



Personnel Policies

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CHAPTER 1: INTRODUCTION

1.1 PURPOSE OF PERSONNEL POLICIES

The Authority's personnel policies serve as general guidelines to the New Mexico Renewable Transmission Authority's ("Authority's") current employment practices and procedures. These guidelines are designed to:

- (a) Support the values of the Authority;
- (b) Support the Authority's commitment to base recruitment, selection, placement, promotion, retention, and separation of employees on employees' qualifications and abilities;
- (c) Provide an equitable system of personnel administration throughout the Authority; and
- (d) Ensure that personnel actions are in compliance with all applicable laws and regulations.

The purpose of these policies is to provide information as to how the Authority's personnel system operates and what is expected of an employee. Authority management will interpret and apply these guidelines; final decisions about interpretation and application of the policies rests with the Executive Director.

These personnel guidelines apply to all Authority employees. In the event that these policies conflict with any state or federal law or written agreement between the Authority and an employee, the terms of that law or agreement shall prevail.

The Authority Board has adopted these policies to guide the Authority's personnel practices, and the Executive Director has the authority to adopt administrative procedures to implement these policies. These policies may be changed, or exceptions may be made to them by the Authority Board or Executive Director, as authorized by the Authority, for any reason at any time to become effective upon ten days' notice to the affected Authority employees. In the event of the amendment of any ordinance, rule or law incorporated into these policies, or upon which these policies rely, these policies shall be deemed amended in conformance with those changes.

These guidelines are not intended to be a contract, express or implied, or any type of promise or guarantee of specific treatment by, or continued employment with,

the Authority. No supervisor, manager, or representative of the Authority, other than the Executive Director, has the authority to enter into any agreement with an employee for employment for any specified period.

The Executive Director may restructure or modify individual components within the Authority's standard employee benefits package, compensation plan or leaves of absence policies, not to exceed the value of the total compensation package as it would ordinarily be structured, to hire and retain employees in positions which are overtime-exempt under the Fair Labor Standards Act. Any such changes shall be made in writing.

1.2 DEFINITIONS OF EMPLOYMENT STATUS

The Authority has established the following definitions of employment status:

1. Regular full-time employee: Successfully completed probation period; regularly works forty (40) hours per week.
2. Regular part-time employee: Successfully completed probation period; regularly works at least twenty (20) hours per week but less than forty (40) hours per week.
3. Probation employee: Period of initial employment for employees hired into a regular full- or part-time position; normally lasts for up to six (6) months unless extended. Upon successful completion of probation period, employee will become either a regular full- or part-time employees.
4. Temporary: Employee serving for limited duration due to special projects, peak workloads, or emergencies; not usually eligible for employment benefits, except those as required by law. The Authority in its discretion may offer additional employment benefits.
5. Interim Capacity: Employee working in Regular Full/Part-Time position for limited duration due to special projects, peak workloads, emergencies, or while a competitive selection process is in progress;
6. Volunteers: Person providing services to the Authority in an unpaid capacity or for which they are paid a minimal level of reimbursement for costs or a minimal stipend; not eligible for any employment benefits except those as required by law.

CHAPTER 2: EMPLOYMENT

2.1 EQUAL EMPLOYMENT OPPORTUNITY

The Authority is an equal opportunity employer. The Authority employs, retains, promotes, terminates, and otherwise treats job applicants and employees on the basis of job-related qualifications and competencies. All employment applicants

and employees will be treated equally and without regard to ancestry, gender, race, color, religion, national origin, sexual orientation, gender identity, pregnancy, age, genetic information, marital status, spousal affiliation, Veteran's status, serious medical condition, or physical or mental disability. The Authority will provide reasonable accommodations to enable otherwise qualified individuals with a physical, mental disability or serious medical condition to compete for, and/or perform, the essential functions of a position.

The Authority aims to foster and maintain a non-discriminatory working environment for all employees. The Authority will not tolerate racial, ethnic, religious, or sexual slurs made by its employees. The Authority will also not tolerate demeaning comments made by any employee related to any protected class or disability. Such actions may be grounds for disciplinary action up to and including termination.

