



Selkirks-Pend Oreille Transit Authority

Public Notice of Regular Board Meeting Agenda

11:00 am, Thursday, December 16, 2021, SPOT Office

31656 Hwy 200, Suite 102. Ponderay, ID

Zoom Meeting ID: 851 3846 2063

Passcode: 147100

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 November 18, 2021 regular meeting.
4. Financial Reports
 - a. Action Item: Accept Financial Reports for November 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. Action Item: Update Resolution 03 - Prepayment of Certain Vendors
 - b. Action Item: Surplus Property Declaration
 - c. Action Item: Consider changes to Personnel Policy
 - d. Action Item: Consider Christmas Bonus for employees
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
November 18, 2021**

NANCY LEWIS CALLED THE MEETING TO ORDER AT 11:00 A.M.

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

Absent: Wally Cossairt

Public Comment Period: No public present.

MINUTES: Approve minutes of the October 21, 2021 regular meeting as presented.

Motion to Approve: Gary Kunzeman/ Clif Warren. All in favor. Approved

FINANCIAL REPORTS:

- A. Accept Financial Reports for October. The Finance Committee reviewed the financial reports. Boundary County operating costs for October were higher than usual due to the Boundary driver taking time off. Route was handled by Sandpoint drivers and we had to pay for travel time and additional fuel to commute back and forth while he was gone.

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

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

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

STAFF REPORTS:

Ridership: David Sims reported that ridership was up 11% overall from same period last year.

Operations: The Mountain Route will start next Friday. Schweitzer is making snow and will open for season passholders only for the first few weeks. Still having issues with Mountain buses. The CRP training scheduled for last Saturday had to be cancelled due to the instructor's son testing positive for COVID. It has been rescheduled with a new instructor. The delivery date for the new Mountain bus keeps getting pushed out, now January 2022 or later. The new route buses (2 route buses and one for Boundary County) are ready to order from Washington. The Boundary County bus should arrive around May 1, 2022 and the route buses around June 30, 2022. The ITD PSA is ready to go out in the paper. SPOT bus services were featured in the winter issue of the Sandpoint Magazine. The 5311 and 5339 grant applications for coming years have been submitted. Currently we do not have any drivers out with COVID. All drivers that had COVID have returned and are okay. Training a new route driver. Snedden to confirm whether the lost and found coin needs to be declared surplus asset. If it is, we will need to declare as surplus and conduct a sealed bid auction, with a minimum bid.

COMMITTEE REPORTS:

- A. Boundary County Service Development Committee:** Nothing to report

- B. Finance Committee Update:** Zale Palmer reported we are under budget for the first month of this fiscal year. This year's budget was built allowing for increased fuel and labor costs. The committee discussing running the fuel costs through the CARES Act funds. ITD is now requiring monthly waivers when our actual costs for the month exceed the average monthly rate of spend.

ACTION & DISCUSSION ITEMS:

- A. Consider driver wages.** David feels that our current driver rates are okay. Not recommending any changes at this time.
No action taken.

- B. Mountain Route operations and contract approval.** We have the new contract with Schweitzer for the 2021-2022 ski season. It is similar to the prior year contract with the exception of adding the extra shifts. Match fee was raised from \$65,000 to \$75,000. The contract still contains a clause that operations can be cancelled by either party due to COVID conditions.
Motion to approve the 2021-2022 Schweitzer Agreement. Clif Warren/ Gary Kunzeman. Approved.

COMMENTS FROM THE CHAIR AND BOARD MEMBERS: None

Meeting adjourned 11:24 a.m.

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

ASSETS	Bonner County	Boundary County	Van Pool	Total
Current Assets				
Checking/Savings	338,675.98	24,365.19	4,413.69	367,454.86
Accounts Receivable	132,158.14	731.85	0.00	132,889.99
Grant Funds Receivable	90,832.86	6,861.52	0.00	97,694.38
Total Other Current Assets	33,052.41	1,723.08	0.00	34,775.49
Total Current Assets	594,719.39	33,681.64	4,413.69	632,814.72
Total Fixed Assets	1,078,240.01	72,360.37	0.00	1,150,600.38
TOTAL ASSETS	1,672,959.40	106,042.01	4,413.69	1,783,415.10
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities	36,785.55	1,579.35	0.00	38,364.90
Equity	1,636,173.85	104,462.66	4,413.69	1,745,050.20
TOTAL LIABILITIES & EQUITY	1,672,959.40	106,042.01	4,413.69	1,783,415.10

