releasing confidential information or data without permission.
- Removing District property or the property of others from the premises without proper authorization.
- Stealing customer, employee, or District property or funds.
- Willfully defacing, destroying, or damaging District property or the property of others.
- Possessing weapons or explosives on District premises or while officially representing the District.
- Being under the influence of alcohol or illicit drugs while at work.
- Possessing or using illicit drugs on District premises (as specified in WAC 296-24-073).
- Insubordination, which is defined as refusal or failure to follow the directive of a supervisor or member of management, or refusal to comply with an established procedure.
- Making false, vicious, profane, abusive, or malicious statements concerning any employee or the District.
- Violating the confidentiality of District information except as may be required by Washington State Public Disclosure Laws and provided for by District policy.

These lists are not exhaustive. There is other behavior that the District also deems inappropriate. The Executive Director determines the consequence for conduct the District deems inappropriate, except in the case of the Executive Director's performance which will be decided by the Board. Moreover, employment at the District remains at-will for all employees regardless of their employment status, which means that employment may be terminated with or without advance notice or reason at any time by either the employee or the District.

The District will take steps to protect the positions and reputations of those persons who, in good faith, make allegations regarding misconduct. Retaliation of any kind against a person for reporting or providing information about suspected or alleged misconduct may be considered a violation of the rules of conduct and result in disciplinary action.

### 3.9 Grievance Procedure

All employees will be treated fairly and equitably in all respects. If an employee feels they have not been treated in this manner, they have the right to present their grievances in the following manner:

Whenever possible, grievances should be resolved informally between the affected parties. If an informal resolution is not achieved, the next level of authority within the District, which may be an immediate supervisor, the Executive Director, or the Chair of the Board's Personnel Committee, will be consulted to resolve the dispute. Every effort should be made to come to an agreeable resolution of the problem within a reasonable amount of time (2 weeks is a general guide). Complaints, in which the

supervisor and Contact Supervisor do not have authority over, should be referred to the Board of Supervisor's Personnel Committee for consideration.

Unsuccessful attempts at an informal resolution should be followed by a formal grievance procedure, which consists of the employee submitting their grievance in writing to the employee's supervisor or the Chair of the Board's Personnel Committee within thirty days of the incident occurring. This communication should include the nature of the grievance, remedial action being sought, and provide all information available to support the grievance.

Upon receipt of a written grievance, the supervisor or Personnel Committee Chair will make every effort to resolve the complaint as quickly as possible. If this does not resolve the grievance the issue will be taken to the Board of Supervisors for final resolution.

Persons, who believe they are being, or have been, subjected to harassment or discriminatory behavior should report the incident(s) according the harassment procedures outlined in section (xx). Disciplinary action will be instituted should the Board of Supervisors determine that an employee has harassed, discriminated against, or otherwise violated these personnel policies.

### 3.10 Harassment

#### a) Policy

Harassment of an applicant, client, contractor, business invitee, customer, supervisor, manager, or employee by a supervisor, Board Supervisor, or co-worker on the basis of race, religion, color national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age is explicitly in violation of State and/or Federal law and will not be tolerated by the OCD.

Employees, supervisors or a Board Supervisor found to be participating in **any** form of job-based harassment or **retaliating** against any other employee shall be subject to disciplinary action up to and including **termination from employment**.

#### b) Responsibilities

All Board Supervisors, employees, and volunteers shall adhere to the "Golden Rule; do unto others as you would have others do unto you."

**Board of Supervisors:** It is the responsibility of the Board of Supervisors to develop this policy, keep it up to date, and to ensure that any violation of this policy brought to their attention is dealt with fairly, quickly, and impartially. All Board Supervisors have the responsibility of setting the proper example.

**Supervisors:** It is the responsibility of supervisors to enforce the policy, to make a review with each employee to ensure they know the policy and to regularly check the workplace and environs to make sure the policy is being followed. When a deviation from this policy is noted or reported, the supervisor(s) shall bring this information to the Board Personnel Committee immediately. All supervisors also have the responsibility of setting the proper example.

**Employees:** It is the responsibility of every employee to know these policies and to follow them. It is imperative that every employee treat every other employee with dignity and respect.

#### c) Harassment Definitions

For purposes of clarification, harassment includes but is not limited to the following behaviors:

**Verbal Harassment** – Epithets, derogatory comments, slurs, propositions, or otherwise offensive words or comments on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age, whether made in general, directed to an individual, or to a group of people regardless of whether the behavior was intended to harass. This includes but is not limited to inappropriate sexually oriented comments on appearance, including dress or physical features, sexual rumors, code words, and race-oriented stories.

**Physical Harassment** – Assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy, or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age. This includes pinching, patting, grabbing, inappropriate behavior in or near bathrooms, sleeping facilities and eating areas, or making explicit or implied threats or promises in return for submission to physical acts.

**Visual Forms of Harassment** – Derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings or pictures on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender or age. This applies to both posted material and material maintained in or on the OCD equipment or personal property in the workplace.

**Sexual Harassment** – Any act which is sexual in nature and is made explicitly or implicitly a term or condition of employment, is used as the basis of an employment decision, interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

#### d) Procedures

An individual who believes he or she is being sexually harassed by District members, employees, volunteers, contractors, clients, or people having business with the District should, in doing so, identify the offensive behavior to the individual and request that it stop.

If this resolves the situation to the satisfaction of the person who is feeling harassed, grievance procedures may stop at this point.