Any employee who feels he or she has been the subject of discriminatory treatment in violation of this policy should use the dispute resolution process described in Section 8.11, or bring it to the immediate attention of the Executive Director, unless the complaint is about the Executive Director, in which case the complaint should be referred to the Chair of the Board of Directors of the Authority.

2.2 RECRUITMENT AND SELECTION PROCESS

All recruiting and selection practices will be conducted solely on the basis of qualifications and competencies. Recruitment will be open to the general public at the discretion of the Executive Director. With the approval of the Executive Director, managers may hire employees to fill temporary positions or make interim capacity appointments, so long as all hiring processes comply with applicable state and federal laws.

Generally, notices of vacancies for positions will be posted on the Authority's website. Notices of vacancies will include, at a minimum, title, salary range,

essential job duties, minimum requirements, and instructions for prospective applicants.

The Authority may screen applicants to determine their qualifications and competencies. Such screening may include, but are not limited to: background checks, review of driving records, skills analysis and other pre-employment information which is relevant to the position being filled. An employment offer may be conditioned upon the successful completion of a medical examination, (which may include testing for the use of alcohol or other controlled substances) the purpose of which is to determine if the individual is physically able to perform the job and that his/her physical condition will not endanger the health, safety, or well-being of other employees or the public.

All offers of employment should be made in writing on behalf of the Executive Director or his/her designee. As the Authority is an at-will employer, no representative of the Authority other than the Executive Director has the authority to enter into any agreement, implied or explicit, with prospective employees for employment for any specified period.

2.3 PROBATION PERIOD

Upon hire, promotion, or transfer to a new position, employees enter a probation period that is an integral part of the Authority's selection and evaluation process. The purpose of the probation period is to give the supervisor time to evaluate whether the match between the employee and the job is appropriate. The usual probation period is six months from the employee's date of hire, promotion, or transfer, and upon approval by the Executive Director or his/her designee, it may be extended for up to an additional six (6) months. At the end of the probation period supervisors are required to prepare a written performance appraisal documenting satisfactory job performance before an employee becomes a regular full or part-time employee.

Employees who are promoted to a new position or are transferred to an equivalent position in a different division or department begin a new probation

period, effective on the date of promotion or transfer. If his/her job performance in the new position is unsatisfactory, the employee may be reinstated in their previous position or, at management's discretion, offered another Authority position. There is no guaranteed right of return to the employee's previous position or to another Authority position.

Nothing in this policy confers on an employee any property rights to their position or expectation of continued employment either in the probation period, or when they become a regular full or part-time employee.

2.4 SEPARATION AND REINSTATEMENT OF EMPLOYMENT

An employee wishing to leave the Authority in good standing shall submit a written letter of resignation to their supervisor at least two weeks prior to leaving. Employees shall have an exit interview with the Executive Director prior to the effective date of their resignation.

An employee who separates from the Authority in good standing for any other reason other than layoff has no assumed right to re-employment with the Authority; however, such an employee may be reinstated to a vacancy within one year of separation with or without participating in a competitive selection process at the discretion of the Executive Director and the reinstated employee will have some previous benefits restored, including sick leave in accordance with the law. The following shall also apply:

- The employee's new anniversary date is the previous anniversary date adjusted for the time during which the employee was not employed by the Authority.
- The requirement to serve a probation period will be waived if the employee is returning to the previous position held.

2.5 LAYOFFS

The Authority may make reductions in its workforce for lack of work, budgetary restrictions, changes in needed duties, reorganization of positions, or other organizational changes that make such reductions necessary. Employees who

are being laid off may request consideration for other vacant positions for which they are qualified, but they are not entitled to displace any current employee.

Generally, temporary employees performing similar work in the same department will be terminated before regular full- or part-time employees are laid off. This policy may be waived by the Executive Director for special circumstances. In addition, options such as reduced work schedules and job sharing may be explored to reduce the number of employees laid off.