05:36 PM
 12/10/21
 Accrual Basis

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

	Bonner County		Boundary County		Mountain Route		Van Pool		Total	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Total Income	37,251.14	45,311.20	4,495.85	4,568.23	86,387.00	11,221.25	0.00	0.00	128,133.99	61,100.68
Expenses:										
Administration	11,821.86	17,653.96	225.41	1,609.78	2,197.13	2,428.40	0.00	0.00	14,244.40	21,692.14
Operations	32,706.46	38,318.94	3,535.25	2,791.23	5,954.13	16,022.32	0.00	0.00	42,195.84	57,132.49
Preventative Maintenance	4,129.95	5,389.29	191.00	469.29	2,792.74	0.00	0.00	0.00	7,113.69	5,858.58
Total Expenses	48,658.27	61,362.19	3,951.66	4,870.30	10,944.00	18,450.72	0.00	0.00	63,553.93	84,683.21
Net Ordinary Income	-11,407.13	-16,050.99	544.19	-302.07	75,443.00	-7,229.47	0.00	0.00	64,580.06	-23,582.53
Other Income/Expense	14.00	-3,499.58	0.00	0.00	0.00	0.00	0.00	0.00	14.00	-3,499.58
Net Income	-11,393.13	-19,550.57	544.19	-302.07	75,443.00	-7,229.47	0.00	0.00	64,594.06	-27,082.11

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

	Bonner County		Boundary County		Mountain Route		Van Pool		Total	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Total Income	220,058.93	227,284.42	20,390.17	21,190.84	91,021.11	423,629.01	0.00	0.00	331,470.21	672,104.27
Expenses:										
Administration	20,314.76	29,507.78	469.59	2,234.60	3,739.68	3,618.10	0.00	0.00	24,524.03	35,360.48
Operations	69,746.61	79,640.28	8,076.04	5,977.99	7,835.43	18,536.57	0.00	0.00	85,658.08	104,154.84
Preventative Maintenance	10,054.62	11,458.57	197.26	1,438.54	5,402.67	15.00	0.00	0.00	15,654.55	12,912.11
Total Expenses	100,115.99	120,606.63	8,742.89	9,651.13	16,977.78	22,169.67	0.00	0.00	125,836.66	152,427.43
Net Ordinary Income	119,942.94	106,677.79	11,647.28	11,539.71	74,043.33	401,459.34	0.00	0.00	205,633.55	519,676.84
Other Income/Expense	25.04	-6,999.20	0.00	0.00	0.00	-335,000.00	0.00	0.00	25.04	-341,999.20
Net Income	119,967.98	99,678.59	11,647.28	11,539.71	74,043.33	66,459.34	0.00	0.00	205,658.59	177,677.64

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Selkirks-Pend Oreille Transit Authority
Unpaid Bills Detail
As of December 9, 2021

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Open Balance</u>
Elite Tire & Suspension			
Bill	11/30/2021	123002	60.00
Bill	12/01/2021	123014	120.00
Total Elite Tire & Suspension			180.00
KG&T Septic, Inc.			
Bill	11/12/2021	24931	130.00
Total KG&T Septic, Inc.			130.00
RWC Group			
Bill	11/12/2021	XA106021584	53.74
Total RWC Group			53.74
SHL CPAs PLLC (Anderson Bros)			
Bill	11/30/2021	5982	2,726.25
Total SHL CPAs PLLC (Anderson Bros)			2,726.25
Spokane Testing Solutions			
Bill	11/30/2021	10430	275.00
Total Spokane Testing Solutions			275.00
TOTAL			3,364.99

Selkirks-Pend Oreille Transit Authority
Paid Bills Detail
As of November 29, 2021

