



Selkirks-Pend Oreille Transit Authority

Public Notice of Regular Board Meeting Agenda

11:00 am, Thursday, July 15, 2021, SPOT Office

31656 Hwy 200, Suite 102. Ponderay, ID

Zoom Meeting ID: 836 2064 7900

Passcode: 389230

1. Call to Order and Roll Call
2. Public comment period for items not on the Agenda (including questions from the press)
3. Approval of Minutes
 - a. Action Item: Approve Minutes of the June 16, 2021 regular meeting.
 - b. Action Item: Approve Minutes of the June 24, 2021 special meeting.
4. Financial Reports
 - a. Action Item: Accept Financial Reports for June 2021
 - b. Action Item: Approve Payment of Prepaid Bills and Outstanding Bills
5. Staff Reports
 - a. Ridership – David Sims
 - b. Operations – David Sims
6. Committee Reports
 - a. Boundary County Service Development Committee
 - b. Finance Committee Update
7. Action and Discussion Items:
 - a. Executive Session pursuant to Idaho Code 74-206 1(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need.
 - b. Action Item: Consider administrative staff duties
 - c. Action Item: Consider temporary board duties
 - d. Action Item: Consider changes to personnel policy
8. Comments from the Chair and Board Members
9. Adjournment

Note: Public information on agenda items is available from the SPOT office at 31656 Highway 200 Suite 102, Ponderay, ID or call (208) 263-3774. Any person needing special accommodations at the above noticed meeting should contact SPOT three days prior to the meeting at (208) 263-3774.

**MEETING MINUTES
SPOT**



**SELKIRK PEND OREILLE TRANSIT
June 17, 2021**

NANCY LEWIS CALLED THE MEETING TO ORDER AT 11:03 A.M.

PRESENT: Clif Warren, Colleen Culwell, David Sims, Gary Kunzeman, Nancy Lewis, Ron Smith, Shannon Pittman, Zale Palmer

Absent: Wally Cossairt

MINUTES: Approve minutes of the May 20, 2021 regular meeting as presented.

Motion to Approve: Gary Kunzeman/ Ron Smith. All in favor. Approved

FINANCIAL REPORTS:

- A. Accept Financial Reports for May. The Finance Committee reviewed the financial reports.

Motion to approve financial reports: Clif Warren/ Zale Palmer. All in favor. Approved

- B. Approve payment of prepaid bills and outstanding bills.

Motion to approve payment of prepaid bills and outstanding bills: Zale Palmer / Ron Smith. All in favor. Approved

STAFF REPORTS:

Ridership: David Sims reported that May fixed route ridership was almost 4,000 and June is looking even better. The Demand ridership was low for May, but picking up. Boundary County ridership for May was not good. David met with the Parole Board to explain our service is available for them. Also found that the schedule printed in the Bonners Ferry Herald is incorrect.

Operations: The Festival at Sandpoint will be operating this year and has requested we provide the same service as last time with minor changes in the route to help traffic flow. The Food Bank deliveries in Bonner County have ended, but will continue in Boundary County. One driver quit and there are not many applicants for the job posting. It is getting tight to fill the schedule. The first aid/CPR training has been going on, which will be reimbursed by RTAP. The marketing grant items were put out to bid. Received only one response. Need to check with ITD if that is enough to proceed with. The marketing grant was extended through September 2022 due to Covid. The mask order is still in effect for transit through end of September 2021. ITD is looking into publishing some PSAs to promote transit ridership.

COMMITTEE REPORTS:

- A. **Boundary County Service Development Committee:** Ron Smith reported they are reaching out to various places to increase ridership – doctors, dentists, voting day, etc. David reported they are making buttons to be handed out with food bank items and at the Coalition's fair booth.

- B. Finance Committee Update:** Zale Palmer reported the financial committee reviewed the financial reports. Actual vs budget is still doing well. Working on budget for next fiscal year. Discussed ending the lost hours calculation for Bonner County demand route, but continuing for Boundary. Working on an updated employee manual to be in place at start of next fiscal year. Hope to have a draft at the next board meeting. Van Pool cash balance to remain segregated from other funds in case that starts back up again.

ACTION & DISCUSSION ITEMS:

- A. Action Item: Authorize Board Chair to sign ICRMP Joint Powers Agreement.** The agreement must be signed if we want to continue with ICRMP.
Motion to authorize the Board Chair to sign the ICRMP Joint Powers Agreement. Clif Warren/ Gary Kunzeman. Motion passed.
- B. Action Item: Mountain Route bus purchase approval.** The bus purchases were put out to bid. We have grant funds for two buses. Bids were requested for both front and rear engine buses. David feels that the problems we have had with the International rear engine buses were caused by poor design. The Bluebird design is much better. Shannon & Eric Pittman drove a Bluebird bus in Pasco and liked it. The fan system, engine height, and antifreeze system are all better designed by Bluebird than International. David is tending towards the rear engine model to allow for better ski storage than with the front engine model. The bid request also requested alternative #1 – engine retarder. The retarders are safer and reduce brake wear. Harlows submitted a bid without the alternative. The Bryson bid was complete. Harlows is not on the federal bid list. ITD said to treat their bid as nonresponsive. That leaves us only with Bryson's bid with alternative #1 to be delivered by 11/15/21. Schweitzer has agreed to provide the match for the bus purchases.
Motion to purchase two Bryson rear engine buses with retarder and accessories. Clif Warren/ Nancy Lewis. Motion passed.
- C. Action Item: Approve updated Drug and Alcohol Policy.** David and Shannon have watched FTA webinars on the current requirements. Our current policy needs to be updated. FTA is providing a manual that is customized by selecting a few options.
Motion to approve the updated Drug and Alcohol Policy. Ron Smith/ Clif Warren, Motion passed.
- D. Action Item: Approve Washington State Transit Bus Cooperative Purchasing Agreement.** The State of Washington requested bids on various buses and options and has prepared a list of pre-approved suppliers and prices. This allows us to pick a bus from the list without having to go out to bid. ITD is encouraging use of the Washington list as they already have the bid requirements taken care of.
- E. Motion to sign the Washington State Transit Bus Cooperative Purchasing Agreement. Clif Warren/ Gary Kunzeman. Motion passed.**
- F. Action Item: Approve purchase of two route buses from the Washington State Transit Bus Cooperative Purchasing Agreement.** David is looking to purchase two route buses from the Washington list. Would like to select items up to the grant amount. Takes about six months for delivery.
Motion to allow Executive Director to purchase two route buses from the Washington State Transit Bus Cooperative Purchasing list not to exceed the grant amount. Ron Smith/ Gary Kunzeman. Motion passed.

COMMENTS FROM THE CHAIR AND BOARD MEMBERS: None

Meeting adjourned 12:02 p.m.

**SPECIAL BOARD MEETING MINUTES
SPOT**



**SELKIRK PEND OREILLE TRANSIT
June 24, 2021**

NANCY LEWIS CALLED THE MEETING TO ORDER AT 11:08 A.M.

PRESENT: Clif Warren, Colleen Culwell, David Sims, Gary Kunzeman, Nancy Lewis, Ron Smith, Shannon Pittman, Zale Palmer

Absent: Wally Cossairt

ACTION & DISCUSSION ITEMS:

- A. Action Item: Accept proposals for marketing services, social media services and website services.** The bid received from Keokee was reviewed and discussed. They were the only ones that responded to the bid request. The proposal is for social media services, marketing services, maintenance of existing website, and possible development of new website. Keokee agrees that our existing website is very nice as is. LoneTree will no longer be maintaining our website.

Motion to accept the following items in the proposal: #2 for social media; #1 for website maintenance; and #1 & #2 for marketing. Gary Kunzeman/ Clif Warren. Motion passed.