Regular full- and part-time employees will be retained on the basis of job performance, and relative job performance will determine the order of layoff and recall.

2.6 ANTI-NEPOTISM

The employment of immediate family members or residents of households of Authority employees and elected officials is prohibited when any one of following conditions exists:

- One of parties would have authority or practical power to supervise, appoint, remove, or discipline the other;
- One party would be responsible for auditing the work of the other;
- One party would handle confidential material that creates improper or inappropriate access to that material by the other; or
- Other circumstances exist that might lead to potential conflict or the appearance of improper influence or favor between the interest of one or both parties and the best interests of the Authority.

If two employees become related or begin sharing the same household and, in the judgment of the Executive Director, the potential problems described above exist or could reasonably exist, only one of the employees will be permitted to remain employed by the Authority unless reasonable accommodations can be made to eliminate the potential problems.

2.7 PERSONNEL RECORDS AND EMPLOYMENT REFERENCES

All official records gathered or created during the term of employees' employment with the Authority are kept and maintained by the Executive Director. The Executive Director has the authority to determine to whom and under what circumstances access to them will be granted in compliance with applicable federal and state laws. A separate personnel file is maintained for each employee, and it generally contains information collected as part of the application process, payroll information, records related to training and job performance, and personnel actions affecting the employee.

Authority employees are permitted to inspect their personnel file. Current employees who want to inspect their personnel file must make an appointment with the Executive Director. The Executive Director will determine at what time and date an Authority staff member can meet with the employee while he employee reviews his/her personnel file. Authority employees may petition the employer to review the contents of his/her personnel file annually to remove any irrelevant or erroneous information. If an employee disagrees with the Authority's determination concerning removal of such information, the employee may place a rebuttal or correction statement in their personnel file. Former employees enjoy this right of rebuttal or correction for a period of two years after separation from Authority employment. Employees may not access personnel records other than those pertaining to themselves.

Personnel files are kept confidential to the maximum extent permitted by law. All requests for reference checks on current or former Authority employees will be handled by the Executive Director. The Authority will respond to routine request for verification of employment by confirming employee title and dates of employment only. The Authority reserves the right to use and disclose personnel information as appropriate and in compliance with all applicable laws, including the New Mexico Inspection of Public Records Act.

Medical information, and information related to on-the-job injuries, will be maintained in separate files which are not subject to review by employees.

References regarding Authority employees to potential new employers will only be released when the employee signs a reference release form.

CHAPTER 3: HOURS OF WORK AND CHILDREN IN THE WORKPLACE

3.1 HOURS OF WORK AND ALTERNATIVE WORK SCHEDULES

The Authority's standard workweek for full-time employees is 40 hours from 8:00 a.m. to 5:00 p.m., Monday through Friday. Flextime and alternative work schedules may be established to meet the needs of the Authority. Requests for alternative work schedules must clearly state the benefit to the Authority and be approved in writing by the Executive Director. Such schedules may include a compressed workweek, workday starting and ending times outside the standard work hours, telecommuting, or job-sharing. Occasional flextime or other changes to an employee's regular work schedule may be made with the approval of the employee's direct supervisor.

In the event of extenuating circumstances, special projects, time sensitive projects, or an emergency, employees may be required to work an alternative schedule to meet the needs of the Authority.

3.2 MEAL AND REST PERIODS

In the interests of maintaining employee health and fitness for duty, the Authority prescribes certain meal and rest periods in compliance with state law. For employees working an eight-hour day, meal periods are a minimum of sixty minutes to be taken no less than two hours after the work day begins or more than five hours from beginning of the work day. The duration and scheduling of meal periods, within these limits may vary upon the request of the employee or by the direction of the employee's supervisor to meet the Authority's needs. Meal periods are unpaid time for hourly employees.