	<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Open Balance</u>
Brown's Northside Machine & Gear, Inc.				
	Bill	11/17/2021	W 46097	367.63
Total Brown's Northside Machine & Gear, Inc.				<u>367.63</u>
Coleman Oil				
	Bill	11/14/2021	CL19783	1,769.36
	Bill	11/21/2021	CL21302	1,582.95
	Bill	11/28/2021	CL22070	2,316.05
Total Coleman Oil				<u>5,668.36</u>
Les Schwab				
	Bill	11/18/2021	10800655378	719.40
	Bill	11/24/2021	10800656905	721.40
	Bill	11/26/2021	10800657307	149.94
Total Les Schwab				<u>1,590.74</u>
Mike White Ford of Sandpoint				
	Bill	11/11/2021	20788	217.82
	Bill	11/17/2021	20952	63.99
	Bill	11/24/2021	21099	37.83
Total Mike White Ford of Sandpoint				<u>319.64</u>
Napa Auto Parts				
	Bill	11/16/2021	061953	6.10
Total Napa Auto Parts				<u>6.10</u>
Pressure Clean Services, Inc.				
	Bill	11/21/2021	15476	160.00
	Bill	11/26/2021	15497	80.00
Total Pressure Clean Services, Inc.				<u>240.00</u>
R&L Property Management				
	Bill	11/19/2021	Rent 1/22-6/22	3,030.00
Total R&L Property Management				<u>3,030.00</u>
Verizon Wireless				
	Bill	11/13/2021	9892790862	244.88
Total Verizon Wireless				<u>244.88</u>
ZiPLY Fiber				
	Bill	11/22/2021		163.42
Total ZiPLY Fiber				<u>163.42</u>
ZiPLY Fiber - BF				
	Bill	11/13/2021		38.63
Total ZiPLY Fiber - BF				<u>38.63</u>
TOTAL				<u><u><u>11,669.40</u></u></u>

Selkirks-Pend Oreille Transit Authority
Paid Bills Detail
As of December 9, 2021

	<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Open Balance</u>
Brown's Northside Machine & Gear, Inc.				
	Bill	11/30/2021	S138386	136.76
Total Brown's Northside Machine & Gear, Inc.				<u>136.76</u>
Coleman Oil				
	Bill	11/30/2021	0610459	53.99
	Bill	11/30/2021	CL22480	363.56
	Bill	12/05/2021	CL26990	1,294.39
Total Coleman Oil				<u>1,711.94</u>
Dycks Oil & Auto				
	Bill	12/03/2021	49201	93.71
Total Dycks Oil & Auto				<u>93.71</u>
First Bankcard				
	Bill	11/29/2021		3,393.77
Total First Bankcard				<u>3,393.77</u>
Mike White Ford of Sandpoint				
	Bill	12/01/2021	21177	37.83
	Bill	12/08/2021	21286	37.83
Total Mike White Ford of Sandpoint				<u>75.66</u>
Mountain Ledgers				
	Bill	11/30/2021	5808	1,046.25
Total Mountain Ledgers				<u>1,046.25</u>
Napa Auto Parts				
	Bill	11/29/2021	063917	81.37
	Bill	11/30/2021	064080	47.94
	Bill	11/16/2021	061974	49.05
Total Napa Auto Parts				<u>178.36</u>
Pressure Clean Services, Inc.				
	Bill	12/04/2021	15516	338.00
Total Pressure Clean Services, Inc.				<u>338.00</u>
TOTAL				<u><u><u>6,974.45</u></u></u>



Account Number: 4988 6591 3592 5817
New Balance: \$3,393.77
Minimum Payment Due: \$67.87
Payment Due Date: **December 25, 2021**

2253 053962
 SELKIRKS PEND OREILLE TRA
 DAVID SIMS
 BOX 8
 31656 HIGHWAY 200
 PONDERAY ID 83852-9500

First National Bank of Omaha
 P.O. Box 2818
 Omaha, NE 68103-2818

Make checks payable to First National Bank of Omaha
 Amount of Payment Enclosed

\$

Change of Address? If yes, please complete reverse side.

