

WEST DAKOTA WATER DEVELOPMENT DISTRICT

Policy and Procedure Manual

May 21, 2014

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POLICY 1: POLICY REVIEW

This manual is subject to review by the Board. Revisions, substitutions and additions may be incorporated at any meeting of the Board. Prior notification of modifications will be announced in the “Notice of Meeting” document. All policies shall be dated stamped on origin with notations of amendments or deletions. {Initial Approval – May 21, 2014}

POLICY 2: PURPOSE AND OBJECTIVES OF POLICIES

The purpose of this manual is to provide West Dakota Water Development District, hereinafter known as the “District,” the manager and the Board of Directors, hereinafter known as the “Board,” with a systematic approach to administer policies. Provisions of this manual apply to all District Directors and employee(s) or contractor. It should serve as a permanent reference and working guide for the manager, and the Board in the day-to-day administration of District policies. {Initial Approval - May 21, 2014}

POLICY 3: SUPPORT FOR WATER PROJECTS

The Board of the District may provide technical and/or financial assistance, cooperate or contract with any individual, state, or subdivision thereof, federal agency, or private or public corporation to carry out the intent and purposes of Chapters 46A-3A to 46A-3E, inclusive, of South Dakota Codified Law. {Initial Approval - May 21, 2014}

POLICY 4: CONTRACTS

All contracts between the District and another party, or parties, must be authorized and approved by the District Board, with the following three exceptions:

1. The contractor or employee is authorized to sign contracts related to the day-to-day operation of the District office that have obtained approval from the District Board;
2. The contractor or employee is authorized to sign contracts pertaining to necessary travel expenses for the execution of activities supported by the Board; and:
3. The contractor or employee, with approval of the Board Chairperson or from the Board, is authorized to sign contracts pertaining to necessary travel and material expenses for which the District shall be fully and completely reimbursed. In these instances, the total value of travel and material expenses may not exceed \$1,000.

Contract means all forms of binding agreements between the District and any individual, state, or subdivision thereof, federal agency, or private or public corporation. May include, but is not limited to, documents otherwise referred to as Letters of Agreement, Memorandums of Understanding, General Agreements, or Activity Provider Agreements.

Any contracts of a form that has not previously been so examined shall be reviewed and approved by the Board. {Initial Approval - May 21, 2014}

POLICY 5: BOARD MEETING MINUTES

Minutes provide a memorialized chronology of key information such as board actions, elections of officers or directors, and certain reports from committees and staff. Additionally, meeting minutes can have important legal significance in an IRS examination and as evidence in courts if, for example, someone challenges the validity of certain actions or positions. Anyone reading an organization's minutes should be able to easily understand, at a minimum, what actions were taken and how they were approved.

Content

There is no hard and fast rule regarding the level of detail to be included in minutes. Organizations are not required to, nor should they, record every detail or statement said at the meeting. However, there should be enough information to make the minutes useful should they ever be used for reference or offered as evidence that an action was properly taken or that directors fulfilled their fiduciary duties. Boards tasked with recording or approving the minutes should use their best judgment about the degree of specificity provided in the minutes. Board minutes should include basic information such as:

- Date and time of meeting;
- Whether the meeting is a special or regular meeting;
- Whether notice was given or a waiver of notice signed by all directors;
- Names of directors in attendance and directors not in attendance;
- Names of other guests (presenters or individuals in attendance and their titles or associations, if relevant);
- Key points or comments
- Whether a quorum was established;
- Any departures and re-entries of attendees; and
- Any board actions (e.g., Resolutions, Motions and payment of bills).

Suggestions

- Include alternatives considered for important decisions to show diligence and reasonable care;
- Attach and briefly summarize key points from any reports given to the board (so long as they may not be misconstrued to be prejudicial to the organization or to the board);
- Know what vote is required by your bylaws (e.g., majority, supermajority) for certain actions and clearly indicate if such a vote was reached;
- Record recusals from discussions and abstentions from voting;
- Include those votes that were against a motion; and
- Include action items, what people commit to do.