- B. Action Item: Evaluate hazard pay and wage scale for drivers.** David has been looking for additional drivers and not getting good responses to Indeed ads. Feels that we need to increase the wage schedule for existing and new employees. Presented a schedule with \$1/hour wage increase, resulting in top wage of \$18/hour before hazard pay. The current budget allows for maximum pay rate of \$18/hour.

Motion to increase wage schedule by \$1/hour effective July 1, 2021 and to extend the \$1/hour hazard pay for at least 5 years. Clif Warren/ Gary Kunzeman. Motion passed.

- C. Executive Session – Motion to enter into Executive Session Idaho code 74-206, subsection 1(b) – To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public school student. Nancy Lewis/ Gary Kunzeman. Motion passed.**

No actions taken during executive session.

- D. Action Item: Consider Administrative Wages. Motion to increase administrative wages effective July 1, 2021 as follows: Shannon Pittman \$22/hour plus hazard pay; David Sims to return to full-time 5 day/week schedule at pay rate of \$70,000/year plus hazard pay. Clif Warren/ Nancy Lewis. Motion passed.**

COMMENTS FROM THE CHAIR AND BOARD MEMBERS: Clif commented that Ryan Luttman, our PTAC representative, says he hears a lot of good comments about SPOT at the meetings. Getting good feedback.

Meeting adjourned 11:48 a.m.

Selkirks-Pend Oreille Transit Authority
Summarized Balance Sheet
As of June 30, 2021

ASSETS	Bonner County	Boundary County	Van Pool	Total
Current Assets				
Checking/Savings	340,191.97	16,112.45	4,413.69	360,718.11
Accounts Receivable	2,878.75	391.00	0.00	3,269.75
Grant Funds Receivable	37,436.24	2,875.00	0.00	40,311.24
Total Other Current Assets	31,873.99	2,271.00	0.00	34,144.99
Total Current Assets	412,380.95	21,649.45	4,413.69	438,444.09
Total Fixed Assets	1,034,368.01	72,360.37	0.00	1,106,728.38
TOTAL ASSETS	1,446,748.96	94,009.82	4,413.69	1,545,172.47
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities	29,425.37	2,173.22	0.00	31,598.59
Equity	1,417,323.59	91,836.60	4,413.69	1,513,573.88
TOTAL LIABILITIES & EQUITY	1,446,748.96	94,009.82	4,413.69	1,545,172.47

**Selkirks-Pend Oreille Transit Authority
Summary Profit & Loss Budget vs. Actual
June 2021**

	Bonner County		Boundary County		Mountain Route		Van Pool		Total	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Total Income	34,510.75	49,172.31	3,266.00	4,685.69	1,457.00	963.34	0.00	0.00	39,233.75	54,821.34
Expenses:										
Administration	9,433.30	9,145.88	343.29	609.78	1,236.49	1,189.70	0.00	0.00	11,013.08	10,945.36
Operations	30,870.02	31,359.38	3,695.69	4,080.42	174.46	20.00	0.00	0.00	34,740.17	35,459.80
Preventative Maintenance	5,800.63	6,602.44	119.16	629.31	438.74	0.00	0.00	0.00	6,358.53	7,231.75
Total Expenses	46,103.95	47,107.70	4,158.14	5,319.51	1,849.69	1,209.70	0.00	0.00	52,111.78	53,636.91
Net Ordinary Income	-11,593.20	2,064.61	-892.14	-633.82	-392.69	-246.36	0.00	0.00	-12,878.03	1,184.43
Other Income/Expense	17.56	-19,611.58	0.00	0.00	0.00	0.00	0.00	0.00	17.56	-19,611.58
Net Income	-11,575.64	-17,546.97	-892.14	-633.82	-392.69	-246.36	0.00	0.00	-12,860.47	-18,427.15

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**Selkirks-Pend Oreille Transit Authority
Summary Profit & Loss Budget vs. Actual
October - June 2021**

	Bonner County		Boundary County		Mountain Route		Van Pool		Total	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Total Income	429,401.20	563,088.53	41,437.90	63,114.07	162,565.88	193,501.09	0.00	0.00	633,404.98	819,703.69
Expenses:										
Administration	77,410.31	93,112.70	6,157.41	6,548.06	14,821.21	20,518.90	0.00	0.00	98,388.93	120,179.66
Operations	272,413.80	301,999.86	29,512.86	42,815.52	95,263.66	133,673.62	0.00	0.00	397,190.32	478,489.00
Preventative Maintenance	51,073.45	59,841.82	1,255.81	6,363.78	29,306.36	24,777.83	0.00	0.00	81,635.62	90,983.43
Total Expenses	400,897.56	454,954.38	36,926.08	55,727.36	139,391.23	178,970.35	0.00	0.00	577,214.87	689,652.09
Net Ordinary Income	28,503.64	108,134.15	4,511.82	7,386.71	23,174.65	14,530.74	0.00	0.00	56,190.11	130,051.60
Other Income/Expense	171.36	-79,832.26	0.00	0.00	0.00	0.00	0.00	0.00	171.36	-79,832.26
Net Income	28,675.00	28,301.89	4,511.82	7,386.71	23,174.65	14,530.74	0.00	0.00	56,361.47	50,219.34

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07/08/21

Selkirks-Pend Oreille Transit Authority
Unpaid Bills Detail
As of July 8, 2021

Type	Date	Num	Open Balance
Elite Tire & Suspension			
Bill	06/30/2021	119903	115.00
Total Elite Tire & Suspension			115.00
Spokane Testing Solutions			
Bill	06/17/2021	9037	135.00
Bill	06/30/2021	9178	55.00
Total Spokane Testing Solutions			190.00
TOTAL			305.00

Selkirks-Pend Oreille Transit Authority
Paid Bills Detail
As of June 30, 2021

	<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Open Balance</u>
Coleman Oil				
	Bill	06/13/2021	CL70332	1,389.71
	Bill	06/20/2021	CL71936	1,494.82
	Bill	06/27/2021	CL72885	1,742.32
Total Coleman Oil				<u>4,626.85</u>
Goldenwest Mobility				
	Bill	06/04/2021	22001	163.35
Total Goldenwest Mobility				<u>163.35</u>
Les Schwab				
	Bill	06/24/2021	10800627659	496.67
Total Les Schwab				<u>496.67</u>
Mike White Ford of Sandpoint				
	Credit	06/23/2021	CM18145	-146.25
	Bill	06/16/2021	18001	33.81
	Bill	06/23/2021	18145	229.55
	Bill	06/23/2021	18141	50.82
	Bill	06/29/2021	18259	35.73
Total Mike White Ford of Sandpoint				<u>203.66</u>
Pressure Clean Services, Inc.				
	Bill	06/12/2021	14990	200.00
	Bill	06/19/2021	15014	240.00
	Bill	06/25/2021	15035	200.00
Total Pressure Clean Services, Inc.				<u>640.00</u>
Verizon Wireless				
	Bill	06/13/2021	9881888845	247.68
Total Verizon Wireless				<u>247.68</u>
Ziply Fiber				
	Bill	06/22/2021		166.88
Total Ziply Fiber				<u>166.88</u>
Ziply Fiber - BF				
	Bill	06/13/2021		38.89
Total Ziply Fiber - BF				<u>38.89</u>
TOTAL				<u><u><u>6,583.98</u></u></u>