4988659135925817 000000006787 000000339377

PLEASE DETACH HERE AND RETURN TOP PORTION WITH YOUR PAYMENT

Business Edition® Visa®

Account Number:
 4988 6591 3592 5817
 Page 001 of 002



Account Summary

Previous Balance \$4,909.38
 Payments -\$4,909.38
 Other Credits -\$437.88
 Purchases +\$3,831.65
 Balance Transfers +\$0.00
 Cash Advances +\$0.00
 Fees Charged +\$0.00
 Interest Charged +\$0.00
New Balance \$3,393.77

Statement Closing Date 11/29/21
 Days in Billing Cycle 32

Total Credit Limit \$10,000.00
 Available Credit \$6,606.00
 Cash Limit \$2,000.00
 Available Cash \$2,000.00



Payment Information

New Balance \$3,393.77
 Minimum Payment Due \$67.87
 Past Due Amount \$0.00
Payment Due Date December 25, 2021

Manage your business expenses with convenient online access.



- Make secure online payments
- Access current and historical statements, up to 7 years old
- Monitor monthly expenses

Login today to explore all the online possibilities!



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Call: Toll Free 1-800-819-4249

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Visit: www.card.fnbo.com

Remit to: First National Bank of Omaha, P.O. Box 2818, Omaha, NE 68103-2818

REWARDS SUMMARY

Earn reward points everyday you earn 5 points per \$1 spent on qualifying Business Expenses (up to \$25,000 during a period of 12 billing cycles. After \$25,000, earn 1 point per \$1 spent); 2 points per \$1 spent on qualifying Gas and Dining Purchases (up to \$25,000 during a period of 12 billing cycles. After \$25,000, earn 1 point per \$1 spent); and 1 point per \$1 spent on other purchases.

Regular points earned this month.....3,367
 Business Expense points earned this month.....135
 Gas and Dining points earned this month.....0
 Bonus points earned this month.....0
 Total points earned this month.....3,502
 Points redeemed this month.....0
 Current point balance.....98,734

Points expiring on your next statement closing date0

(Points earned expire on or after 3 years from the date they are awarded. To avoid expiring your points, please redeem them before your due date listed on this statement.)

Redeem your points for travel, gift cards, merchandise, cash back as a statement credit to the designated Account, an ACH deposit to any checking or savings account (ABA routing number required), or as a check sent to you by mail. You can redeem online 24/7 by accessing the Account at the web address listed above or by calling the Rewards Service Center at 888-801-7987 during hours of operation Monday through Friday, 8:00 a.m. to 11:00 p.m. Central Standard Time, and Saturday and Sunday, 8:00 a.m. to 4:30 p.m. Central Standard Time.



Transaction Detail

Trans Date	Post Date	Reference Number	Transaction Description	Credits (CR) and Debits
10-28	10-29	24692161301100285657950 7	SQ *COMPASS MECHANICAL RE gosq.com ID	\$380.70
11-01	11-02	24692161305100595413512 7	INDEED 203-564-2400 CT	\$262.33
11-02	11-03	24803941307920027044992 7	GOOGLE*GSUITE SPOTBUS. SUPPORT.GOOGLEA	\$12.00
11-03	11-04	24493981308207473200066	RWC INTERNATIONAL LTD SPOKANE WA	\$415.00
11-03	11-04	2449398130802697979724 7	RWC INTERNATIONAL LTD 602-307-1050 AZ	\$437.88

Access Granted

Enroll in **paperless statements** today and enjoy easy access to account statements and documentation history.