Rest periods of fifteen minutes each for every four hours worked are to be taken as near as possible to the midpoint of the work period. Rest periods are paid time for hourly employees. Rest periods are neither cumulative, nor can they be used

to leave work early. The employee and the supervisor can determine the best times to take the meal period and rest periods.

Meal and rest periods for employees working less than an eight-hour day will be of sufficient duration to comply with state law.

3.3 CHILDREN IN THE WORKPLACE

The Authority values an atmosphere that fosters a healthy balance between workplace obligations and family issues; however, the Authority does not allow children of employees to be cared for at the workplace. The Authority cooperates with employees who need to meet family responsibilities by using breaks or lunch hours, or vacation or sick leave. The Authority understands that brief and infrequent visits by children of its employees occur for a variety of reasons; however, the frequent, regular or extended presence of children during work hours is not allowed.

CHAPTER 4: COMPENSATION PLAN

4.1 COMPENSATION PLAN

Each job title is assigned a salary, which is approved annually by the Authority Board through its budgeting process. Newly hired employees will be offered a salary that is commensurate with their qualifications and competencies and the prevailing market rate for similar work where applicable. The Authority currently does not have a traditional benefits program, and as such employee salaries are adjusted upwards to compensate for the lack of benefits.

Salaries are reviewed annually in conjunction with performance appraisals. Pay increases are contingent upon satisfactory job performance, although the Authority Board may grant an across-the-board pay adjustment from time to time, raising the salaries of all positions by a specified amount. If an employee is not performing satisfactorily at the time of his/her annual performance evaluation and salary review, the supervisor may choose to evaluate the employee's

performance again at a date prior to the next annual salary review and award a salary increase if the employee's job performance at that time warrants it.

4.2 OVERTIME

Only those employees in positions classified as non-exempt under the federal Fair Labor Standards Act are eligible for overtime payment at a rate of one-and-one-half hours for each overtime hour worked. Overtime is paid for employees who work more than forty hours in the same workweek (for most employees, the work week is defined as Monday – Sunday). Eligibility includes only time actually worked, not time paid but not worked such as vacation, holiday, or sick leave. Overtime is earned and paid at the rate of one and one-half times the employee's basic hourly rate.

Employees must have the prior approval of the Executive Director to work more than forty hours in a workweek. Employees who work overtime without authorization may be subject to disciplinary action. The Authority reserves the right to use flexible scheduling to avoid the accrual of overtime payments or compensatory time off.

4.3 ADMINISTRATIVE LEAVE

Employees in positions which are overtime-exempt under the Fair Labor Standards Act may need to work more than forty hours per week to fulfill their job responsibilities. In recognition of this, these employees may use administrative leave during normal working hours as appropriate and with prior approval of the Executive Director, or in the case of the Executive Director the Authority Board Chair.

4.4 UNEMPLOYMENT COMPENSATION

Unemployment compensation will be paid for employees who qualify for unemployment compensation as determined by the New Mexico Employment Security Division.

CHAPTER 5: TRAINING, DEVELOPMENT, AND RECOGNITION

5.1 TRAVEL AND MEETING EXPENSES

Employees must have prior approval from their supervisor to incur expenses related to official travel and off-site meetings. Reimbursement will be made for actual, reasonable, and prudent expenses actually incurred in connection with official travel and off-site meetings. There is no reimbursement for personal expenses, spouse's expenses, and entertainment, even if associated with official travel and off-site meetings. The Authority follows the State of New Mexico guidelines for reimbursing expenses.

5.2 TRAINING EXPENSES

The Authority supports the value of training to increase an employee's knowledge, skills, and abilities directly related to Authority employment, to obtain or maintain job-related licenses and certifications, and to develop staff resources. Employees are encouraged to identify appropriate training opportunities and discuss them with their supervisor. Within the limits of budgeted resources, the Authority will pay expenses associated with training opportunities.