Selkirks-Pend Oreille Transit Authority
Paid Bills Detail
As of July 8, 2021

	Type	Date	Num	Open Balance
Bonner County Daily Bee				
	Bill	06/30/2021		24.19
Total Bonner County Daily Bee				24.19
Coleman Oil				
	Bill	06/30/2021	CL73458	736.07
	Bill	07/04/2021	CL77625	977.03
Total Coleman Oil				1,713.10
Dycks Oil & Auto				
	Bill	06/22/2021	47314	76.35
Total Dycks Oil & Auto				76.35
First Bankcard				
	Bill	06/28/2021		2,551.93
Total First Bankcard				2,551.93
Mike White Ford of Sandpoint				
	Bill	06/30/2021	4442	45.50
Total Mike White Ford of Sandpoint				45.50
Mountain Ledgers				
	Bill	06/30/2021	5631	810.00
Total Mountain Ledgers				810.00
Napa Auto Parts				
	Bill	06/30/2021	038242	81.37
Total Napa Auto Parts				81.37
Pressure Clean Services, Inc.				
	Bill	07/02/2021	15058	200.00
Total Pressure Clean Services, Inc.				200.00
TOTAL				5,502.44

SPOT Ridership

2021	Fixed	Demand	Van Pool	Bonniers Ferry	Mountain Route	Total
January	3,334	270		111	9,300	13,015
February	3,278	311		96	7,894	11,579
March	4,345	414		111	6,715	11,585
April	3,513	331		97	1,531	5,472
May	3,949	299		69		4,317
June	3,782	375		119		4,276
July						0
August						0
September						0
October						0
November						0
December						0
TOTAL YTD	22,201	2,000	0	603	25,440	50,244

2020	Fixed	Demand	Van Pool	Bonniers Ferry	Mountain Route	Total
January	4,869	397	258	320	18,478	24,322
February	4,820	404	226	267	13,992	19,709
March	3,463	319	182	140	6,139	10,243
April	1,702	101	0	90	0	1,893
May	2,575	164	8	86	0	2,833
June	3,103	287	94	97	0	3,581
July	3,009	387	160	123	0	3,679
August	2,933	313	140	83	0	3,469
September	3,132	314	0	118	0	3,564
October	3,152	391	0	120	0	3,663
November	2,735	293	0	119	746	3,893
December	3,213	289		85	7,241	10,828
TOTAL YTD	38,706	3,659	1,068	1,648	46,596	91,677

2019	Fixed	Demand	Van Pool	Bonniers Ferry	Mountain Route	Total
January	4,579	439	236	271		5,525
February	3,847	373	262	215	5,963	10,660
March	4,776	443	276	253	11,583	17,331
April	4,846	452	332	257	1,699	7,586
May	4,618	446	254	245		5,563
June	4,129	381	244	256		5,010
July	4,189	460	284	249		5,182
August	7,984	389	272	225	1,594	10,464
September	4,042	401	268	230	1,269	6,210
October	4,310	457	294	239		5,300
November	4,473	395	232	226	393	5,719
December	4,806	383	212	258	13,013	18,672
TOTAL	56,599	5,019	3,166	2,924	35,514	103,222

*2,934
Festival

2018	Fixed	Demand	Van Pool	Bonniers Ferry	Total
January	5,201	391	204	207	6,003
February	4,885	341	322	233	5,781
March	5,931	345	320	247	6,843
April	5,962	367	324	188	6,841
May	4,742	351	270	212	5,575
June	4,578	335	146	253	5,312
July	4,704	363	224	216	5,507
August	8,173	302	256	237	8,968
September	4,390	358	192	214	5,154
October	4,324	401	232	193	5,150
November	4,084	457	242	241	5,024
December	4,295	392	244	167	5,098
TOTAL	61,269	4,403	2,976	2,608	71,256

*2,907
Festival

SPOT Agenda Item Summaries

Meeting Date: July 15, 2021
Agenda Item: 7A
From: Clif Warren
Topic: Executive Session pursuant to Idaho Code 74-206 1(a)
Background: Clif requested that this be placed on the agenda.

Meeting Date: July 15, 2021
Agenda Item: 7B
From: Clif
Topic: Consider administrative staff duties
Background: Clif requested that this be placed on the agenda to discuss administrative staff duties.

Meeting Date: July 15, 2021
Agenda Item: 7C
From: Clif
Topic: Consider temporary board member duties
Background: Clif requested that this be placed on the agenda to discuss temporary board member duties.

Meeting Date: July 15, 2021
Agenda Item: 7D
From: David Sims
Topic: Consider changes to the personnel policy

Background: The board and staff have discussed adopting a personnel policy based on an ICRMP template. Attached is a draft of a policy based on the ICRMP template and SPOT's current policies. There are a number of decisions for the board to consider, including the definition of a full time employee, holiday pay, and jury duty pay. Although it is listed on the agenda as an action item, it is anticipated that based on the board's input at this board meeting, it will be placed on a future agenda for final approval and adoption.



Selkirks Pend Oreille Transit Authority

Personnel Policy

Approved by the Selkirks Pend Oreille Transit Authority Board

Date: _____

WELCOME

It is our privilege to welcome you to Selkirks Pend Oreille Transit Authority (SPOT). We wish you every success in your new job, and we hope that you quickly feel at home. This personnel policy was developed to describe some of the expectations we have for all of our employees and what you can expect from us. We hope that your experience here will be challenging, enjoyable, and rewarding.

Again, welcome!

SPOT Board of Directors

I. THE ORGANIZATION FOR WHICH YOU WORK

SPOT is a political subdivision of the state of Idaho, though it is not a part of state government. SPOT is organized under a Joint Powers agreement between the cities of Dover, Sandpoint, Ponderay, Kootenai, Bonners Ferry and Boundary County. The SPOT Board serves as the governing body of SPOT, carrying out local legislative duties and fulfilling other obligations as required by law. The Board is the general policymaker for SPOT, and has primary authority to establish terms and conditions of employment with SPOT.

Each employee should recognize that although he/she may serve as an employee supervised by a department head, he/she remains an employee of SPOT, and not of the person who supervises his/her work. The terms and conditions set forth in this policy, and in the resolutions and policy statements that support it, cannot be superseded by any other person, without the express written agreement of the Board. That is particularly true for terms or conditions that would establish a current or future financial obligation for SPOT. You may, however, work for a department with an operational policy that provides additional direction to employees on expectations and procedures unique to that department.

II. YOUR EMPLOYMENT RELATIONSHIP WITH SPOT

This policy is designed to introduce you to SPOT, familiarize you with various policies, practices and procedures currently in effect in SPOT, and help answer many of the questions that may arise in connection with your employment.

This policy is not a contract of employment and does not create a contract of employment. This policy does not create a contract, express or implied, guaranteeing you any specific term of employment, nor does it obligate you to continue your employment for a specific period of time. Its purpose is simply to provide you with a convenient explanation of present policies and practices of SPOT.

All employees of SPOT are at-will and are employed at the discretion of the Board. Only a written contract expressly authorized and signed by the Board can alter the at-will nature of employment regardless of anything written or spoken by an individual Board member or supervisor. Employees have no right to continued employment or employment benefits, except as may be agreed to in writing and expressly approved by the Board. All provisions of this Policy will be interpreted in a manner consistent with this paragraph. In the event of any irreconcilable inconsistencies, the terms of this paragraph will prevail.

SPOT reserves the right to modify any of the policies, benefit offerings, and procedures, including those covered in this policy, at any time, without prior notice to, and consent of, SPOT employees. Changes may be made in the sole discretion of the Board.

III. EMPLOYEE CODE OF CONDUCT

Employees are expected to conduct themselves in a professional manner that is both civil and cooperative. SPOT employees are public employees and therefore are exposed to additional public scrutiny in both their public and personal conduct. This Code of Conduct has been established to aid employees in understanding both expected and prohibited conduct. Violations of the Code of Conduct will be grounds for disciplinary action up to and including termination of employment. This list is illustrative and not all inclusive. Other behaviors and acts of misconduct not specifically detailed here may be grounds for disciplinary action as well. Nothing contained herein is intended to change the at-will nature of employment or limit the reasons for which an employee may be disciplined.