If other people have observed and reported harassing behavior, or the informal resolution step was unsuccessful, the employee should follow the formal grievance procedure outlined in the Okanogan Conservation District Grievance Procedure found in these policies.

Employees who are uncomfortable reporting harassment to the District may instead notify the Washington State Human Rights Commission or Equal Employment Opportunity Commission.

Washington State Human Rights Commission  
519 Grant Rd  
East Wenatchee, WA 98902  
(800) 233-3247

Equal Employment Opportunity Commission  
909 1<sup>st</sup> Ave., Suite 400  
Seattle, WA 98104-1061  
(800) 669-4000

When filing a complaint with the Washington State Human Rights Commission or Federal Equal Employment Opportunity Commission, employees must comply with those agencies' timeframes. Filing an internal complaint with the District will not extend the timeframes for filing a complaint with either the Human Rights Commission or the Equal Employment Opportunity Commission.

#### e) Disciplinary Action

If harassment is determined to have occurred, the Personnel Committee Chair shall take and/or recommend to the Board of Supervisors prompt and effective remedial action against the harasser. The action will be commensurate with the severity of the offense, up to and including termination from employment. If discipline is imposed, the nature and extent of the discipline will not be divulged to the complainant beyond what is allowed under personnel confidentiality regulations.

#### f) Retaliation

Retaliation in any manner against a person for filing a harassment charge or initiating a harassment complaint, testifying in an investigation, providing information or assisting in an investigation, is expressly prohibited and subject to disciplinary action up to and including termination. The Personnel Committee Chair will take reasonable steps to protect the victim and other potential victims from further harassment, and to protect the victim from any retaliation as a result of communicating the complaint.

#### g) Confidentiality

Confidentiality will be maintained to the fullest extent possible in accordance with applicable Federal, State and local law.

#### h) False Complaints

Any complaint made by an employee of the OCD regarding job-based harassment, which is conclusively proven to be false and malicious, shall result in discipline. This discipline may include termination from employment. This section is not intended to discourage employees from making complaints regarding actual job-based harassment of any kind. However, false complaints adversely impact the workplace and the career of the accused as severely as complaints of actual harassment, even when disproved, and will not be tolerated.

#### i) Limitations

The protections and process described in this harassment policy is limited to complaints related to discriminatory workplace harassment on the basis of race, religion, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age. All other complaints shall be handled through the Grievance Procedure as described in the Okanogan Conservation District Personnel Policies.

#### j) Distribution

This policy shall be disseminated to all employees, volunteers, supervisors and managers of the OCD. Any questions, concerns, or comments related to this policy should be directed to the Chair of the Board's Personnel Committee or employee's supervisor.

### 3.11 Performance Assessment Schedule

Performance assessments will be completed by the employee's supervisor and give the employee and supervisor a clear understanding of the employee's accomplishments, responsibilities, skills, and areas needing improvement. Upon completion of the assessment(s), the supervisor will forward the evaluations and recommendations for changes in status, position description, and wages to the Executive Director and Board of Supervisors for consideration. The Board retains authority to make changes in position descriptions, job duties, benefits, and/or wages. The Board may choose what course of action they deem best within the laws of the State of Washington.

*Probationary employees* may receive an initial performance assessment after completing three months of employment. Probationary employees will receive a formal written performance assessment near the end of their probationary period.

*Regular employees* will receive a performance assessment once each year. This performance assessment is usually completed between November and January.

### 3.12 Dealing with Performance Issues

While each employee is expected to perform their work in a reasonable time frame and to reasonable standards, supervisors are responsible for providing employees with feedback on their actions. This does not permit an employee to perform inadequately in the absence of supervisor input. When supervisors are made aware or directly see performance deficiencies, they should contact the employee whose performance is in question and determine the nature of the issue.

The employee's supervisor will make a determination of the employee's level of performance. If performance is not meeting expected levels, this should be stated to the employee. Depending upon the severity of the performance issue the supervisor shall choose an appropriate course of action. The actions that may be taken include but are not limited to: no action, verbal and/or written counseling on how to improve performance, providing training to the employee to improve knowledge and/or skills, or clarifying work objectives.

If performance continues to fall short of expectations the employee may receive one of the following: verbal warning, written warning, employee improvement plan of length determined by the supervisor, or termination.

If an employee feels that they have been treated unfairly they may follow the grievance procedure found in these policies.

### 3.13 Employee Work Hours and Schedule

Employee Appointment Letters establish individual employee schedules when they begin employment with the District. Subsequent long-term adjustment to an employee's schedule shall be made by letter to the employee's file upon approval of the Executive Director. Employees are expected to be at their designated workstation and prepared to begin working at their designated time.

All employees (unless designated otherwise in their Employee Appointment Letter) will have a flexible work schedule. Employees are expected to maintain their agreed upon work schedule (documented in their employee file), with the understanding that they may flex their time during the week to allow for

evening and weekend activities or travel to and from conferences, training, etc. Each employee must keep their supervisor informed of schedule changes when they become apparent. Abuse of the flexible work schedule may result in the employee losing their flexible work schedule and/or other disciplinary action.

#### a) Meal and Rest Periods

Meal and rest periods are scheduled to provide employees with time for rest and relaxation away from their work site during the workday.

##### (i) Meal Periods

All employees are allowed an uncompensated meal break of at least 30 consecutive minutes during each work period of five (5) continuous hours or more. Lunch breaks should generally be scheduled between 11:00 AM and 2:00 PM. Dinner breaks should generally be scheduled between 5:00 PM and 7:00 PM. Meals should generally be taken away from an employee's workstation. No employee will be required to work longer than five consecutive hours without a meal period. Meal periods should not be avoided or accrued for the purpose of obtaining additional time off or for shortening the regular workday.