5.3 TUITION REIMBURSEMENT

The Authority may pay for professional development expenses at a regionally accredited college, university or vocational training institute, dependent on the availability of budgeted funds and the approval of the Executive Director, or in the case of the Executive Director, the Authority Board Chair. Availability of funds will be limited to a maximum of twelve (12) credit hours per fiscal year. Eligibility requirements include:

- The employee's employment status is regular full- or part-time;
- Coursework is completed during non-work hours (an alternative schedule may be used); and
- The education is related to the employee's current position or one within a reasonable line of career progression with the Authority.

Reimbursement will include tuition, text books and registration fees dependent upon the employee receiving a "C" grade or better, for undergraduate courses and a "B" grade or better for graduate courses. Since the time spent by the employee attending classes is during non-work hours, it is not compensable time. If the employee separates from employment with the Authority prior to two years after completion of the coursework, he/she may be required to repay the associated reimbursement on a pro-rata basis.

Employees will pay up front for classes and on successful completion of the class employees will be reimbursed.

5.4 PERFORMANCE EVALUATIONS

The purpose of the performance evaluation process is to encourage professional growth in relation to the Authority's values, provide an opportunity for open dialogue between employees and their supervisor and to provide a record of the employee's job performance. Typically, full- and part-time employees receive a performance evaluation mid-way (3 months) through their probation period, and on the employee's anniversary date every year thereafter. However, an employee can request a performance evaluation or a supervisor can decide to do one at any time. A copy of the performance evaluation will be placed in the employee personnel file. The Authority will maintain criteria for the evaluation of the Executive Director, and the Executive Director will maintain criteria for the evaluation of all other employees, which shall be made available upon request.

A written performance evaluation documenting a satisfactory performance rating is required for an employee to receive a salary increase. An unsatisfactory job performance evaluation may lead to disciplinary action. While a temporary employee may not receive a performance evaluation as frequently as a regular status employee, it is required to support a wage increase, and it is recommended to be done also upon separation from employment.

5.5 EMPLOYEE RECOGNITION AND AWARD PROGRAMS

The Executive Director may at his/her option authorize the creation and implementation of formalized employee recognition and award programs that are designed to reward outstanding public service actions and/or cost-savings measures undertaken by the Authority's employees.

5.6 PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees, and affect the professional image that the Authority conveys to those persons who come in contact with the Authority. During business hours and at any Authority function, employees are expected to present a clean and neat appearance, and to dress according to the requirements of their positions and the function. Employees who appear for work inappropriately dressed may be sent home and directed to return to work in proper attire.

Examples of inappropriate attire include:

- Ripped, frayed or disheveled clothing or athletic wear
- Tight, revealing or otherwise workplace-inappropriate clothing
- Clothing deemed unsafe in specific work environments

Supervisors should communicate any job-specific workplace attire and grooming guidelines to employees. Any questions about the Authority's guidelines for attire should be discussed with an employee's supervisor.

The Authority recognizes the importance of individually held religious beliefs to persons within its workforce. Those requesting a workplace attire accommodation based on religious beliefs should contact the Executive Director.

CHAPTER 6: LEAVES

6.1 HOLIDAY LEAVE

Regular full- and part-time employees and employees still completing their probation period are entitled to eleven (11) official in accordance with the State of New Mexico's holiday schedule, which is currently as follows:

<u>HOLIDAY</u>	<u>DATE OBSERVED</u>
New Year's Day	January 1 st
Martin Luther King Day	3 rd Monday in January
Memorial Day	Last Monday in May
Juneteenth	June 19 th
Independence Day	July 4 th
Labor Day	1 st Monday in September

Indigenous Peoples' Day	2nd Monday in October
Veterans' Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Friday after Thanksgiving Day	Friday after Thanksgiving Day
Christmas Day	December 25 th

Regular status and probation period employees will be compensated at their regular rate of pay for the eleven holidays as long as they are in a paid status on the day prior to, and the day following, the holiday. Temporary and interim Authority employees are not compensated for holiday pay unless they actually work on the holiday in which event they are compensated at their regular rate of pay unless they are entitled to overtime pay (see Section 4.4).