{Initial Approval - May 21, 2014}

POLICY 6: REPRESENTING THE BOARD AT PUBLIC MEETINGS

If a Director or Contractor is representing the WDWDD at meeting or other similar function, they will represent the board based upon decisions or policy made by the board. If they voice their opinion, they must distinguish that this representation is not a position or decision of the board,

but their own. The most appropriate action is to bring a question raised back to the board to render a decision. {Initial Approval - May 21, 2014}

POLICY 7: POLITICAL ACTIVITY

Lobbying on behalf of the District is limited to those persons so designated by the Board and activities must be restricted to water and related land resource issues and must be strictly non-partisan. Other political activity shall be restricted to points 1, 2 and 3 as provided below. Failure to comply with these provisions may result in immediate termination of the contract from District.

Any contractor or employee of District may seek any political office while employed by District, provided:

1. That said contractor or employee not seek any political office or actively campaign for any political office until after having submitted, in writing to the Board, his/her intention to seek a political office. The contractor or employee shall provide written notification to the Board of the intent of any contractor or employee to seek political office;
2. That said contractor or employee never campaign in any manner whatsoever during hours of employment; and
3. That it is mandatory that said contractor or employee take a leave of absence (without pay) for no less than thirty (30) nor no more than forty-five (45) days prior to any election for a position that would require the termination of said employee's employment if he/she is successful in the election. {Initial Approval - May 21, 2014}

POLICY 8: ETHICS

Public Service is a public trust. Each Director, contractor, or employee has a responsibility to the citizens to place loyalty to the constitutions, laws and ethical principles above private gain. Each Director, contractor, or employee shall respect and adhere to the principles of ethical conduct set forth in this section. Where a situation is not covered by the standards set forth in this part, Directors, contractors, or employees shall apply the principles set for this section in determining whether their conduct is proper. Directors, contractors, or employees shall:

1. Not hold financial interests that conflict with the conscientious performance of duty;
2. Not engage in financial transactions using nonpublic information or allow use of such information to further any interest;
3. Not solicit or accept any gift or money from any person or entity seeking action from, doing business with, or conducting activities by the District, or whose interests may be affected by the performance or nonperformance of their duties;
4. Not make unauthorized commitments or promises of any kind purporting to bind the District;
5. Act impartially and not give preferential treatment to any organization or individual;
6. Protect and conserve District property and shall not use it for other than authorized activities;

7. Report any fraud, waste abuse or corruption to the Board Chairperson or Vice Chairperson; and
8. Will adhere to all laws and regulations that provide protection for all Americans regardless of race, color, religion, sex, national origin, age or handicap.

{Initial Approval - May 21, 2014}

POLICY 9: AVAILABILITY OF PUBLIC RECORDS

Pursuant to South Dakota Codified Law (SDCL) Chapter 1-27, except as otherwise expressly provided by statute, all citizens of the District, and all other persons interested in the examination of public records as defined in SDCL 1-27-1.1, are hereby fully empowered and authorized to examine such public records maintained or held by the District. The District shall make all such records available for inspection during normal business hours at the District office, and shall allow for the copying of all such records unless prohibited by federal copyright law.

In order to be able to demonstrate compliance with the requirements of SDCL Chapter 1-27, the District requires that all requests for public information be in writing.

Public records may be inspected by any person as provided for by SDCL 1-27 subject to District supervision, but the records shall not leave the custody of the District.

Copies of public records shall be made by District personnel. Photocopied public records are subject to a fee of \$.25/page. Any person is entitled to 10 pages free of charge per request, up to a total of 100 free pages per year and \$2.00 for recordings. There is no charge for materials requested by state and federal agencies, counties, municipalities or other political subdivisions of the state. If a request for public records requires the dedication of staff time in excess of one hour, the requestor may be required to pay the cost of the staff time necessary for the location, assembly, or reproduction of the public records. Copies of public records or recordings shall be provided upon payment of any applicable fees.

As per SDCL 1-27-36, for any information request reasonably likely to involve a fee in excess of fifty dollars (\$50), the District shall provide an estimate of cost to the requestor prior to assembling the documents or records and the requestor shall confirm in writing his or her acceptance of the cost estimate and agreement to pay.

The District may exercise discretion to waive or reduce any fee required under this policy if the waiver or reduction of the fee would be in the public interest.

The District reserves the right to provide additional information relating to requested public records so as to provide the context necessary to fully describe, explain or interpret the requested information.

The District manager shall function as the public record officer with regard to all requests for public records. {Initial Approval - May 21, 2014}

POLICY 10: FRAUD POLICY

The Board of the District expects all Board members, employees, consultants, vendors, contractors and other parties that maintain a relationship with the District to act with integrity, due diligence, and in accordance with law in their duties and actions involving the District's activities. The Board is entrusted with public funds, and no one connected with the District shall do anything to erode that trust.