##### (ii) Rest Periods

Employees may have up to 15 minutes of paid rest time for every four continuous hours worked in a single day. Employees may take up to 15 minutes consecutively or in several smaller periods as long as all breaks combined do not exceed 15 minutes in any 4-hour work period. Each employee is responsible for tracking their rest periods. Rest periods may not be accrued for the purpose of obtaining additional time off or for shortening the regular work day.

#### b) Diligence During Work Hours

All employees are expected to perform assigned duties during the entire period for which compensation is being received, except for reasonable amounts of time for personal needs and rest and meal periods. Employees are expected to meet established performance standards. Any conditions or circumstances in the work environment, which prevent or significantly hinder an employee from performing effectively, are to be reported immediately to their immediate supervisor.

#### c) Unplanned Lateness or Absence

Employees are expected to notify their direct supervisor or the most senior staff member on duty of unplanned lateness or absence no later than one-half hour (30 minutes) past that employee's normal starting time. Unplanned absences that are expected to last more than one day should be discussed with the employee's direct supervisor as soon as possible so appropriate leave can be determined.

Except in emergencies, failure to report absence or tardiness promptly may result in disciplinary action. Supervisors are responsible for monitoring unplanned lateness and absence notifications to ensure that employees are not abusing the District's flexible work schedule standards. Employees who do not observe appropriate attendance standards may be subject to disciplinary action.

### 3.14 Telecommuting

Employees are expected to work from the District office, or other such locations as identified in their appointment letters. District employees and board comprise a team that functions best when everyone operates from the same office. However, there may be reasons why individual or all employees may



need to work remotely. In emergency situations, the District Executive Director may require some or all employees to work remotely.

Telecommuting is an alternative work arrangement in which part of, or all the weekly scheduled work is performed at an alternate work location. Telecommuting is neither a benefit nor an entitlement and in no way changes the terms and conditions of employment. Telecommuting is only viable in cases where the employee, the employee's supervisor, and Executive Director agree that the job characteristics are well suited to an alternative work location.

Telecommuting may be appropriate for some employees and duties, but not necessarily viable for everyone. Telecommuting may be fixed and ongoing, such as working a set number of hours from an alternate location each week, or it may be limited in duration, such as working from home for a few days or intermittently. In cases where an employee anticipates they might want to work from home for limited durations of time, the employee should propose the specific reasons for intermittent telecommuting along with specific work plans for consideration by their supervisor.

Telecommuting may require more frequent interaction and communication between the telecommuter and their supervisor, since neither can rely on seeing each other in the workplace. Contact should occur as needed to verify that the Telecommuter is actively working as well as to resolve any problems that may arise. After both parties are accustomed to the telecommuting arrangement, the Supervisor and Telecommuter may communicate at a level consistent with employees working at the office or in a manner and frequency that seems appropriate for the job and the individuals involved.

Telecommuting agreements should specify the days/times telecommuting will occur and must be approved prior to utilizing it. Telecommuting agreements must be approved by the Department Director and Executive Director prior to implementing. Telecommuting agreements may be discontinued at any time at the sole discretion of the District.

Telecommuters must be available by phone and e-mail during the agreed upon telecommuting hours of work.

#### a) Equipment and Alternate Work Environment

Equipment needs will be evaluated under standard policies and procedures, regardless of location. If standard policies and procedures do not address every need, the supervisor and telecommuter will explore potential options and solutions. There may be times where the needed equipment presents an unbudgeted or duplicative cost or requires support that the District cannot provide. If the District cannot provide or support the equipment, the telecommuter may choose to use their own equipment and be responsible for the purchase, modification, repair and maintenance of the equipment and software used for telecommuting. The telecommuter shall only use properly licensed software for District business.

The telecommuter will establish an appropriate work environment for work purposes. The District will not be responsible for costs associated with initial setup of the telecommuter's work environment, such as remodeling, furniture or lighting, nor for repairs or modifications to the environment.

The supervisor may inspect, with advance notice, the telecommuter's alternate workplace for safe conditions or to repair, maintain or inspect any District equipment issued to that location.

OCD policies and procedures remain in effect while telecommuting. All telecommuters are expected to adhere to all applicable policies while working remotely.

#### b) Remote Office Safety

The telecommuter represents that the alternate workplace is a safe and healthful work environment including proper ergonomics. The telecommuter shall act in a responsible manner to avoid injury. The telecommuter understands that failure to take proper health and safety precautions in the alternate workplace may result in discontinuation of the Telecommuting Agreement.

Injuries sustained by the employee while at their alternate work location, and in conjunction with his or her regular work duties, are normally covered by workers' compensation. Telecommuting employees are responsible for notifying their supervisor of such injuries in the same manner as if the injury occurred at the District office or while conducting District business in the field. The District is not liable for any injuries sustained by family members or other visitors to a telecommuter's alternate work location.

#### c) District Records

All original (hard copy) contracts, legal records, cooperators files, and financial documents of the Okanogan Conservation District shall always remain at the Okanogan Conservation District Office. The only exceptions to this rule are as follows:

- a. Employees may have bank deposit slips and receipts at their home as a result of conducting official District business while en-route to their residence at the end of the workday.
- b. Employees may have cooperators files and other original documents out of the office while conducting official district site visits, meetings, and trainings.
- c. Employees working remotely under an approved telework agreement are encouraged to only have electronic files but may seek approval of their supervisor to check out a limited number of original (hard copy) project and cooperators files. Such action will require a written record of which files are being checked out, by whom, and when they will be returned.