Account Number:
4988 6591 3592 5817
Page 002 of 002

Transaction Detail

Trans Date	Post Date	Reference Number	Transaction Description	Credits (CR) and Debits
11-04	11-05	74493981309026990373238 7	RWC INTERNATIONAL LTD PHOENIX AZ	\$437.88 (CR)
11-04	11-05	24692161308100568211502 7	AMZN Mktp US*QF1O56K13 Amzn.com/bill WA	\$19.99
11-04	11-05	24493981309026990389395 7	RWC INTERNATIONAL LTD 602-307-1050 AZ	\$312.70
11-10	11-10	24692161314100883388680 7	UNITY SCHOOL BUS PARTS 800-937-3906 MI	\$45.93
11-10	11-12	24492151314852971432258 7	PAYPAL *JJEBPRODUCT 402-935-7733 CA	\$129.10
11-10	11-12	24692161314100624677912 7	AMZN Mktp US*BD7KY2QH3 Amzn.com/bill WA	\$65.59
11-11	11-12	24493981316026951857563 7	RWC INTERNATIONAL LTD 602-307-1050 AZ	\$154.16
11-13	11-15	24011341317000034109952 2	ZOOM.US 888-799-9666 WWW.ZOOM.US CA	\$14.99
11-15	11-15	74418001319027555075272	PAYMENT - THANK YOU	\$4,909.38 (CR)
11-18	11-22	24692161323100489995143	THE HOME DEPOT 1810 PONDERAY ID	\$218.99
11-20	11-22	24692161324100538096991	SQ *CPR/ FIRST-AID TRAINI SandpointID	\$466.38
11-20	11-22	24717051324293240475845	THE CO OP COUNTRY STORE PONDERAY ID	\$8.14
11-20	11-22	24717051324293240675576	THE CO OP COUNTRY STORE PONDERAY ID	\$36.58
11-22	11-23	24717051326273260179160	THE CO OP COUNTRY STORE PONDERAY ID	\$6.39
11-23	11-24	24692161327100925127380	SQ *SAND CREEK CUSTOM WEA SandpointID	\$619.60
11-24	11-24	24692161328100206099885 7	AMZN Mktp US*Y03078OW3 Amzn.com/bill WA	\$16.88
11-24	11-26	24943011329010190086181	THE HOME DEPOT #1810 PONDERAY ID	\$168.04
11-24	11-26	24692161328100704429808 7	AMZN Mktp US*Z443F1CE3 Amzn.com/bill WA	\$40.28

Your **Annual Percentage Rate (APR)** is the annual interest rate on your account. (v) Variable Rate (f) Fixed Rate

Charge Summary	Annual Percentage Rate (APR)	Special Offer or Eligible Purchase APR Expiration Date	Balance Subject to Interest Rate	Days Rate Used	Interest Charge
Purchases	19.99% (v)	N/A	\$4,587.27	32	\$0.00
Cash Advance	25.24% (v)	N/A	\$0.00	32	\$0.00

2021 Total Year-to-Date

Total fees charged in 2021 \$39.00
Total interest charged in 2021 \$73.30

Additional Information Regarding Your Account

An Easier Way to Pay Your Bills!

Tired of writing checks and spending money on stamps every time you pay a bill? Pay your recurring monthly bills automatically with your credit card! No hassle. No forgetting to send a payment for phone, internet, even utilities. And, no worries about your payment being lost or intercepted in the mail. It's quick and convenient. Start paying your monthly bills with your credit card today!

To ensure accuracy, please print clearly using upper-case letters and numbers only.
Please do not use Red Ink, Gel pens or Pencil.

CHANGE OF ADDRESS, PHONE, OR E-MAIL

Address	_____
Apt/Bldg#	_____
City	_____
State, ZIP	_____
Home Phone	_____
Work Phone	_____
Cell Phone	_____
E-mail Address	_____

If you have a Credit Card for business purposes, and are requesting an address change, we may request additional information.

Payment Requirements: Payments must be (1) accompanied by the top portion of this billing statement; (2) received no later than 5:00 p.m. (Central Time) on the Payment Due Date at the location we have specified for receipt of your payment; (3) made only by one check or money order with the account number listed thereon if your payment is made by mail; (4) made in U.S. Dollars; and (5) sent in the enclosed envelope to the P.O. Box specified on the top of the front of this statement. If we accept a payment that does not comply with these requirements, there may be a delay in crediting your account, which may result in additional interest and fees. If your payment is returned unpaid by your bank for insufficient funds, we may re-present your check electronically. If you want to make a single payment on multiple accounts, please contact Commercial Card Customer Service for specific instructions.

Credit Limits: Only the "Cash Limit" portion of your Credit Limit is available for cash advances. "Available Credit" or "Available Cash" refers to the part of your Credit Limit or Cash Limit that was available as of this billing statement's closing date and may not reflect overlimit or credit balance amounts. We may raise or lower your Credit Limit and/or Cash Limit at any time and may restrict the amount that is available for Balance Transfers. After we credit a payment to your account, there may be a delay before it operates to restore your Available Credit or Available Cash. There may be a delay in restoring your Available Credit until we determine a payment is unlikely to be returned for insufficient funds or for some other reason. If an individual Credit Limit has not been established for an account by the Company, its authorized representative or the account owner, the Credit Limit disclosed on statements for any such account may disclose an amount up to the Credit Limit of the Company's account (which may not accurately reflect the actual Credit Limit available for the Company's account).