A. Expected Conduct

Each employee is expected to conduct himself/herself in a professional manner. In order to accomplish this, each employee must:

1. Be respectful, courteous and professional. Work cooperatively and constructively with fellow workers and members of the public.
2. Be prompt and regular in attendance at work for defined work schedules or other required employer functions, and follow procedures for exceptions to the normal schedules, including the scheduling and taking of vacation and sick leave.
3. Comply with dress standards established in the department for which the employee works. In the absence of any departmental dress standards, clothing will be appropriate for the functions performed and will present a suitable appearance to the public.
4. Abide by all departmental rules and direction of a supervisor whether written or oral. No employee will be required to follow the directive of a supervisor that violates the laws of the local jurisdiction, state or nation.
5. Maintain the confidential nature of records that are not open to the public in accordance with the direction of the responsible official.
6. Maintain a current appropriate driver's license when work for SPOT requires the employee to drive a vehicle as part of his/her responsibilities. Each such employee must report any state-imposed driving restrictions to his/her immediate supervisor and notify his/her supervisor if his/her driving abilities are impaired.
7. Follow all workplace safety rules whether established formally by the department or by outside agencies.
8. Report all accidents that occur or are observed on the job, or that involve SPOT property, and cooperate as requested in the reconstruction of any such accident.

9. Avoid conflicts of interests in appointments and working relationships with other employees, contractors and potential contractors in SPOT and related agencies.
10. Adhere to any code of ethics in the employee's profession.
11. Adhere to SPOT's Drug and Alcohol Policy

B. Prohibited Conduct

Employees are expected to refrain from behaviors that reflect adversely upon SPOT, including:

1. Not initiate or participate, or encourage others, in acts or threats of violence, bullying, malicious gossip, spreading of rumors, or any other behavior designed to create discord and lack of harmony, or that willfully interferes with another employee's ability to do his/her job.
2. Not engage in abusive conduct or language, including profanity and loud, threatening or harassing speech, toward or in the presence of fellow employees or the public.
3. Not engage in conduct at or away from work that may reflect adversely upon SPOT or its officials or otherwise impair the employee's ability to perform.
4. Not engage in prolonged visiting with co-workers, children, friends or family members that interfere with work in the department in which the employee serves.
5. Not use work time for personal business, including the selling of goods or services to the general public.
6. Not use phones or computers in the workplace in a manner that violates policy or that disrupts workplace productivity, including time spent on social media.
7. Not use work time or public premises to promote religious beliefs to members of the public or fellow employees.
8. Not have non-SPOT employment, or serve on any board or commission, that conflicts with duties performed for SPOT in any meaningful way. Individual departments may determine permissible examples of outside employment.
9. Not knowingly make any false report or complaint regarding behavior of others, or participate in such report or complaint.
10. Not release any public record, including personnel records, without the express authority of the public official responsible for custody of the record
11. Not use any substances, lawful or unlawful, that will impair the employee's ability to competently perform his/her work or threaten the safety and well-being of other workers or the public. If the employee is prescribed a medication that may impair the employee's ability to safely do his/her job, the employee is required to provide a

physician's note explaining the possible effects of the medication on the employee's ability to do his/her job and the length of the time that the employee will be required to take the medication. The employee may be required to take leave while taking the medication.

12. Not destroy, alter, falsify or steal the whole or any part of a police report or any record kept as part of the official governmental records of SPOT (I.C. §§ 18-3201 and 18-3202).
13. Not engage in political activities while on duty.
14. Not provide false or misleading information on employment applications, job performance reports or any other related personnel documents or papers.
15. Not engage in conduct that violates the laws of the state of Idaho, including but not limited to I.C. §18-1356 (accepting gifts that exceed a value of \$50), I.C. §74-401 *et seq.* (Ethics in Government Act), I.C. §74-501 *et seq.* (Prohibitions Against Contracts) and I.C. §18-1359 (Using Public Position for Personal Gain).
16. Not accept gifts or gratuities in any personal or professional capacity that, although it may be legal, could create the impression that the giver was seeking favor from the employee or official in violation of I.C. § 18-1356 and I.C. § 18-1357.
17. Not engage in criminal conduct of any kind while on or off duty.

IV. WORKPLACE VIOLENCE

SPOT seeks to provide a violence-free workplace. Violence in the workplace poses a threat to the safety of employees and the public. SPOT will not tolerate acts and behaviors that are likely to result in workplace violence, including, but not limited to, abusive language, hitting or shoving, threats of bodily harm, threats or acts of violence, brandishing of an object which may be used as a weapon, sending threatening, harassing or abusive e-mail and faxes, using the workplace to violate protective orders and stalking.

All employees are responsible for minimizing workplace violence. All acts or threats of violence should be promptly reported to a supervisor or Board member. Employees should also report situations that they believe could lead to workplace violence, including but not limited to protective orders or other no-contact orders.

Any employee who is determined to be responsible for acts or threats of violence, or other conduct listed in this section, will be subject to prompt disciplinary action up to and including termination of employment.

V. UNLAWFUL WORKPLACE DISCRIMINATION, HARASSMENT AND RETALIATION

SPOT strives to maintain a supportive and civil workplace—one in which employees treat each other with respect and dignity. In keeping with these values, SPOT prohibits and does not tolerate unlawful workplace discrimination, harassment or retaliation.

The following defined terms are applicable to this section:

Legally protected class means a personal characteristic that is protected by law. This includes race, color, national origin, religion, sex, age (40 and over), disability, or any other characteristic protected by law.

Participation in the workplace includes all aspects of being an employee at SPOT, including recruitment, hiring, job performance, performance reviews, training, development, promotion, demotion, transfer, compensation, benefits, educational assistance, layoff and recall, participation in social and recreational programs, termination and/or retirement.

A. Workplace Discrimination

Workplace discrimination is when one or more persons in a **legally protected class** are treated adversely with respect to their **participation in the workplace**. Adverse employment actions usually involve decisions made by supervisors, department heads, or the Board that affect the workplace status and benefits of employees.

Unlawful adverse employment actions may include, but are not limited to, not hiring a qualified applicant due to his/her age, not promoting an employee due to his/her religious beliefs, denying an employee a raise due to his/her race, disciplining an employee more harshly than others due to his/her sex, and terminating an employee due to his/her national origin.

B. Workplace Harassment

Workplace harassment is unwelcome conduct that is directed to one or more persons in a **legally protected class** that interferes with their **participation in the workplace**. The offensive conduct must be *severe or recurring* such that it creates a work environment that a reasonable person would consider intimidating, hostile or abusive. Petty slights, annoyance, and isolated incidents (unless extremely serious) will not rise to the level of unlawful conduct.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures.

C. Workplace Sexual Harassment

Sexual harassment is a specific type of workplace harassment. Since it is particularly destructive to the work environment it is more thoroughly addressed here.

Sexual harassment occurs when one or more persons are subject to unwelcome sexual advances, request for sexual favors, or other verbal, non-verbal, visual or physical harassment of a sexual nature that is so *severe or recurring* such that it creates a hostile or offensive work environment.

Sexual harassment includes sexually harassing others of the same and/or different gender, gender identity or gender expression.

Sexual harassment is unlawful whether it involves co-workers, supervisors, elected officials, or customers of SPOT.

Sexual harassment may include, but is not limited to:

1. Leering, making sexual gestures, or displaying derogatory and or sexually suggestive objects, pictures, cartoons, posters or drawings;
2. Sexually degrading language, derogatory comments, epithets, slurs, sexually explicit jokes or comments;
3. Verbal or non-verbal unwanted sexual advances or propositions;
4. Threatening or making reprisals after a negative response to sexual advances;
5. Offering employment benefits such as raises, promotions and job retention in exchange for sexual favors;
6. Unwanted physical conduct such as touching, massaging, pinching, patting, hugging; and
7. Physical interference with normal work or movement including impeding or blocking movement.