District financial records, except as noted above, requested from the State Auditor's Office or released by court order, shall remain in the District office at all times.

#### d) Information and Data Security

Consistent with the District's expectations of information security and compliance with public record laws, the telecommuter will ensure the security and protection of information accessible from their alternate work location. The telecommuter will check with their supervisor when security matters are at issue. No confidential information (including administrator passwords) will be downloaded to any data storage device (including but not limited to hard drive, CD, DVD, or USB stick). Any information that is considered confidential or protected will not be removed from the regular office without the Department Director's specific express approval in writing.

#### e) Office Supplies

The District will provide appropriate office supplies on the same basis as when working at the regular work location. Expenses for internet and telephone access is solely the cost of the employee.

#### f) Timekeeping and Leave

Telecommuters will record all hours worked in the same manner as if they were working on District premises. Accrual of compensatory or exchange time will be administered under the same provisions as if the work were performed at the regular work location.

Leave used on a planned telecommute day will be administered under the same provisions as leave used from the regular work location.

#### g) Childcare

Telecommuting is not designed to be a replacement for appropriate childcare. Although a Telecommuter's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands.

#### h) Work Plans

The telecommuter and their supervisor mutually agree to adhere to and evaluate a weekly work plan. The supervisor will review the proposed work plan and approve, adjust or decline the proposal based on reasonable priorities.

The Telecommuter will provide a status report of completed work to their supervisor as requested. Work progress status reports will occur at least once per week but may be daily at the supervisor's discretion. This report may be as complex or simple as the telecommuter and supervisor think is necessary to remain accountable for work being accomplished. Status reports may be done through email or by phone. The Supervisor shall verify the quality and quantity of work done in accordance with the established work plan.

In the event the Telecommuter does not provide the required status reports, and/or the Supervisor cannot verify the quality and quantity of work done, the telecommuting agreement may be discontinued.

### 3.15 Payroll, Timekeeping & Compensation

Employees are paid on a bimonthly basis, with a total of 24 pay periods annually. Pay periods will run consecutively from 12:00:00 AM on the first day of the month to 11:59:59 PM on the 15<sup>th</sup> of the month, then 12:00:00 AM on the 16<sup>th</sup> of each month to 11:59:59 PM on the last day of the month. Payroll is processed electronically and deposited in each employee's personal bank account usually within three working days of the end of a pay period. **However, the District reserves the right to distribute written payroll checks or electronic deposits as late as five business days after the end of the pay period in the case of problems with the electronic funds transfer or other issues that may arise.**

Procedures for time tracking shall be maintained by the Finance Director and will be in accordance with applicable laws, regulations, and grant requirements. Each employee shall receive necessary information and time tracking requirements from the Finance Director to keep complete and accurate payroll reports. A full description of general time tracking requirements shall be developed by the Finance Director and included with the District's procedures maintained by District staff.

Completed timesheets must be provided to the Finance Director by 10:00 AM on the first working day following the end of the pay period which the timesheet covers. In the case of unexpected employee absence, such as illness, the timesheet is due within 2 hours of returning to work. If an employee will be

on scheduled leave when timesheets would normally be due they are expected to submit their timesheet prior to leaving on the last day they work in the time period.

Employees who do not wish to use the direct deposit method of payroll may choose the alternative method. The pay period for this method will run from the 12:00:00 AM on the first day of the month through 11:59:59 PM on the last of the month. Paychecks will normally be available once a month on the day following the monthly board meeting. However, the District reserves the right to distribute checks as late as five business days after the board meeting.

Based upon annual performance assessments and available funding, employees may receive a merit pay increase and/or a cost of living pay increase or no increase at all. The Board makes all final decisions regarding pay, cost of living, and merit pay increases.

Compensation will be based on the General Service Salary Schedule for Non-Represented Employees as maintained by the Washington State Office of Financial Management.

### 3.16 Supervisor, Employee, & Volunteer Development

It is in the District's best interest to ensure supervisors and employees are provided training that is required either by law, policy, or contract requirements to ensure District programs remain compliant and programs continue to be effectively implemented. Training that increases an employee's knowledge, skills, and abilities is also important to provide better service to the constituents we serve.

Training begins with an orientation session that should be delivered within the first week of employment for employees and volunteers, and within the first month for supervisors. Each employee will have training plan developed in cooperation by their direct supervisor and documented in the appropriate section of their performance evaluations. Training needs will be identified based upon the knowledge, skills, and abilities the employee needs to improve for the work they anticipate performing in the upcoming 12-24 months. Training will be prioritized by the employee's supervisor, with input from the employee. Training will be approved in consideration of the following criteria:

- Necessity of skill development in relation to District projects and overall program;
- Cost of training relative to annual training budget for the years affected;
- Necessity of training by rule or law;
- Percentage of cost employee chooses to pay if training cost exceeds District budget;

The District is not required to provide training to any employee for the purposes of transitioning an employee to a new position within the District unless said training and transition has been deemed the best interest of the District by the Board.

The Board establishes the District budget which includes funding for Board Supervisor and employee training. Training funds will generally be evenly distributed and made available to fund priority training for each employee and supervisor. However, the Board reserves the right to redistribute funding to provide training to specific employees with priority training needs.