Fraud, financial improprieties, or irregularities include but are not limited to:

- Forgery or unauthorized alteration of any document or account belonging to the District.
Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
Misappropriation of funds, securities, supplies, or other assets.
- Impropriety in handling money or reporting financial transactions.
- Profiteering because of insider information of District information or activities.
Disclosure of confidential and/or proprietary information to outside parties.
- Acceptance or seeking of anything of material value, other than items used in the normal course of business from contractors, vendors, or persons providing services to the District.
- Destruction, removal, or inappropriate use of District records.
- Failure to provide financial records to authorized federal, state or local entities.
- Failure to cooperate fully with any financial auditors, investigators or law enforcement.
Other dishonest acts involving District monies or resources.

Fraud Prevention

In order to prevent fraud, the Board directs that a system of internal controls be followed that include but are not limited to the following:

- Segregation of Duties – Where possible, more than one (1) person will be involved in pieces of financial transactions. No one (1) person shall be responsible for an entire financial transaction. Payments – Payments shall be made only by checks, credit cards or bank transfers. No cash transactions shall be permitted. Check signers shall be approved annually by the Board. All checks shall have at least two (2) signatures except the contractor's account.
- Access to Checks – Physical and electronic access to checks and accounts shall be limited to those Directors or contractor with designated business functions.
- Capital Assets – The District office shall maintain updated lists of system capital assets.
Training – Contractor shall be responsible for ensuring that employees under his/her supervision receive training regarding fraud prevention.

The contractor or employee shall be responsible to develop and implement internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the District, subject to review and approval by the Board. The contractor or employee is responsible to be alert to any indication of fraud, financial impropriety, or irregularity within their area of responsibility to the chairperson or vice chairperson.

The contractor or employee shall recommend to the Board for its approval completion of an audit when it is deemed necessary and beneficial to the District.

Reporting

The Director, contractor or employee who suspects fraud, impropriety, or irregularity shall

immediately report his/her suspicions to the Board. A Director, contractor or employee who brings forth a legitimate concern or suspicion about a potential impropriety shall not be retaliated against. Those who do retaliate against such a contractor or employee shall be subject to disciplinary action.

Investigation

The contractor or employee shall inform the Board or designated committee of the Board, of the intent to conduct an investigation of reported or identified fraudulent activity. The contractor or employee and designated members of the Board, shall have primary responsibility for conducting necessary investigations of reported fraudulent activity. Based on his/her judgment, the contractor or employee shall coordinate investigative efforts with the: District auditor, insurance agents, attorneys, external agencies, or law enforcement officials.

If the contractor or employee is involved in the complaint, the Board Chairman is authorized to initiate investigation of the complaint and coordinate the investigative efforts with individuals and agencies deemed appropriate.

If an investigation substantiates the occurrence of a fraudulent activity, the contractor or employee shall present a report to the Board. The Board shall determine the final disposition of the matter, if a criminal or civil complaint will be filed, and if the matter will be referred to the appropriate law enforcement and/or regulatory agency for independent investigation. If warranted, the appropriate authorities are to be notified, pursuant to state law, when cases of fraud, embezzlement or theft have been identified.

Records shall be maintained for use in an investigation. Individuals found to have altered or destroyed records shall be subject to law enforcement investigation.

Confidentiality

The contractor or employee shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the individuals and facts. All Board Members, contractor or employee involved in the investigation are required to maintain confidentiality regarding all information about the matter during the investigation. Result of an investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know.

{Initial Approval - May 21, 2014}

POLICY 11: DIRECTORS FEES AND EXPENSES

It is the responsibility of members of the District Board to attend all regular and special board meetings. Each director attending the regular Board meetings, or special meetings as called by the Chair, shall receive a director's fee of \$100.00 (taxes will be extracted from payment or it will be responsibility to report and pay taxes).

Directors travel vouchers shall be completed monthly and turned in to the treasurer at the regular meeting.

In case of apparent inconsistencies with this board operating policy, the manager shall first seek

clarifications from the individual director involved. The treasurer shall report to the board chairperson any unresolved inconsistencies within the provision of this policy. The board chairperson shall present to the board at the next regular meeting with a suggested resolution.