Errors, Questions and Charges Not Recognized:

- Merchants may bill under different names and/or locations. If possible, verify the dollar amount to a sales receipt.
- When returning merchandise through the mail, always request a returned receipt.
- Be sure to obtain a cancellation number when canceling lodging reservations.
- Regarding problems with goods or services, first attempt to resolve with the merchant.

Liability for Unauthorized Use: If you notice the loss or theft of your credit card or a possible unauthorized use of your card, you should write to us immediately at P.O. Box 3696 Omaha, NE 68103-0696 or the facsimile number 402-602-6098 or call us at 1-800-688-7070. If we issue less than ten cards: (1) You will not be liable for any unauthorized use that occurs after you notify us; (2) You may, however, be liable for unauthorized use that occurs before your notice to us; and (3) In any case, your liability will not exceed \$50. If we issue ten or more cards, the Company, its authorized representative and/or the account owner shall be liable for any and all unauthorized use thereof.

Information Provided to Credit Bureaus: Information about your account is periodically provided to one or more credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report. If you think any information regarding you or your account is inaccurate, write to us on a separate sheet at: P.O. Box 3412, Omaha, NE 68103-0412.

SPOT Agenda Item Summaries

Meeting Date: December 16, 2021

Agenda Item: 7A

From: Coleen Culwell

Topic: Update Resolution 03 - Prepayment of Certain Vendors

Background: Resolution 03 authorizing the prepayment of certain vendors needs to be updated for new vendors we are using, including Bonner General Health (drug testing collections), Elite Tire (tires), KG&T Septic (portable toilet), RWC Group (parts for the International mountain route buses).

Meeting Date: December 16, 2021

Agenda Item: 7B

From: David Sims

Topic: Surplus Property Declaration

Background: SPOT has at least one item that was found on the bus that we need to dispose of. Our attorney has advised us that we first need to declare the items surplus. We will have a list of items at the board meeting to declare surplus.

Meeting Date: December 16, 2021

Agenda Item: 7C

From: David Sims

Topic: Consider changes to Personnel Policy

Background: The board considered changes to the Personnel Policy at the July board meeting. One area that needed further work was the definition of a full time employee. Colleen has made suggested revisions to the policy to better define a full time employee, along with associated changes to the benefits section for board consideration. Attached is the latest draft of the policy, with the changes in yellow.

Meeting Date: December 16, 2021

Agenda Item: 7D

From: David Sims

Topic: Consider Christmas Bonus for employees

Background: Last year SPOT gave the employees a \$50 bonus instead of a \$25 gift card and dinner. We are recommending to the board that we do the same thing this year.

RESOLUTION 003 - AMENDED 2021-12-16

A RESOLUTION OF THE SELKIRKS PEND ORIELLE TRANSIT AUTHORITY OF THE STATE OF IDAHO; AUTHORIZING PREPAYMENT OF CERTAIN VENDORS

WHEREAS, certain vendors that provide services and/or goods the Selkirk Pend Oreille Transit Authority on a regular basis have a billing cycle that requires the bill to be paid prior to a regular council meeting; and

WHEREAS, payroll obligations also need to be paid prior to the first council meeting of the month; and

WHEREAS, it is the desire of the SPOT Authority Board to avoid payment of late fees and to timely meet the payroll obligations.

NOW THEREFORE, BE IT RESOLVED by the SPOT Authority Board, Bonner County, Idaho that the following pre-authorization for payment of certain bills be adopted:

1. The Accountant is authorized to pay the following vendors for the listed purposes by the due date on the bill and prior to submitting the bill to the SPOT Authority Board for approval:
 - 5th Avenue Car Wash
 - Bonner County Daily Bee
 - Bonner General Health
 - Brown's Northside
 - Clyde's Towing
 - Coleman Oil
 - Credit Cards
 - Dyck's Oil
 - Elite Tire & Suspension
 - Enterprise Car Rental
 - Golden West Mobility
 - Gription Tire Pros
 - KG&T Septic, Inc.
 - Les Schwab
 - Mike White Ford of Sandpoint
 - Mountain Ledgers
 - Napa Auto Parts
 - Pressure Clean Services
 - R & L Property Management
 - RWC Group
 - Snedden Law
 - Specialty Auto Glass
 - SpeedPro Imaging
 - Spokane Testing Solutions
 - Verizon Wireless
 - Zply Fiber

RESOLUTION 003 - AMENDED 2021-12-16

2. The Accountant shall submit the above bills to Board for ratification at the first Board meeting following the payment of the bill.