D. Hostile Work Environment

A hostile work environment is discrimination or harassment in the workplace in which comments or conduct based on a **legally protected class**, unreasonably interfere with **participation in the workplace**. To a reasonable person, the comments or conduct must be *severe or recurring* such that it creates an intimidating or offensive work environment. Isolated incidents, petty slights, occasional teasing or impolite behavior are generally not sufficient to create a hostile work environment.

Examples of a hostile work environment may include, but are not limited to, being subjected to daily racial slurs, recurring derogatory comments about job performance

based on gender, continuous sexual advances or propositions, frequently receiving sexually explicit emails from a coworker, physical harassment like hitting, pushing, groping and other touching.

E. Workplace Retaliation

Workplace retaliation is when an employee is punished or negatively treated because the employee engaged in legally protected activity, including initiating a complaint of discrimination or harassment, providing information for, or assisting in, an investigation or refusing to follow orders that would result in discrimination or harassment. Retaliation can result from employment action taken by a supervisor, department head or the Board or from acts of other employees.

Examples of conduct that might be considered retaliation for engaging in protected activity include assigning the employee to less desirable tasks or shifts in the office, denying an employee a promotion or raise, socially isolating an employee, playing practical jokes on the employee, and allowing other employees to be critical of an employee for participating in a workplace investigation into alleged discrimination or harassment.

F. Responsibilities

1. Employee Responsibilities

Employees should report incidents of discrimination, harassment, sexual harassment, hostile work environment or retaliation as soon as possible after the occurrence. Reporting should be made to any of the following:

- Designated Official
- Board Member
- Legal Counsel for SPOT

If the Director is the subject of the incident, the employee should instead report the incident to one of the other listed persons. Reporting should be made regardless of whether the offensive act was committed by a supervisor, co-worker, vendor, visitor or customer.

2. Supervisor Responsibilities

All supervisors are expected to ensure that the work environment is free from unlawful discrimination, harassment, sexual harassment, retaliation or the

development of a hostile work environment. They are responsible for the application and communication of this policy within their work areas. Supervisors should:

- Encourage employees to report any violations of this policy before the harassment becomes *severe or recurring*.
 - Make sure the Director is made aware of any inappropriate behavior in the workplace.
 - Create a work environment where sexual and other harassment, discrimination, or retaliation is not permitted.
 - Correct any behaviors they observe that could constitute unlawful discrimination, harassment, sexual harassment or hostile work environment.
 - Report any complaint of unlawful discrimination, harassment, sexual harassment, retaliation or hostile work environment to the Designated Official.
3. SPOT designates the Director, or his/her designee, as the Designated Official who will be responsible for directing the procedures of this policy.

G. Procedure for Reporting and Investigating

The following steps must be followed to report and investigate incidents of unlawful discrimination, harassment, sexual harassment, retaliation, or the development of a hostile work environment.

1. A person who believes he/she has been unlawfully discriminated, harassed or retaliated against, or who observes or knows about behavior in the workplace that could be unlawful discrimination, harassment or retaliation, should report it to the Designated Official, Board member, or legal counsel for SPOT. The individual receiving the report must then forward it to the Designated Official. If the Designated Official is the subject of the complaint, the report must then be forwarded to one of the listed persons.
2. Once a complaint has been made, the complaint cannot be withdrawn by the complainant without a determination that it was made erroneously.
3. The Designated Official should promptly review the complaint and consult with legal counsel for SPOT.
4. In appropriate circumstances, the person who is alleged to have committed the offense may be placed on paid or unpaid administrative leave pending a resolution of the allegations.

5. The Designated Official, in consultation with legal counsel for SPOT, should engage a neutral party to investigate the complaint.
6. The investigator should interview the complainant, the person alleged to have committed the offenses, and any relevant witnesses to determine whether or how the alleged conduct occurred.
7. At the conclusion of the investigation, the investigator will submit a report of the findings to the Designated Official, who will then route it as appropriate.
8. The Designated Official and/or the appropriate supervisors and legal counsel for SPOT will meet separately with both the complainant and the person alleged to have committed the offenses to notify them in person of the findings of the investigation.
9. The complainant and the person alleged to have committed the offenses may submit written statements to the Designated Official and/or supervisors challenging the factual basis of the findings. Unless circumstances prevent, the statement must be submitted no later than 5 working days after the meeting in which the findings of the investigation are discussed.
10. After the Designated Official and/or supervisors have met with both parties and reviewed the documentation, and after consultation with legal counsel for SPOT, a decision will be made as to what action, if any, should be taken by the SPOT Board.
11. At the conclusion of this complaint procedure, the complainant should be informed that appropriate action, if any, has been taken. Because disciplinary personnel matters are confidential, details of the specific discipline should not be shared with the complainant.

H. Disciplinary Action

1. If it is determined that unlawful discrimination, harassment or retaliation has occurred, an appropriate course of action will be taken by SPOT. The action will depend on the following factors:
 - a. The severity, frequency and pervasiveness of the conduct;
 - b. The conduct of the respective employees;
 - c. Prior complaints made against the person alleged to have committed the offenses;
and
 - d. The quality of the evidence (first-hand knowledge, credible corroboration etc.).
2. If problematic conduct is revealed in the investigation, corrective action may be taken even if the investigation is inconclusive or if it is determined that there has been no unlawful discrimination, harassment or retaliation.

I. Confidentiality

Confidentiality will be maintained to the fullest extent possible in accordance with applicable federal, state and local law. However, a complete and thorough investigation of the allegations will require the investigator to inform witnesses of certain aspects of the complaint in order to obtain an accurate account of the actions of the parties involved. SPOT's insurer may also be engaged to assist in all phases of any proceeding or investigation.

VI. GENERAL POLICIES

A. Attendance and Punctuality

It is important for you to report to work on time and to avoid unnecessary absences. SPOT recognizes that illness or other circumstances beyond your control may cause you to be absent from work from time to time. However, frequent absenteeism or tardiness may result in disciplinary action, up to and including discharge. Excessive absenteeism or frequent tardiness puts an unnecessary strain on your co-workers and can have a negative impact on the success of SPOT.

You are expected to report to work when scheduled. Whenever you know in advance that you are going to be absent, you should notify your immediate supervisor or the designated manager. If your absence is unexpected, you should attempt to reach your immediate supervisor as soon as possible, but in no event later than one hour before you are due at work. In the event your immediate supervisor is unavailable, you must speak with the supervisor's designated representative. If you must leave a voicemail, you must provide a number where your supervisor may reach you if need be.

B. Substance Abuse

SPOT recognizes alcohol and drug abuse as potential health, safety and security problems. SPOT expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs or other intoxicating substances. Compliance with SPOT's Drug and Alcohol Policy is made a condition of employment, and violations of the policy may lead to discipline and/or discharge.

Substance abuse is an illness that can be treated. Employees who have an alcohol or drug abuse problem are encouraged to seek appropriate professional assistance. You may inform your immediate supervisor, or Board member for assistance in seeking help.

When work performance is impaired, admission to or use of a treatment or other program does not preclude appropriate action by SPOT.

C. Relationship Policy

Any supervisor involved in a romantic relationship with a subordinate must immediately notify his/her superior or the Board of the existence of any such relationship. Efforts should be made to eliminate supervisory responsibility for one who is romantically involved with a subordinate. Employees involved in such relationship bear a responsibility to SPOT to cooperate in any effort to avoid the potential conflicts that can arise from such personal relationships in the workplace. Such relationship may result in a change of employment duties.

D. No Smoking Policy

SPOT buildings and facilities are non-smoking in accordance with state and federal requirements. Use of tobacco products of any kind or e-cigarettes is not allowed within all indoor spaces of SPOT's buildings and facilities or in SPOT vehicles. Smoking is only permitted outside of SPOT buildings and facilities at least 50 feet away from entrances.