{Initial Approval - May 21, 2014}

POLICY 12: TRAVEL EXPENSE REIMBURSEMENT

Travel is a necessary part of many activities of the District. District employees (*note – board does not have employee at this time. Contractors per diem covered in contract*) or board directors may be required to travel away from the main office, or their home in the case of directors, at various times and for extended periods. When traveling on behalf of the District, necessary and reasonable travel-related expenses will be reimbursed to the employee or director upon receipt of required documentation as described below.

Travel reimbursements to meetings or conferences, in or out-of-state, are subject to Board approval. It is the responsibility of the employee or Director to request travel as far in advance as possible. Since the board meets by-monthly, the Board Chairperson may approve travel in-state if it is less than \$250.00.

The most direct route shall be traveled. Any additional travel for personal convenience while en route, which interrupts the direct travel route, shall be at the expense of the individual.

Travel reimbursement guidelines are established by the Board in order to provide reimbursement under an accountable plan as defined by the United States Internal Revenue Service (IRS). All travel reimbursement requests should include time and place of travel and the business purpose of the trip. An accountable plan requires the traveler to meet all of the following requirements. They must:

1. Have paid or incurred allowable expenses while performing services as your employees,
2. Provide document receipts for travel expenses with reimbursement. If receipts are not provided, reimbursement will not be paid,
3. Adequately account to the District for these expenses within a reasonable period of time, and
4. Return any excess reimbursement or allowance within a reasonable period of time.

Mileage

When a private vehicle is used for transportation on District business, mileage will be reimbursement at a rate approved by the State of South Dakota. For directors, the point of origin for all travel shall be the director's residence. For District staff, the point of origin for all travel shall be the District office. Trip mileage shall be reported on expense vouchers. Prior approval is required for deviation from this policy. Under IRS travel rules, mileage reimbursement is an allowable travel expense so long as the District rate is equal to, or less than, the current federal rate. Any portion of the reimbursement rate above the federal rate is subject to taxation.

Meals

Under IRS travel rules, meals are an allowable travel expense only if the trip takes substantially longer than an ordinary days' work and one needs to get sleep or rest to meet the

demands of the work while away from home. The travel rules allow the use of per diems to reimburse meals and incidentals in lieu of turning in actual receipts.

Directors and employees shall be provided a meal allowance when District travel takes them away from their point of origin. The meal allowance(s) shown below shall be paid in full (receipts are not required) whenever District travel occurs over the following time intervals:

<u>Meal</u>	<u>When Leaving</u> <u>Before</u>	<u>When</u> <u>Returning</u>
Breakfast	5:31 a.m.	7:59 a.m.
Lunch	11:31 a.m.	12:59 p.m.
Dinner	5:31 p.m.	7:59 p.m.

Meal allowances:

<u>Meal</u>	<u>Per diem</u>
Breakfast	\$approved rate
Lunch	\$approved rate
Dinner	<u>\$approved rate</u>
Total per day	\$approved rate

Higher rates, based on current federal rates, may be available based upon travel location or season of travel. The use of such higher rates requires prior approval by the District manager.

A meal allowance will not be provided for meals provided as part of District-paid meeting or conference registration.

Lodging

All effort should be made to keep lodging costs to a minimum. In most instances, in-state lodging can be obtained at reasonable rates, and should be limited to no more than current approved rate by the State of South Dakota plus tax. Out-of-state lodging should be limited to no more than current rate approved by the State of South Dakota plus tax per day. Receipts are required for all lodging reimbursement requests or for charges placed on District credits cards. In certain instances, deviation from the above listed limits may be necessary. Prior approval or ample justification after the fact by the Board Chairperson is required to exceed the listed limits on lodging costs.

{Initial Approval - May 21, 2014}

POLICY 13: DISTRICT BANK ACCOUNTS

The District general checking account will be located at bank as designated by the Board. There shall be two different, individual signatures required on checks written on this account. Authorized signatures shall include the chairman, vice chairman, treasurer and/or secretary of the Board.

A Money Market account shall also be established at a bank as designated by the Board, and shall be used as the depository account for District tax revenues. Other income such as interest payments, grant payments and reimbursements, etc. will also be deposited in this account. This account will allow interest to be earned on available funds until transferred to general checking.

Transfer of funds from the Money Market account to the general checking account may be made by the chairman, vice chairman, secretary and/or treasurer of the Board. No checks may be written on this account.