PASSED by Selkirks-Pend Oreille Transit Authority Board this 16th day of December 2021.

Attest:

Board President

Board Secretary



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

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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 average historical work week consisted of at least 30 hours are considered full-time regular employees. At the beginning of each calendar quarter, the actual hours worked for the previous 3 months will be totaled. If the result is 390 (30 hours * 13 weeks) or more hours, the employee will be classified as full-time regular for the next 3 months. Full-time regular employees are eligible for employee benefits provided by SPOT.

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2. Part-Time Regular Employees

Employees whose employment is sustained and continuing and whose typical historical work week consists of less than 30 hours on a regular basis are considered part-time regular employees. At the beginning of each calendar quarter, the actual hours worked for the previous 3 months will be totaled. If the result is less than 390 (30 hours * 13 weeks) hours, the employee will be classified as part-time regular for the next 3 months. 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, are not eligible for employee benefits provided by SPOT, but may qualify for participation in PERSI.

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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 **previous** 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

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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.

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.

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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.~~ ~~Regular full-time status will be determined as discussed in Section X.B.1. Each full-time employee will accrue 4 PTO hours for each full-time quarter worked.~~ Employees receive sixteen (16) hours of Personal Time Off (PTO) per year, commencing one year from their hire-date.

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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, ~~if it falls on a day they are regularly scheduled to work,~~ even though they do not work. ~~Holidays which fall on Saturdays shall be observed on the preceding Friday.~~

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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.

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

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Recognized Holidays:
New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day,
Thanksgiving Day, Christmas Day.

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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]:

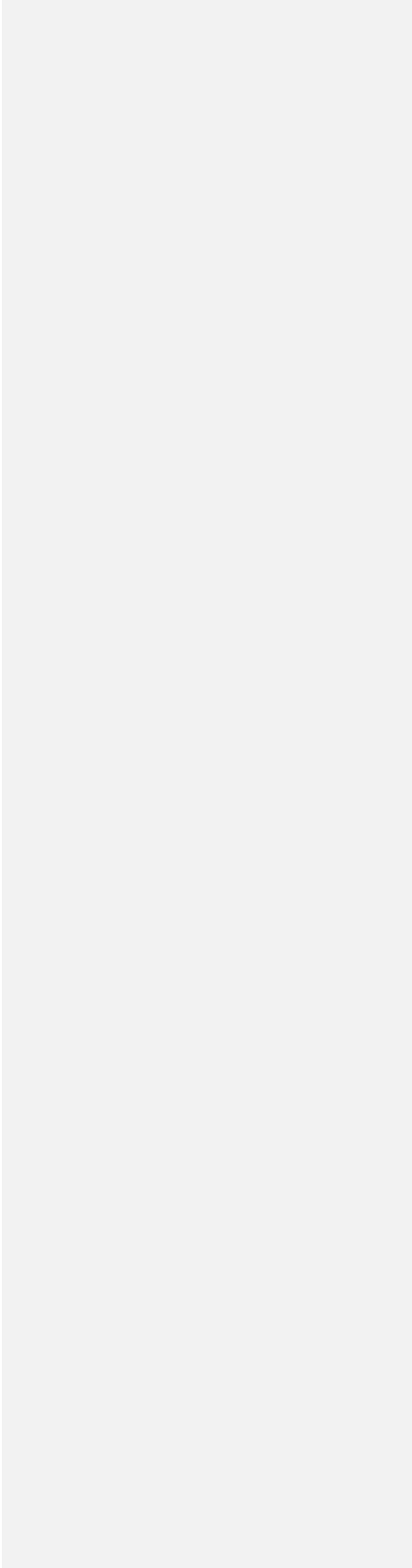
Chair

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)