#### a) Special Training Agreements

The Board may authorize the use of District funds to cover the costs of college or another certificate program that puts the employee on a path to a higher-level degree or technical certification. To participate in such a program, the employee will be required to sign an agreement that provides

assurances to the District that the higher cost of training will be recovered through not only better service to our constituents, but also through length of service following completion of the training/education program. To be eligible for this program, employees must have been employed by the district for a minimum of 36 full-time months of employment before the training/education program begins.

Employees wishing to participate in such a program should discuss it with their supervisor and Executive Director. Generally, due to limited funding and staffing resources no more than one employee may be enrolled in such a program at a time.

### 3.17 Leave

All leave accrual and holidays are based on a full-time, 40-hour work week, and will be pro-rated based on the percentage of scheduled hours worked per the employee's appointment letter. For example - an employee scheduled to work 80% time would only receive 80% of the leave and holiday pay.

Additionally, an employee that has leave without pay equal to or greater than 5% of their scheduled amount of work in any pay period will receive pro-rated benefits for the affected pay periods. **Vacation and sick leave accrues at the end of the pay period.**

#### a) Holidays

OCD generally observes the same paid holidays as Washington State agencies:

- January 1 (New Year's Day)
- Martin Luther King Junior's Birthday
- Presidents' Day
- Memorial Day
- 4th Of July
- Labor Day
- Veterans' Day
- Thanksgiving Day and day after Thanksgiving (2 days)
- Christmas

Paid holidays will be taken on the specific holiday or be forfeited unless the employee is officially representing the District on that holiday and the work has been pre-approved by their supervisor. Holidays cannot be accrued. To be eligible for holiday pay, the employee must be on pay status the previous working day and the next working day following the holiday. Eligible temporary, part-time and seasonal employees will be compensated for the holiday as defined in their appointment letter. Holiday pay for eligible part-time employees will be pro-rated according to hours worked. Holiday pay shall be paid at a maximum of eight (8) hours per holiday.

Employees may be granted special or limited holidays, as declared by the U.S. Government or the State of Washington, upon approval of the senior supervisory staff member on duty. For holidays occurring on a weekend day, the paid holiday will generally be the closest workday or as scheduled by the U.S. Government or the State of Washington.

Holidays that occur on an employee's normally scheduled day-off will be granted on the nearest scheduled workday.

## b) Unpaid Holiday Leave

Per RCW 1.16.050 employees “are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.” Employees must request this leave in writing in advance from the Executive Director.

Employees should make this request at least one week in advance. The employee will be allowed to take the unpaid holiday(s) on the day(s) requested unless the “employee’s absence would impose an undue hardship on the employer, or the employee is necessary to maintain public safety.” The meaning of undue hardship is the same as established by the Washington State Office of Financial Management in WAC 82.56.010.

## c) Vacation Leave

Eligibility to accrue vacation leave is detailed in the employee’s appointment letter. Vacation is accrued at the following rates for full time employees scheduled to work at least 40 hours per week:

- 102 hours annually (4.25 hours per pay period) up to and including the last pay period of the employee’s first 36<sup>th</sup> full months of employment.
- 156 hours annually (6.5 hours per pay period) starting with the first pay period of the employee’s 37<sup>th</sup> full month and continuing through and including the last pay period of the employee’s 180<sup>th</sup> full month of employment.
- 204 hours annually (8.5 hours per pay period) starting with the first pay period of the employee’s 181<sup>st</sup> full month of employment and thereafter.

Part-time employees eligible for accrued vacation leave shall accrue leave at the above rates and it will be prorated according to hours worked.

For temporary/seasonal employees or employees that are laid off due to lack of work or funding for a period of less than one (1) calendar year, the District shall determine total months of employment by summing the total number of full pay periods worked. Employees that are laid off and return to work with OCD more than 365 days after they were laid off will have to begin accumulation of employed months from zero.

The maximum number of vacation leave hours accrued cannot be more than 240 hours at the end of any calendar year. An employee may accrue more than 240 hours during any given calendar year, but the excess over 240 hours must be used prior to the end of each calendar year or will be forfeited without compensation.

Employees can begin using accrued vacation leave after successfully completing their probationary period unless otherwise noted in their appointment letter. If an employee has a positive 3-month performance evaluation the Executive Director may approve limited use of vacation leave by the employee. However, the Executive Director may rescind this approval at any time during the remainder of the employee’s probationary period.

Employees may choose to use accrued vacation leave to provide treatment or supervision for a child with a health condition or care for a qualifying family member with a serious or emergency health condition under Washington State’s Family Care Act. Qualifying family members include the same family members covered by the District’s Sick Leave policy.

For any leave of three consecutive work days in duration or more, the employee shall seek **advanced written** approval, from his/her designated supervisor a minimum of 10 calendar days prior to use. Leave shorter than three consecutive workdays must still be pre-approved unless a legitimate emergency arises. The approved leave slip will be submitted with the timesheet that includes the leave hours to the Finance Manager. In an emergency absence the leave slip must be completed and submitted to their supervisor prior to the end of business on the first day of their return or leave may be determined as leave without pay and no compensation shall be received.

Employees will document any use of vacation time on their time sheet. Employees shall transfer carry-over leave on each time sheet. District administrative staff will verify this balance “brought forward” each pay period. An employee shall notify their supervisor of any perceived errors in the account within 5 working days of the end of a pay period. It is the responsibility of the employee to take the appropriate action to assure hours in excess of the maximum allowable accrual are used.

Accrued vacation leave cannot be cashed out while the employee is in continuous employment of the District.

Upon termination for any reason, an employee shall be paid for unused vacation at his/her rate of pay at termination. This payment shall generally be paid within 30 days of the employee’s final day of work. Payment of unused vacation leave may be withheld pending the completion of an inventory of the employee’s equipment and verification of any expenses accrued by the employee at the District’s expense.