Upon action by the Board, other bank accounts may be established as needed to conduct the business of the District. Transfer of funds from these accounts to the general checking may be made by the chairman, vice chairman, secretary and/or treasurer of the Board.
{Initial Approval - May 21, 2014}

POLICY 14: USE OF DISTRICT CREDIT CARDS

In order to facilitate the timely execution of the activities of the District, the contractor or employee may obtain credit cards through banking institution approved by the Board for the manager's use. Use of the credit cards is restricted to District business.

Expenditures are limited to those authorized by the Board for the normal operation of the District office and to conduct District projects and activities. Prior approval must be obtained from the chairperson for any individual charges in excess of \$500. If the contractor or employee makes unauthorized or unapproved expenditures using the District credit cards may be held accountable for these charges. Further, unauthorized or unapproved use of the District credit cards may be considered grounds for discipline or dismissal.

Loss or destruction of a District credit card shall be immediately reported to the Chairperson and necessary corrective action taken promptly to protect the account.
{Initial Approval - May 21, 2014}

POLICY 15: AUTHORITY TO EMPLOY AND SUPERVISE PERSONNEL

The Board has the authority to hire and dismiss the District contractor or employee. The Board shall supervise and provide direction and guidance to the manager as needed. The Chairperson or Vice Chairperson of the Board, shall provide direction in developing meeting agenda and presentations to the board. This would include providing direction to the contractor or employee on directives issued by the board and the duties outlined in the policies of the Board.
{Initial Approval - May 21, 2014}

POLICY 16: SAFETY

The District recognizes the need for safety in order to stimulate efficiency, improve service, build employee morale, and promote better public relations.

The District is interested in the safety of the employee and contractor (contractor safety provisions are outlined in the contract) and will reasonably provide proper equipment and working conditions, will promote safety, and expects the individual employee will maintain safe work practices.

The District recognizes the fact that the human factor (the unsafe act) rather than the mechanical

factor is the most significant cause of accidents. Therefore, it is primarily the employee's responsibility to perform the job safely.

It is an essential part of the employee's responsibilities to develop safe work practices and to enforce them.

{Initial Approval - May 21, 2014}

POLICY 17: EQUAL EMPLOYMENT/ NON-DISCRIMINATION

It is a policy of the District to comply with all civil rights requirements of the federal government which include the following: to provide equal employment opportunities to all citizens irrespective of sex, religion, race, color, age, political affiliation and disability, unless the disability directly affects job performance. This policy applies to all aspects of employment, including but not limited to the following: recruitment, selection, placement, promotion, demotion, termination and rates of pay. The District will always endeavor to hire the best qualified applicant. The selection will be based on qualification, skills, and training. It is the intent of the District that employee or contractor will suffer no retribution or retaliation for having used or participated in the grievance procedure.

{Initial Approval - May 21, 2014}

POLICY 18: DRUG FREE WORKPLACE

It is the policy of the District to comply with all requirements of federal and state law regarding establishment of a drug free workplace for an employee or the contractor. To accomplish this, the following drug and alcohol abuse policy has been established:

The policy prohibits the unlawful manufacture, distribution, possession or use of a controlled substance by an employee or contractor in the workplace. If an employee or contractor is convicted of a violation of the criminal drug law or admits in court to a criminal drug law violation, or files a plea of nolo contendere to a criminal drug law charge, the employee or contractor will be subject to disciplinary action including termination. If any of the above noted actions occur and employment is not terminated, he/she may be required to satisfactorily participate in an approved drug abuse assistance or rehabilitation program as a condition of employment.

The District has established a "Smoke Free" environment for the District office and vehicles.

{Initial Approval - May 21, 2014}

POLICY 19: SEXUAL HARASSMENT

It is the policy of the District that all employee or contractor have a right to work in an environment that is free from sexual harassment. The District prohibits sexual harassment of its employee or contractor in any form.

Sexually harassing conduct in the workplace, whether committed by the manager or Director, is prohibited. This includes but is not limited to: repeated offensive sexual flirtation, advances,

propositions, continual or repeated verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; the display in the workplace of sexually suggestive objects or pictures; and improper touching.

An employee who has a complaint of sexual harassment in the workplace should (1) clearly inform the offender that his or her behavior is offensive or unwelcome and request that the behavior stop, and (2) document the charge by preparing, signing and dating a memo describing the incident and giving it to the Chairperson of the Board to be put in their personnel file. The accused will be given the opportunity to sign and date a memo describing their impression of the incident and have that memo included in their personnel file.