Holiday pay for part-time employees will be pro-rated based upon regularly worked hours as follows, and temporary changes in an employee's regularly scheduled workweek shall not affect the employee's compensation for holidays.

- Employees regularly working 20 to 25 hours per week will be paid for four hours each holiday.
- Employees regularly working 26 to 35 hours per week will be paid for six hours each holiday.
- Employees regularly working 36 or more hours per week will be paid for eight hours each holiday.

Any holiday falling on a Sunday shall be observed the following Monday, and any holiday falling on a Saturday shall be observed the preceding Friday.

6.2 VACATION LEAVE

Unless additional vacation leave is provided for in a specific employment contract, regular full-time employees accrue vacation leave per the following schedule:

YEARS OF CONTINUOUS SERVICE	DAYS PER YEAR	HOURS PER PAY PERIOD
Date of hire through end of tenth year	15	5.0
Beginning of Eleventh year and beyond	20	6.67

Accrual for vacation leave for regular part-time employees will be pro-rated based upon regularly worked hours as follows, and temporary changes in an employee's regularly scheduled workweek shall not affect the employee's accrual of vacation leave.

- Employees regularly working 20 to 25 hours per week will accrue hours at the rate of 50% of regular full-time employees based on years of continuous service.
- Employees regularly working 26 to 35 hours per week will accrue hours at the rate of 75% of regular full-time employees based on years of continuous service.
- Employees regularly working 36 or more hours per week will accrue hours at the rate of 100% of regular full-time employees based on years of continuous service.

Each employee is responsible for scheduling vacation leave with his/her supervisor, and leave requests should generally be submitted at least two (2) weeks in advance of the leave.

The maximum number of vacation hours which may be carried over from one calendar year to the next is 240 hours. Under extraordinary circumstances, the Executive Director may approve vacation carryover in excess of 240 hours. Upon separation from Authority employment or retirement, payout will be made for accrued and unused vacation hours. Under no circumstances will payout be made to a current Authority employee in lieu of taking vacation time.

Accrued vacation leave may be used and/or the unused portion will be paid out only after an employee has successfully completed their probation period. Temporary and interim Authority employees are not generally eligible for vacation leave.

6.3 SICK LEAVE

All regular full- and part-time employees accrue sick leave benefits beginning immediately upon commencement of employment. For full-time employees regularly working at least 36 hours per week, the accrual rate is eight (8) hours for

each calendar month of employment. For part-time employees, the accrual rate is pro-rated at four (4) hours per month for employees regularly working 20 to 25 hours per week. The accrual rate is six (6) hours per month for employees regularly working 26 to 35 hours per week. For part-time employees working 20 hours or less per week, the accrual rate is in accordance with state law, which is currently one (1) hour of sick leave for every thirty (30) hours worked. Temporary changes in an employee's regularly scheduled workweek shall not affect the employee's accrual of sick leave. Employees accrue sick leave during their probation period and, unlike the case with vacation accrual balances, may use their sick leave accrual if they experience a qualifying event during their probation period.

Sick leave may be used under the following circumstances:

- For the employee's:
 - Mental or physical illness, injury, health condition, or quarantine.
 - Medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition.
 - Preventative medical care.
- For care of family members of the employee for:
 - Mental or physical illness, injury, or health condition.
 - Medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition.
 - Preventative medical care.
- Dental appointments for employee or his/her dependent child, provided that the employee makes a reasonable effort to schedule such appointments at times which have the least interference with the work day;
- For meetings at the employee's child's school or place of care related to the child's health or disability.
- For absence necessary due to domestic abuse, sexual assault or stalking suffered by the employee or a family member of the employee, provided that the leave is for the employee to:
 - Obtain medical or psychological treatment or other counseling.
 - Relocate.
 - Prepare for or participate in legal proceedings.
 - Obtain services or assist a family member of the employee with any of the activities contained in this domestic abuse bullet.