VII. EMPLOYEE DISCIPLINE

A. Performance/Discipline Framework

The following framework provides discipline options that may be taken when an employee violates employment policies or fails to adequately perform his/her duties. Nothing contained herein is intended to change the at-will nature of the employee's employment or limit the reasons for which the employee may be disciplined, including termination of employment. Progressive steps may be implemented in order to encourage improved performance or attitude but are not required. SPOT may take any of the following disciplinary actions, or any other action, in any order when a supervisor deems an action or performance of the employee to be serious enough to warrant a certain discipline.

B. Disciplinary Actions Available

1. The following actions are among the disciplinary actions that may be taken in response to personnel policy violations or performance deficiencies:
 - a. Oral warning
 - b. Written warning or reprimand
 - c. Suspension without pay
 - d. Demotion
 - e. Dismissal
2. Conditions of maintaining employment that relate to particular performance/behavior issues may be established in conjunction with any of these actions.

C. Opportunity to be Heard—Name-Clearing Hearing

1. All employees are at-will. However, an at-will public employee who is being terminated, or demoted with a reduction in pay, based upon allegations of *dishonesty, immorality or criminal misconduct* is constitutionally entitled to a name-clearing hearing when one is requested.
2. Failure by the employee to pursue this hearing procedure constitutes a waiver of this opportunity.
3. Issues involving dishonesty, immorality or criminal misconduct are the only issues that will be heard in this procedure.
4. The procedure for the hearing is as follows:
 - a. Within 14 days of his/her termination or demotion, the employee may submit to the Board a written request for a name-clearing hearing and state the basis for it.
 - b. A request for hearing will be denied if the employee misses the deadline for submittal of the request or does not state a valid reason. An employee will be notified if a requested hearing is either granted or denied.
 - c. An employee granted a hearing will meet with the Board. The hearing will not exceed 1 hour in duration.
 - d. An audio recording of the hearing will be made and maintained as part of the personnel record.
 - e. The employee's supervisor may provide a brief written statement at least 24 hours prior to the hearing. The Board may require the supervisor to participate in the hearing.
 - f. The employee will be provided an opportunity to present evidence upon which the claims are based.
 - g. The Board may ask questions during this process.
 - h. The Idaho Rules of Evidence do not apply to this hearing.
5. After the hearing, the Board will consider the information submitted, and other information as might be in SPOT's records, to arrive at a decision and will issue a written statement setting forth the reasons for the decision.

VIII. HIRING POLICIES

A. Equal Employment Opportunity

1. All selection of employees and all employment decisions, including classification, transfer, discipline and discharge, will be made without regard to race, religion, sex, age, national origin, or non-job-related disability, or any other characteristic protected by law. No job or class of jobs will be closed to any individual except where a mental or physical attribute, sex or age is a bona fide occupational qualification.
2. All objections to hiring or other employment practices will be brought to the attention of the Board or Director, or in the case of objection to actions undertaken by that person, to legal counsel for SPOT.
3. Employees can raise concerns and make reports without fear of retaliation. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.
4. SPOT will endeavor to make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship. An employee should advise either the supervisor or department head if he or she requires an accommodation to enable the employee to perform the essential tasks of the job.
5. SPOT will also endeavor to make reasonable accommodations for its employees' religious needs and practices, including those related to appearance and observance of holidays. An employee should advise either the supervisor or the Board if he or she requires accommodation for religious reasons.

B. Preference for Hiring From Within

Qualified SPOT employees may be given preference over outside applicants to fill vacancies in the work force without following the notice and selection procedures normally required for hiring new employees. If the internal preference process is used, it should be completed prior to seeking outside applicants for the position.

C. Veteran's Preference and Rights

1. SPOT will grant a preference to U.S. Armed Services veterans, or certain of his/her family members, in accordance with provisions of Idaho Code, Title 65, Chapter 5. In the event of equal qualifications for an available position, a veteran or family member who qualifies for the preference will be employed.
2. Employees who are qualified veterans returning to employment with SPOT following qualified military leave shall have the rights and responsibilities provided by Idaho Code §65-508 and the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. §4301, et seq. The returning veteran will be restored to his/her position with the same seniority, status and pay that he/she would have had if there had been no military leave. In addition, in accordance with the provisions of these laws, the

veteran will not be discharged from his/her position without cause for a period of 1 year after the restoration of his/her employment with SPOT.

D. Nepotism/Hiring of Relative

1. No person will be employed by SPOT when the employment would result in a violation of provisions found in Idaho Code, including but not limited to I.C. Title 74, Chapter 4, I.C. §18-1359 and their successors. Any employment made in violation of these sections may be void. The appointment or employment of the following persons is expressly prohibited:
 - a. No Board member or other public servant, including employees, will appoint or vote for the appointment of any person related to him/her by blood or marriage within the second degree to any compensated office, position, employment or duty. This means no one related within the second degree to anyone involved in any way in the hiring process can be hired and/or that no one related to an applicant within the second degree can take part in the hiring process.
 - b. An employee whose relative is subsequently elected to the Board may be eligible to retain his/her position and receive pay increases as allowed by relevant provisions of Idaho law, including Idaho Code § 18-1359(5).

IX. EMPLOYEE PERSONNEL FILES

A. Personnel Records

1. The official employee records for SPOT will be kept in the SPOT Administrative Office.
2. The personnel files should contain records related to employee performance, employee status, and other relevant materials related to the employee's service with SPOT.
3. The employee's supervisor, the Board or the employee himself/herself may contribute materials to the personnel files deemed relevant to the employee's performance.

B. Access to Personnel Files

1. Only the employee's supervisors, the Board when acting as a board in the course of its official business, attorneys for SPOT, and the employee him/herself are authorized to view materials in a personnel file. Access of others to such files will be allowed only when authorized after consultation with legal counsel for SPOT.

2. Information regarding personnel matters will only be provided to outside parties with a release from the employee, when deemed necessary by legal counsel for SPOT, or pursuant to a Court order or a proper subpoena.
3. SPOT reserves the right to disclose the contents of personnel files to outside state or federal agencies, its insurance carrier or its carrier's agents for risk management purposes, or when necessary to defend itself against allegations of unlawful conduct.
4. Copies of materials in an employee's personnel file are available to that employee without charge, subject to exceptions provided by statutes.

C. Management of Information in Personnel Files

Each employee will be provided an opportunity to contest the contents of his/her personnel file at any time by filing a written objection and explanation that will be included in the file along with the objectionable material. In the sole judgment of the supervising official, after consultation with legal counsel for SPOT, any material may be removed upon a finding by SPOT that it is false or unfairly misleading. In general, there is a presumption that materials are to remain in personnel files accompanied by the employee's written objection and explanation to provide a complete employment history. Any such approved removal of information will be documented in writing and maintained in the employee's personnel file.

X. EMPLOYEE CLASSIFICATION

For various reasons, employee status must be organized by classes in order to administer employee policies, benefits or otherwise address employment issues. It is generally the responsibility of the employee to assure that he/she is properly categorized for purposes of each issue or benefit type. SPOT will endeavor to assist with such matters, but the employee is ultimately responsible to assure that his/her service is properly addressed.

A. Employee Classification for Employment Status

1. All employees of SPOT, including part-time and temporary employees, are **at-will employees**, except as otherwise required by law or pursuant to a written contract approved by the Board.
2. Employed Attorneys and Other Legal Counsel.

Because the Idaho Rules of Professional Conduct govern the relationship between an attorney and his/her client, attorneys employed by SPOT are considered to be at-will employees serving at the pleasure of the Board, and can be appointed or removed at its pleasure.