If the behavior continues, the employee should immediately bring the matter to the attention of the Chairperson of the Board, who will intern notify members of the Board.

If the alleged harassment involves any type of threat of physical harm to the victim, the alleged offender may be suspended with pay. During such suspension, an investigation will be conducted by the Board. If the investigation supports charges of sexual harassment, disciplinary action against the alleged offender will take place and may include termination or referral to the appropriate authority.

Employee or contractor can also place sexual harassment charges with the South Dakota Department of Commerce and Regulation, Division of Human Rights, c/o 700 Governors Drive, Pierre, SD 57501. {Initial Approval - May 21, 2014}

POLICY 20: GRIEVANCE PROCEDURE

The purpose of the grievance procedure is to provide a just and equitable method for the resolution of a grievance without discrimination, coercion, restraint or reprisal against any employee or Director who may submit or be involved in a grievance. A grievance is defined as "a complaint by an employee concerning the interpretation or application of the provisions of rules and regulations governing personnel practices or working conditions." For issues of harassment and/or discrimination, the complaint may be between two individuals. If the complaint pertains to the general level of wages, wage patterns, fringe benefits, or other broad areas of financial management and staffing, it is not an issue to be processed under this grievance policy.

Prior to the initiation of a formal grievance, the manager or Director are encouraged to discuss the issue(s) with the Chairperson of the Board in an attempt to resolve the problem informally. Even when such discussions are ongoing, however, the written grievance described below must be initiated within 30 calendar days of the date of the event or events causing the grievance. This 30-day requirement may be extended only if the parties agree. To be enforceable, such an agreement must be in writing.

Step 1 The manager or Director is to identify specifically the unresolved grievance by writing a letter to the Chairperson of the Board. The document will include the basis for the grievance, a specific description of conditions, facts, events, and circumstances upon which the grievance is based, the remedy sought, and the signature of the employee. The manager or Director shall send a copy to the Chairperson of the Board.

Step 2. Within seven (7) working days after receipt of the written grievance, the Chairperson of the Board will provide the employee or Director a written response to the grievance, with a copy to the Members of the Board. Should the Chairperson need additional time to investigate the complaint, the employee must be advised in writing of the date the written decision will be provided. If the grievance is resolved, no further action is required.

If the Chairperson of the Board does not respond within seven (7) working days and does not inform the employee that additional time is needed to investigate the grievance, the employee or Director can present the grievance in writing to the next level, the Board, within ten (10) working days from the date on which the decision was due. Should the employee fail to present the grievance within this time, the grievance will be considered terminated.

Step 3. If the employee or Director is not satisfied with the written response received from the Chairperson of the Board, the employee may request, in writing, review of the matter by the Board. A copy of the request shall be sent to the Board.

Step 4. Within ten (10) working days after receipt of the written grievance, the Board (who may designate an individual on the Board) will provide the employee or Director a written response to the grievance. The Board or designated individual on the Board may interview the employee and/or Director, review the documentation and speak with any other individuals they deem necessary to process the grievance. Following the investigation, the Board will render the final decision of the District in an executive session.

{Initial Approval - May 21, 2014}

POLICY 21: EMPLOYEE DISCIPLINE

Just causes for discipline or dismissal are listed below. Discipline or dismissal may however, be made for any other improper conduct or just cause whether listed below or not:

- The employee has been convicted of a felony which renders him/her unfit to perform the duties of his/her position;
- The employee has violated any of the provisions or regulation of this manual;
- The employee is intoxicated while on duty;
- The employee has been guilty of insubordination or of disgraceful conduct;
- The employee is incompetent or inefficient in the performance of the duties of his/her position;
- The employee is careless or negligent with moneys or other property of the District;
- The employee has used, threatened to use or attempted to use unreasonable personal influence or political influence in securing promotion, leave of absence, change in rate of pay, or change in character of work;
- The employee has taken for his/her personal use, from any person, any fee, gift, or other valuable thing, other than of nominal value, in the course of his/her work or in connection with it, when the gift or other valuable thing is given in the hope or expectation of receiving

- a favor or better treatment than accorded others;
- The employee has failed to maintain a satisfactory attendance record based upon the established working hours;
- The employee has made false statements of material fact during the application process;
- 11.
- The employee has violated any lawful official regulation or order or failed to obey any proper direction made and given by the Board;
- The employee has induced, or has attempt to induce a Director to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order.