For sick leave purposes only, family members are defined as:

- Employee's spouse or domestic partner or a person related to an employee or an employee's spouse or domestic partner as:
 - A biological, adopted or foster child, a stepchild or legal ward, or a child to whom the employee stands in the role of a parent.

- A biological, foster, step or adoptive parent or legal guardian, or a person who stood in the role of a parent when the employee was a minor child.
- A grandparent or grandchild.
- A biological, foster, step or adopted sibling.
- A spouse or domestic partner of a family member.
- An individual whose close association with the employee or the employee's spouse or domestic partner is the equivalent of a family relationship.

Employees intending to use sick leave must notify, or have an individual acting on the employee's behalf notify, the employee's supervisor as soon as practicable. When the use of sick leave is foreseeable, the employee shall make a reasonable effort to schedule such sick leave at times that have the least interference with the work day and the operations of the Authority. A physician's certificate indicating that the amount of sick leave taken was necessary may be required when an employee is absent from work for more than three (3) consecutive days. In cases of domestic abuse, sexual assault or stalking, other reasonable documentation may be required when an employee is absent from work for more than three (3) consecutive days. The employee may be required to obtain a written release from his/her physician attesting to the employee's ability to return to work and perform the essential functions of his/her job. If such physician's certificate, written release, or other reasonable documentation is required, the employee shall have 14 days from the date the employee returns to work to provide it. Employees who are habitually absent due to illness or disability may be terminated if their disability cannot be reasonably accommodated and/or when the employee's absenteeism prevents the orderly and efficient provision of Authority services. However, retaliation against employees for using sick leave is prohibited. Employees have the right to file a complaint with the Labor Relations Division of the New Mexico Department of Workforce Solutions if earned sick leave accrual or use is denied or if the employee is retaliated against for use of sick leave.

There is no cap on the accrual of sick leave hours; upon separation from Authority employment or retirement from the Authority will pay twenty-five (25) percent of his/her hourly wages for accrued unused sick leave.

6.4 FAMILY AND MEDICAL LEAVE

This policy is a broad overview of a detailed and complex set of laws. If employees believe that they may qualify for a leave of absence per this policy, they should contact the Executive Director for more complete information on how these laws apply to a particular situation.

The Family and Medical Leave Act (FMLA) of 1993 entitles eligible Authority employees up to twelve weeks total of paid and unpaid leave every twelve months to care for:

- Your child after birth, adoption, or foster care;
- Your immediate family member with a serious medical condition; or
- Your own serious medical condition that makes you unable to perform the essential functions of your job.

To be eligible for leave under the FMLA, an employee must have been employed by the Authority for at least twelve (12) months and have worked at least 1,250 hours during the twelve (12) months immediately preceding the leave. Time worked does not include time off for various leaves. In the event both spouses are Authority employees, the total annual FMLA leave available to both employees for the birth, adoption or foster care placement of a child, or to care for a sick parent is twelve (12) weeks. For purposes of calculating leave availability for eligible employees, the "twelve-month" period is a rolling twelve-month period measured backwards from the date an employee uses any FMLA leave. Upon learning that an eligible employee may qualify for FMLA leave, the Executive Director will invoke FMLA on behalf of the employee by providing the appropriate notice and documentation to the employee.

An "immediate family member" as used in this policy is an employee's child, spouse, or parent. The child must either be under the age of eighteen (18) or eighteen (18) years of age or older but incapable of self-care because of a mental or physical disability. A "serious health condition" as used in this policy is an injury, illness, impairment or physical or mental condition that involves in-patient care or continuing treatment by a health care provider.

Certain kinds of paid leave must be used before the FMLA leave will be unpaid. Accrued sick leave will be used in circumstances, which would ordinarily qualify for use of sick leave per Section 7.3. (Sick leave may not be used to care for a new child unless being used in accordance with this Section 7.5.) After that, accrued vacation and compensatory time off hours must be used prior to using unpaid time off. During circumstances that do not ordinarily qualify for use of sick leave per Section 7.3, accrued vacation and compensatory time off hours must be used prior to moving to unpaid status.