#### d) Sick Leave

Sick leave is accrued for full time employees at the rate of 102 hours per year (4.25 hours per pay period). Temporary and part-time employees eligible for sick leave shall accrue sick leave at the above rate, prorated according to hours worked. Employees may begin using sick leave as soon as it is accumulated.

Sick leave may be used if the employee or their immediate family members experience the following situations:

- A mental or physical illness, injury, or health condition;
- To diagnose, care for, or treat a mental or physical illness, injury, or health condition;
- To receive preventative care;
- For leave the qualifies under Washington State’s Domestic Violence Leave Act
  - Legal or law enforcement assistance and court proceedings;
  - Medical and psychological help;
  - Help from social service programs;
  - Safety planning;
  - Relocating.
- Bereavement for the death of a member of the employee's immediate family;
- If an employee’s workplace, or their child’s school or place of care, has been closed by order of a public official for a health-related reason.

Immediate family is defined as:

- A child (biological, adopted, foster, stepchild, etc.), regardless of age or dependency;

- A parent (biological, adoptive, foster, stepparent, etc.), or the parent of the employee's spouse or registered domestic partner;
- A spouse or registered domestic partner;
- A grandparent;
- A grandchild;
- A sibling;

Sick leave may be approved for other reasons not listed above on a case-by-case basis. Such approvals must be in writing by the Executive Director or Contact Supervisor.

Employees who know they will be using sick leave for a planned absence greater than three days must submit a completed leave request as early as possible in advance of the planned absence. For unplanned absences of three or more consecutive days due to illness or other eligible uses employees shall submit a completed leave request form immediately upon return to work duty.

The District will follow the guidelines in the Washington State Family Care Act where these policies do not expressly address sick leave situations. Employees may also choose to use other earned, paid leave (vacation, compensatory, or exchange) to care for qualifying family members. Sick leave must be used for the employee, but the employee may use sick or other earned, paid leave to care for an immediate family member as described in this section.

Each employee shall document the use of sick leave on their time sheet. An employee shall notify management of any perceived errors in the account within 5 working days of the end of the pay period.

In the event of extended illness in which the employee's accrued sick leave is exhausted, vacation leave must be used prior to any approval of DONATED SICK LEAVE (see "Donated Sick Leave").

Sick leave may be paid out for only the following reasons:

1. Employees who have accrued more than the maximum carryover of 500 hours at the end of a calendar year may receive a 25% cash out of the hours in excess of 500 hours, or they may have 25% of the value of the hours over 500 hours deposited in their deferred compensation account.
2. Employees who have worked for the District for more than 3 years may cash out 25% of the value of their sick leave account at their current rate of pay at the time of separation.

No other payouts of sick leave may occur.

#### e) Donated Sick Leave

When an employee on extended sick leave has exhausted all their accrued leave, other employees may voluntarily donate sick leave. Donated sick leave must be approved by District management via the Donated Sick Leave form. Donated sick leave must be noted on the donor and recipient's time sheet.

Employees may not donate more than 40 hours of sick leave per pay period. Furthermore, employees donating leave must maintain a minimum of 40 hours of accrued sick leave after donation.



#### f) Leave of Absence Without Pay

Leave of absence without pay may be authorized by management only after compensatory/exchange, vacation and in the case of sickness, sick leave has been exhausted. There is an exception to this rule for Jury Duty (See "Jury Duty"). Factors which will be considered in granting leave without pay include, but are not restricted to, personal reasons, all other leave has been exhausted, District financial reasons, and District workload.

Unauthorized absence will be treated as absence without pay and may be grounds for disciplinary action. Upon return, the employee shall give a written statement to the District Board of Supervisors explaining the reason for the absence.

Vacation and sick leave will **NOT** accrue during periods of leave without pay. Benefits will be reduced on a prorated basis based upon the percentage of time in a pay period the employee is in leave without pay status. Each day of leave without pay will move back the employee's 'anniversary' date accordingly for the purposes of calculating benefits. The District's share of medical and retirement benefits shall be pro-rated/reduced proportionally for periods of time the employee is absent without pay.

Employee's wishing to take leave without pay even though they still have accrued vacation or sick leave must submit a written request detailing the reasons for this choice, and the period they will be absent to the Executive Director prior to taking leave. The Executive Director may allow such leave on a case by case basis.

#### g) Pregnancy Disability Leave

An unpaid leave of absence will be granted to employees for the period of time that they or their spouse/partner are ill or disabled due to pregnancy or childbirth. For purposes of this policy, a female may be considered disabled for six (6) weeks following a healthy childbirth; if an employee requires leave in addition to this presumed period of disability, the employee shall provide medical documentation from her physician setting forth the medical necessity for the leave and the expected duration of the leave.

An employee taking a leave of absence for pregnancy and childbirth has the right to return to the same position, or a similar position of comparable pay and benefits, upon expiration of such leave unless business necessity prevents the company from returning the employee to such position. If an employee extends their pregnancy-related leave beyond the period of disability, the employee has no right to return to the same or similar position.

Employees may elect to use accrued sick, vacation, and/or exchange or compensatory time during maternity leave.

The request for maternity leave should be made in writing to the Executive Director at the earliest possible date.

Employees returning to work after childbirth who wish to express breast milk will be provided a reasonable break time in a private, secure location other than a bathroom in which to do so pursuant to the provisions of the Fair Labor Standards Act. Employees interested in this benefit should contact their supervisor.