Disciplinary action may include any of the following:

- Reprimand given orally or in writing;
- Failure to be recommended for pay increment;
- Reduction in compensation;
- Dismissal - the Board may dismiss an employee. Dismissal means the permanent involuntary separation of an employee from his/her position for cause.
{Initial Approval - May 21, 2014}

POLICY 22: VOLUNTARY TERMINATION

All employees are encouraged to provide a minimum of four (4) weeks notice of separation from service. {Initial Approval - May 21, 2014}

POLICY 23: NEPOTISM

The District shall not employ members of the immediate family of the Board in a full-time and/or permanent capacity. Immediate family means a person's spouse, parents, children, children's spouses, brother, sister, grandchildren, stepchildren, foster children, grandparents, stepparents, stepbrother, stepsister or legal guardian. {Initial Approval - May 21, 2014}

POLICY 24: LEGAL STATUS AND IDENTITY FOR HIRING

All new employee or contractor must complete an I-9 form when they are hired and must present District staff with documents establishing their identity and eligibility for employment.
{Initial Approval - May 21, 2014}

POLICY 25: HOURS OF BUSINESS

The office of the District shall be open to the public between the hours of 8:00 a.m. and 5:00 p.m. The District office may be closed over the noon hour, between 12:00 and 1:00 p.m. If regular District employee or contractor are not available during this time due to scheduling conflicts, the manager may arrange for temporary staff to keep the office open.

The manager may allow the office to be closed for short intervals during this period if providing temporary staff is deemed too costly.
{Initial Approval - May 21, 2014}

POLICY 26: EMPLOYEE BENEFITS

Are outlined in the Contract for the manager through RCAC.
{Initial Approval - May 21, 2014}

POLICY 27: STAFF PERFORMANCE EVALUATIONS

The purpose of the evaluation process is to aid in staff development and improvement, by enhancing strengths and providing a plan of improvement of identified needs.

Evaluation of the manager will be performed by the Board or a designated committee of the board annually in December. All formal evaluations will be completed with a written evaluation approved by the Board.

Each section of the evaluation form allows space for noting rationale for unusually high or low ratings for a particular subject area by the reviewer and individual being reviewed. Comments should clarify reasons for such ratings. The evaluator's suggestions for improvement and employee improvement objectives should also be noted.

The Chairman of the Board shall appoint a special Personnel Committee to review the manager. Before the formal evaluation of the manager, all Directors should fill out the evaluation form and provide their written evaluation to the Chairman of the Personnel Committee. The Personnel Committee Chairman will compile individual ratings into a composite rating representing the consensus of all members rather than individual opinions.

Both the evaluator and the staff member should sign the evaluation form upon completion of the formal evaluation process. The completed form will become part of District's personnel records. These records are not available for review by or released to unauthorized personnel. Each item on the evaluation form should be rated between 1 and 5 unless the evaluator has no basis for rating. In this case, the rating should be a 0. The ratings should be based on the following guidelines:

- 5 Exemplary; significantly exceeds normal standards and expectations; almost always true.
- 4 Commendable; exceeds normal standards; true a majority of the time.
- 3 Satisfactory; meets normal standards and expectations.
- 2 Deficient; needs improvement to meet standards; true some of the time.
- 1 Unsatisfactory; fails to meet standards; significant improvement required; almost never true.
- 0 Non-applicable; insufficient knowledge to rate.

{Initial Approval - May 21, 2014}

POLICY 28: USE OF DIRECTORATE TITLE AND DISTRICT LETTER HEAD STATIONARY

Directors may use their Directorate Title whenever they have permission from the Board of Directors or concerning a specific project or concern of the Board of Directors. They may also use their title whenever they are gathering information about any water related project or concern that could be of interest to the Board of Directors.

Directors may use West Dakota Water Development District letter head stationary any time they are working on behalf of the Board of Directors. They may also use the District letter head stationary for formal inquiries of assigned projects by the Board of Directors. Further, they may use the District letter head stationary to make inquiries of projects or concerns within their Area of Responsibility.

Directors may not use their title for any other reason except on a Business Card that must be purchased by the Director.

This policy also pertains to any employee or contractor of the board.

(Approved July 23, 2014)