B. Employee Classification for Benefit Purposes

The classification of the position an employee holds with SPOT may affect the status of obligations or benefits associated with his/her employment. The primary classes of employees are:

1. Full-Time Regular Employees

Employees whose employment is sustained and continuing and whose typical work week consists of at least 30 hours are considered full-time regular employees. Full-time regular employees are eligible for employee benefits provided by SPOT.

2. Part-Time Regular Employees

Employees whose employment is sustained and continuing and whose typical work week consists of less than 30 hours on a regular basis are considered part-time regular employees. Part-time regular employees may receive reduced employee benefits as authorized by the Board and as required by federal and state law. The scope of benefits received may vary proportionately with the number of hours typically worked for a part-time regular employee. The number of hours worked may also affect the employee's obligation to participate in certain mandatory state benefit programs. Certain benefits may not be available because qualifying thresholds have not been reached.

3. Temporary Employees

Employees who work on an irregular, seasonal or temporary basis (5 months or less) are temporary employees. Temporary employees receive no benefits provided to regular employees, except those required by law or authorized by the Board.

XI. COMPENSATION POLICIES

A. Establishment of Employee Compensation

Employees are compensated in accordance with, and subject to, decisions of the Board as annual budgets are set and are subject to increase, reduction, or *status quo* maintenance for any time period. The Director may make suggestions about salary compensation and other pay system concerns, but the final decision regarding compensation policy rests with the Board.

B. Compliance with State and Federal Pay Acts

SPOT will comply with all state and federal pay acts governing compensation of its employees.

D. Right to Change Compensation and Benefits

SPOT may change general compensation for any reason deemed appropriate by the Board. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent SPOT budget. Hours worked may be reduced or employees may be laid off by the Board as necessary to meet budgetary constraints or as work needs change.

D. Overtime/Compensatory Time Policy

1. In addition to the employee classifications set forth elsewhere in this policy, all employees are classified as exempt (salaried) or non-exempt (hourly) for purposes of complying with the federal Fair Labor Standards Act (FLSA). Exempt employees perform work that qualifies for the professional, executive or administrative exemption and do not qualify for overtime compensation. Employees should contact the Director for further clarification of the employee's FLSA status.
2. Overtime for non-exempt, hourly employees will be allowed only when authorized by the appropriate supervisor or when absolutely necessary in an emergency. Employees may not work any hours outside of their scheduled work day unless the supervisor has given advanced authorization for the unscheduled work. Employees may not start work early, finish work late, work during meal breaks or perform any other extra or overtime work unless they are authorized to do so, and it is reported on the employee's timesheet. Any employee who fails to report, or inaccurately reports, any hours worked will be subject to disciplinary action, up to and including termination.
3. Non-exempt employees entitled to overtime compensation will either accrue compensatory time or overtime pay, as established by policy adopted by the Board. Overtime pay for work in excess of 40 hours per week will be computed at 1½ hours for each additional hour worked.

E. Reporting and Verifying Time Records

1. Each hourly employee is responsible to timely and accurately record and submit time that he/she has worked in accordance with the procedures authorized by the Board and the payroll office. Each report of non-exempt employees must be signed manually or electronically by both the supervisor and the employee and must contain a certification that it is a true and correct record of the employee's actual time worked and benefits used for the time period covered. Any changes to the time record made by a supervisor or the payroll office to correct mistakes must be acknowledged by

the employee. Exempt employees may be required to document time worked or benefits used for accountability purposes.

2. Any employee concerned about his/her compensation, rate of pay, payroll status, deductions, *etc.*, must communicate such concerns to the administration office as soon as any such concern becomes evident. Documentation of any such issue should be maintained in the employee's personnel file.
3. Employees may not falsify their own timesheet or alter another employee's timesheet in any way. Employees must not under- or over-report hours worked by themselves or other employees, or conceal any falsification of time records, even if instructed to do so by a supervisor, the Board or other person. If instructed to do so, the employee must immediately report it to the legal counsel for SPOT.

F. Work Periods

1. The workweek for all non-exempt employees who are subject to the FLSA begins at 12:00 a.m. on Sunday of each week and concludes at 11:59 p.m. of the succeeding Saturday.

G. Payroll Procedures and Paydays

1. Employees are paid twice monthly throughout the year. Paychecks or direct deposit receipts are issued on the fifth and twentieth of each month. The paycheck issued on the fifth of the month compensates employees for work performed from the sixteenth through the end of the month, and the paycheck issued on the twentieth of the month compensates employees for work performed from the first through the fifteenth of the month. .
2. Every effort will be made to ensure that employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. Each employee must monitor the accuracy of compensation received and review his/her paper or electronic paycheck stub when received to make sure it is correct. Information shown on the employee's paycheck stub is provided for information only. Actual practices regarding the issuance of paychecks and allocation of employee benefits must be consistent with official policy of SPOT. In the event of disagreement between the computer-generated paycheck stub and official policy, as interpreted by the Board, the policy will prevail. Employees are obligated to call to SPOT's attention any such errors, whether to the advantage or disadvantage of the employee. When mistakes are made and are called to SPOT's attention, SPOT will correct the mistake as soon as possible.

H. Compensation while Serving on Jury Duty or as a Witness in a Court Proceeding

1. SPOT encourages employees to fulfill their civic responsibilities by serving on jury duty when required. Leave will be granted, and full pay provided to employees called to serve as a court witness in matters specifically related to SPOT operations or called to serve on jury duty.
2. Employees must show the jury duty summons or notice to their supervisor as soon as possible so that the supervisor can make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

I. Military Leave

An unpaid leave of absence will be granted to an employee to participate in ordered and authorized field training in accordance with Idaho Code §§ 46-407 and 46-409, and the Uniformed Services Employment and Reemployment Rights Act (USERRA).

J. Payroll Deductions

No payroll deductions will be made from an employee's paycheck unless authorized in writing by the employee or as required by law (Idaho Code § 45-609).

K. Travel Expense Reimbursement

An employee on approved SPOT business will be reimbursed for expenses incurred in completing his/her assignment in accordance with the policies established by the Board. Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested.

L. On-the-Job Injuries

Employees are covered by worker's compensation insurance for on-the-job injuries. All on-the-job injuries must be reported to the employee's supervisor as soon as practicable so that a worker's compensation claim can be filed. Return to employment will be authorized on a case-by-case basis in consultation with the supervising official and the State Insurance Fund and may require a fitness for duty medical review. Concerns associated with injured worker status may be brought before the supervisor or Board for review.

XII. EMPLOYEE BENEFITS

SPOT offers a number of employee benefits for full-time and part-time regular employees. These benefit offerings are subject to change or termination in the sole discretion of the Board. Each benefit offering is subject to the specific terms of its respective insurance policy and/or official resolution of the Board.

A. Vacation Leave

1. Vacation leave is available to full-time regular employees who have completed the equivalent of one year of full-time employment. Vacation leave becomes available on the employees' anniversary date of becoming a full time employee each calendar year and must be used prior to their next anniversary. Vacation leave time may not be carried over.

<u>Years of Full Time Service</u>	<u>Vacation Leave Time</u>
1-3 years	40 hours per year
4-6 years	80 hours per year
Over 6 years	120 hours per year

2. Vacation leave is to be scheduled with consent of the department supervisor. Efforts will be made to accommodate the preference of the employee in vacation scheduling, but first priority will be the orderly functioning of affected office/departments. Upon separation from employment, unused vacation leave up to the maximum allowed accrual will be compensated by lump-sum payment at the then-current hourly or daily rate.

B. Paid Time Off (PTO) Policy

Personal Time Off (PTO) provides an employee with more flexibility to use his/her time off to meet personal needs, while recognizing an employee's individual responsibility to manage such absences. PTO accrues as the employee works. Employees will not accrue PTO while on an unpaid leave of absence or under suspension of any kind.