## h) Military and Military Spouse Leave

Fifteen (15) days of paid military leave is granted annually for members of the active reserve or National Guard as defined by RCW 38.40.060. Leave is determined when the service member is put on orders for annual training or special duty. The service member will enjoy all re-employment rights if he or she is ordered to active duty and as afforded by law.

An employee whose average work week consists of at least twenty (20) hours shall be entitled to up to fifteen (15) days of unpaid military leave per deployment after the employee's spouse or domestic partner has been notified of a call or order to active duty and before the military spouse is deployed, or when the military spouse/domestic partner is on leave from deployment. Employees intending to take this leave must notify the Executive Director within five (5) days after receiving official notice of a call or order to active duty or of a leave from deployment. Employees may elect to use accrued vacation or sick leave in conjunction with this military leave.

This leave is available only during a time of war, meaning the President or Congress has declared war or military reserves have been called to active duty.

## i) Leave for Domestic Violence Victims and Their Family Members

Washington State provides victims of domestic violence, sexual assault, or stalking, the opportunity to take time off from work. This leave is available to all employees and qualifying family members.

Victims and their family members can use domestic violence leave for:

- Legal or law enforcement assistance and court proceedings,
- Medical and psychological help,
- Help from social service programs,
- Safety planning, or
- Relocating.

Domestic violence leave is not limited by an employee's available paid time off. It can include reasonable amounts of unpaid leave. Employees can also request a reasonable safety accommodation from their employer. An employee's job is protected by law when using this leave.

Employers cannot retaliate or discriminate against an actual or perceived victim of domestic violence, sexual assault, or stalking or any qualifying family member. Employers must accommodate requests for time off or safety accommodations, and allow employees to use any available paid or unpaid leave as needed.

Employees can request a safety accommodation related to domestic violence, including:

- A job transfer or reassignment
- Changing work telephone or email
- Implementation of safety procedures

Employers must provide reasonable safety accommodations when requested, unless it creates an undue hardship.

Employers can request documentation to support an employee's request for leave or accommodation. Documentation can include:

- Police report or court documents
- Employee's written statement

- Statement from a provider, clergy, or advocate.

Employers must protect the employee's rights to privacy and should treat reports of domestic violence with discretion. All protected, sensitive, or confidential documentation, reports, and records must be handled according to all applicable state and federal privacy laws.

#### j) Jury or Witness Duty

Employees may use Vacation Leave, Compensatory Time, and/or Exchange Leave for jury duty. Employees may use Leave Without Pay with written approval of their supervisor. Employees must notify their supervisor when they will be on jury duty.

#### k) Witness Duty

The District encourages employees to appear in court for witness duty whenever summoned to do so. Employees are free to use any available vacation, exchange, or compensatory leave to be compensated for this absence, or will be granted unpaid leave of absence. Employees must show the witness summons to the Executive Director immediately after it is received so that staffing requirements can be adjusted, where necessary, to accommodate the employee's absence. Employees summoned as a witness for OCD as a result of a job-related event will receive pay for the entire period of witness duty.

### 3.18 Overtime, Compensatory Time, and Exchange

In accordance with the provisions of the Fair Labor Standards Act (FLSA), District employees are classified as either exempt or nonexempt. Exempt employees earn overtime as Exchange time, and non-exempt employees may elect to earn compensatory time or compensatory pay.

For the purpose of computing overtime, the workweek begins at 12:00 AM Sunday and ends at 11:59:59 PM Saturday. Holiday hours do NOT count towards accrued hours for the purposes of computing overtime. Only hours actually worked shall count towards overtime compensation.

It is the employee's responsibility to ensure they have accurately and correctly tracked their overtime hours and recorded them on their timesheet in accordance with time tracking procedures maintained by the Finance Director.

In the event that overtime work is necessary non-exempt employees must request overtime in writing to their supervisor at least three days prior to accruing overtime. The written request must state the reason for accruing overtime, approximately how many hours of overtime they expect to accrue, and whether they wish to be paid for overtime or if they wish to have compensatory time. Employees are not required to take compensatory time if approved for overtime. **Accrual of overtime without prior approval may result in disciplinary action.**

The supervisor shall make a determination of whether the need to work overtime truly exists. The supervisor shall approve or disapprove overtime in writing to the employee prior to the beginning of the estimated start date for accrual of overtime.

#### a) Compensatory Time

Non-exempt employees are compensated for overtime worked in accordance with the FLSA. The District and non-exempt employees will make every effort to maintain the 40-hour workweek for regularly scheduled, non-exempt, full time employees. However, circumstances may occasionally require the scheduling of overtime work. Non-exempt employees authorized for overtime must state in

writing to their supervisor and Finance Director whether they wish to accrue compensatory time or receive compensatory pay prior to accrual of overtime.

When overtime work is authorized, non-exempt employees who choose to take compensatory time off will accrue 1.5 hours of compensatory leave for every hour worked in excess of 40 hours during the workweek.

Compensatory time may be accumulated up to 60 hours, at the discretion of the Executive Director. Accumulated compensatory time must be used within 120 days of accrual and must be liquidated before annual leave is granted. An exception to the aforementioned condition may be granted, with written Board approval, when liquidating compensatory time would result in loss of accumulated annual leave. Accumulated compensatory time may not be paid out in lieu of taking time off except due to separation of employment.

Non-exempt employees may voluntarily elect compensatory pay in lieu of compensatory time. In such circumstances, pay must be granted at the rate of 1.5 times their regular rate of pay for overtime hours actually worked. All hours must be recorded exactly as worked. Pay for compensatory time will be included in the employee's regular payroll for the period in which the compensatory time is accrued.