1. Accrual Schedule for Full-Time Employees

Employees are eligible for Personal Paid Leave if they are a regular full-time employee pursuant to this policy and have completed one (1) year of employment with SPOT. PTO becomes available on the employees' hire-date anniversary each calendar year. Employees receive sixteen (16) hours of Personal Time Off (PTO) per year, commencing one year from their hire-date.

Although an employee may carry over unused PTO time from year to year, there is a cap on the amount of PTO time each employee can accumulate of forty (40) hours. This encourages employees to use PTO and allows the entity to manage its financial obligations responsibly. Once an employee reaches his/her cap, he/she will not accumulate any more PTO until use causes the balance to drop below the

cap. After a balance goes below the cap, the employee will begin accruing PTO again.

2. Termination

Employees will be paid for all accrued PTO, subject to authorized deductions, when they leave employment with SPOT.

3. Notice and Scheduling:

PTO is to be scheduled with consent of the responsible supervisor. Efforts will be made to accommodate the preference of the employee in scheduling PTO for vacations, but first priority will be the orderly functioning of the affected office/department. There may be occasions, such as sudden illness, when an employee cannot notify his/her supervisor in advance as required. In those situations, employees must inform supervisors of their circumstances as soon as possible.

D. Holidays

Seven (7) official holidays are provided for full-time regular employees. Employees who have regular full-time active status on the date of any holiday shall receive compensation for that day even though they do not work. Holidays which fall on Saturdays shall be observed on the preceding Friday. Those which fall on Sunday shall be observed on the succeeding Monday. The holiday schedule may be changed at any time by the SPOT Board.

Employees who work on holidays shall be compensated at a rate of one and a half (1½) times the employee's regular rate of pay.

Recognized Holidays:

New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas

E. Bereavement Leave

Up to 3 days of paid leave of absence will be provided for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers and sisters, including in-laws). Employees have the right to use accrued vacation leave beyond the leave of absence allowed by this section.

F. Leaves of Absence

Up to 30 days of unpaid leave of absence can be granted by the responsible supervisor for any justifiable purpose. Paid leave in any amount or unpaid leave in excess of 30 days will require written approval of the Board.

G. Benefits for Temporary Employees

All temporary employees will receive benefits as required by law, including worker's compensation insurance. All other benefits are to be determined in the discretion of the Board.

H. Insurance Coverage Available to Employees

Health Insurance coverage is not available to employees.

I. Retirement Program Offering

SPOT participates in the retirement program of the Public Employees Retirement System of Idaho (PERSI) and with Social Security (FICA). PERSI requires SPOT to withhold a percentage of an employee's gross salary for pension purposes, and to contribute an additional larger amount on behalf of the employee. Contact the Administration Office for further information..

J. Miscellaneous Benefits

In addition to the benefits listed on the previous pages, the following are examples of miscellaneous benefits, subject to change in the sole discretion of the Board, that may be available to employees for participation in accordance with the terms of their respective policy or agreement:

1. Deferred compensation plans handled by payroll deduction.
2. Employee-requested deduction programs subject to approval.
3. Approved work related training reimbursement.

XIII. Family Medical Leave Act (FMLA)

A. Eligibility Requirements

To be eligible for FMLA benefits, prior to any leave request, the employee:

1. must have worked for SPOT for at least 12 months, which in some circumstances may include separate periods of employment with SPOT;
2. must have worked at least 1,250 hours for SPOT during the previous 12 months; and
3. SPOT must employ at least 50 employees within 75 miles of the employee's workplace.

B. Employees Not Eligible

Since SPOT does not employ at least 50 employees, FMLA DOES NOT apply to SPOT employees, and they are not entitled to 12 weeks of job-protected FMLA leave.

XIV. AMERICANS WITH DISABILITIES ACT

A. Eligibility

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) prohibit employers with 15 or more employees from discriminating against individuals with disabilities.

B. Reasonable Accommodation

SPOT will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job, unless:

1. doing so causes a direct threat to these individuals or others in the workplace, and the threat cannot be eliminated by reasonable accommodation; or
2. the accommodation creates an undue hardship to SPOT.

Employees should contact the Administration Office with any questions or requests for accommodation.

XV. IDAHO WHISTLEBLOWER PROTECTION

A. Scope

Idaho Code, Title 6, Chapter 21, provides protections to public employees who experience adverse employment actions as a result of the good faith reporting of the existence of any waste of public funds, property or manpower, or of a violation, or suspected violation, of law, rule or regulation of SPOT, state of Idaho or the United States of America.

B. Reporting

Any such report must be made at a time, and in a manner, which gives SPOT a reasonable opportunity to correct the waste or violation.

C. Protection

SPOT may not take adverse action against an employee because the employee in good faith reports the suspected waste or violation, or participates or gives information in an investigation, hearing, court proceeding or any other form of administrative review of the report.

D. Enforcement of Rights

If the employee believes that he/she has experienced an adverse employment action protected by the Whistleblower Act, he/she may bring a civil action in District Court within 180 days of the occurrence of the violation of the Act.

XVI. SEPARATION FROM EMPLOYMENT

A. Reductions in Force (RIF)

When financial circumstances or changes of workload require, SPOT may reduce forces in such manner as it deems necessary to maintain the effective functioning of SPOT services. Employee assignments may be affected by reductions in force made due to economic conditions or to changes in staffing and work needs. The Board may make any changes in the work force or assignment of resources deemed to be in SPOT's best interests.

B. Exit Interview

Each employee who terminates from employment is encouraged to participate in an exit interview with the designated representative of SPOT. In such interview, SPOT should notify the employee when certain benefits will terminate, and when final pay will be issued. The employee should be invited to inform the interviewer about his/her impressions of employment. An employee exit form may be completed and will be retained in the employee's personnel file.

C. Resignation Policy

1. Written and oral resignations are effective upon receipt by a supervisor, department head or the Board. Oral resignations should be immediately documented by the person receiving the resignation. Evidence of the written or oral resignation should be provided to the employee and placed in the employee's personnel file.
2. Employees who have unexcused or unauthorized absences of 3 or more working days in a row may be considered to have resigned through abandonment of his/her position. If an employee's words or actions indicate an intent to resign, including having an unexcused or unauthorized absence of 3 or more working days in a row, SPOT will consider the employee as having resigned and immediately notify him/her of such.

ADOPTED this ____ day of _____, 20____.

Board of _____ SPOT [Commissioners] [Trustees]:

Chair

Date

Board Member

Board Member

Attest: _____
Clerk

APPENDIX "A"

ACKNOWLEDGMENT OF RECEIPT OF the SPOT PERSONNEL POLICY

I, _____ acknowledge receipt of the _____
Personnel Policy, adopted on _____.

- ☐ I understand that it is my responsibility to read and review this Policy.
- ☐ I understand that I am an at-will employee of SPOT, that this Policy is not an employment contract, that none of the provisions of this Policy can create a contract and that the Policy is not a guarantee of any particular length or term of employment.
- ☐ I understand that I am obligated to perform my duties of employment in conformance with the provisions of this Personnel Policy I and any additional rules, regulations, policies or procedures imposed by the office/department in which I work whether or not I choose to read the new Policy.
- ☐ I understand that this Policy may be modified without prior notice to me.
- ☐ I understand that should this Policy be modified that I will be provided with a copy of the modifications.
- ☐ I understand that this Policy may be provided to me in either paper format or by electronic access.

DATED this _____ day of _____, 20____.

(Employee)

I, _____, provided a copy (either electronically or by paper) of the [Snake River] SPOT Personnel Policy, as adopted by the Board of SPOT [Commissioners] [Trustees] on _____ to _____, on this _____ day of _____, 20 ____.

(Name - Title - Office/department)