Upon termination of employment the employee must be paid for the unused compensatory time, at their then current rate of pay received by the employee.

#### b) Exchange Time

Exempt positions are those that meet the FLSA's criteria and are classified as exempt by the District Board of Supervisors. Exempt employees are paid salaries commensurate with their positions, and do not receive overtime pay or compensatory time. Exempt employees may accrue Exchange Time.

Accruing exchange time can only occur at the end of a work week. Review the time keeping guidelines for recording Exchange. Further, it should only be accrued in order to complete priority work or meet urgent deadlines and not as a method to accrue paid time off at a later date. Abuse of this policy may lead to disciplinary action.

Compensation for hours worked beyond the regularly scheduled 40-hour work week will be in the form of exchange time at the rate of one (1) hour per hour of overtime work; 24 hours maximum accruable per pay period. Exchange time must be liquidated before annual leave is granted. An exception to the aforementioned condition may be granted, with written Board approval, when liquidated exchange time would result in loss of accumulated annual leave. Exchange time is paid out at termination of employment in accordance with District policies.

For any leave of three consecutive work days in duration or more, the employee shall seek **advanced written** approval, from his/her designated supervisor a minimum of 10 calendar days prior to use.

### 3.19 Pay Upon Separation

An employee separating from service with the District will be paid for all hours worked through the date of termination at the end of the next-regularly scheduled payroll period. Regular Employees who separate from service will be paid for their accrued but unused vacation leave, at the employee's base rate of pay; provided, that in the case of a voluntary resignation, the employee has provided at least two (2) weeks advance notice of such resignation. Additionally, the District shall pay the employee any

accrued compensatory or exchange time. Qualifying employees shall also be paid out pro-rated sick leave per the District Sick Leave policy.

### 3.20 Medical Insurance

For all full time regular, temporary, seasonal employees (who work more than 1,000 hours per calendar year) the District pays 85% of the cost of medical insurance for the plan selected by management staff for the employee and eligible dependents.

### 3.21 Retirement

The OCD participates in the Washington Department of Retirement System Public Employees Retirement System (PERS) retirement program. Eligible employees are required to participate in the retirement program. Employee and District contributions are set by the PERS Board. Contributions will be made for each pay period worked while enrolled in the program.

Washington Department of Retirement Systems classifies employees who work 32 hours or more per week as full time for the purpose of PERS retirement benefits. Pro-rated benefits will be adjusted accordingly and documented in the appointment letter.

Employees may also opt to participate in the Department of Retirement Systems (DRS) Deferred Compensation Program. This is a voluntary program and participation requirements and procedures are established by the DRS. Employees interested in this program should work closely with the Finance Director to get more information and to enroll.

### 3.22 Disability Insurance

The District does not carry disability insurance for employees. If the disability is due to an injury that happened on the job, contact the Washington State Department of Labor and Industries. If the disability is not due to an injury that happened on the job and the employee is not able to work, contact the Social Security Administration for benefit eligibility.

### 3.23 Reporting Injuries

Employees should follow the guidelines set forth in the Okanogan Conservation District Safety Procedures concerning the prevention, treatment, and follow-up to injuries and/or dangerous work conditions.

Injuries incurred on the job (no matter how minor) should be reported to the Executive Director or the designated District Safety Officer at the earliest possible time following the occurrence. The employee should always seek an appropriate level of medical attention prior to reporting the injury.

The District will allow the employee to use their sick leave first and then their vacation leave while they are off work due to injury. An employee that is injured during their probationary period may use their accumulated vacation leave only with approval of the Executive Director. However, employees are not required to use sick leave or vacation leave and may request an unpaid absence.

For further information regarding Worker's Compensation, please contact your local Washington State Labor & Industries office.

### 3.24 Vietnam Veterans Readjustment Act of 1974

It is the policy of the Okanogan Conservation District to ensure that all Vietnam Era and/or disabled veterans who are current employees of OCD or applicants for employment are afforded equal opportunity in maintaining a present position and/or being considered for a position provided they are qualified. This policy includes all aspects of employment: hiring, promotion, recruitment, advertising, layoff or termination, equal pay and other compensation, and selection for training. OCD affirmatively seeks the employment and advancement of the veterans covered under this act.

### 3.25 Operations Manual Acknowledgement of Receipt

The statements contained in these Operations Manual and specifically the Personnel Policies (Article II) are intended to provide only general information and guidance about the current policies and practices of employment. Nothing contained herein is intended to create, or shall be construed as creating, an express or implied contract or guarantee of employment for a definite or indefinite term.

I recognize, understand, and agree that my employment will be “at will” employment and that at any time, either the District or I may, with or without cause, terminate such employment.

The District retains the right at any time, in its own discretion, to delete, add to, alter, and amend any and all information, statements, employee benefits, or terms and conditions of employment contained herein with or without advance notice to me.

I have received a copy of this operations manual, including the District’s personnel policies outlining the responsibilities of employees and the District. I have read the information contained in these policies. I will direct any questions to the Executive Director. I understand that these policies are not an employment contract but do provide the organizational employment policies and procedures by which I am governed.

I agree to comply with the policies and procedures of the OCD. I understand my employment and compensation can be terminated at any time by the OCD or me.

These policies are subject to change without notice. It is understood that periodic changes in policy and procedure will supersede or eliminate those found in this book and I will be notified of such changes through normal communication channels.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_