Benefits for employees on a paid leave will continue on the same basis as during regular employment and may continue during the portion of the leave that is unpaid. For employees covered by the Authority's group health insurance plan, the Authority will continue to provide paid health insurance coverage during the FMLA leave on the same basis as during regular employment. If the employee chooses not to return to work after the leave, however, the employee is required to reimburse the Authority for its portion of the insurance premium unless failure to return to work was beyond the employee's control. If the employee is covered by other insurance plans through the Authority, such as life or disability insurance, this coverage will continue during the portion of the FMLA leave that is paid leave on the same basis as during regular employment; during the unpaid leave period, the employee is responsible for payment of the entire premium amount.

Vacation and sick leave accruals will continue only during the paid portion of the leave.

Other provisions of the leave laws require that employees provide advance notice of and medical certification supporting the need for the leave and medical certification of the employee's fitness to return to duty as applicable. The FMLA also permits the use of intermittent leave under some circumstances.

Employees who return to work at the end of the twelve (12) weeks of leave will be reinstated in their previous position or a position of equivalent pay. Employees on

leave, however, remain subject to legitimate job changes or layoffs that would have occurred even if they had not been on leave.

6.5 BEREAVEMENT LEAVE

The purpose of bereavement leave is to allow an employee who has suffered a loss in the employee's immediate family to begin the grieving and healing process, to attend the funeral or memorial service, and to make arrangements relating to the service, the family, or the estate of the deceased. Immediate family is defined as any member of the employee's family who resides in his/her home, and any of the following relations to the employee:

Spouse, parents, grandparents, children, grandchildren, siblings, parents-in-law, brother-in-law, sister-in-law, grandparent-in-law, daughter-in-law, son-in-law, or step-children.

Regular full- and part-time employees and employees in probation status are eligible for paid bereavement leave, upon approval of the Executive Director, of up to three (3) working days (up to twenty-four hours) of paid bereavement leave. Nothing in this policy prohibits an employee from using accrued vacation leave or compensatory time off for bereavement purposes.

6.6 MILITARY LEAVE

Any regular full- or part-time employee or an employee who is in probation status and is a member of the National Guard or a federal military unit is entitled to paid leave from his or her duties for up to fifteen (15) working days per calendar year to perform official military duties. The employee will receive his/her regular Authority salary in addition to his/her military pay and will continue to accrue all leave benefits. Employees in a temporary or interim capacity status are entitled to an unpaid leave of absence for up to fifteen (15) working days per calendar year to perform official military duties.

An employee that is on military leave for a period in excess of fifteen (15) working days in one calendar year may be entitled to reinstatement in his/her position after completion of the military leave. In this event, an employee promoted to fill the

vacancy created by this situation shall be restored to his/her previous or an equivalent position; a new employee hired to fill the vacancy per this situation is subject to layoff. See Section 7.5 for information about Military Caregiver Leave for a Veteran under the FMLA. The Authority will comply with all requirements of the Uniformed Service Employment and Reemployment Rights Act of 1994.

6.7 CIVIL LEAVE

The Authority provides paid leave to regular full- and part-time employees and employees in their probation period to serve on a jury per a jury summons. The Authority will not discourage employees from fulfilling this civic duty. In all instances, employees are required to remit to the Authority any of their jury duty pay received, excluding expense reimbursements, for the time for which they receive their regular wages. Employees summoned to serve on jury duty need to provide their supervisor with a copy of the notice to serve.

An employee subpoenaed to serve as a witness in a non-Authority-employment-related case will receive up to one, eight (8) hour day of unpaid leave per calendar year for such purpose. The paid time off will only be granted as witness duty if the case presents no personal benefit or gain to the employee. Employees may use Vacation Leave for such purposes.

Employees are expected to work their regular hours and/or the remainder of their regular shift if excused from jury or witness duty for four (4) hours or longer in a day.

6.8 VOTING LEAVE

All full-time employees who are registered, eligible voters and who are unable to get to the polls due to work requirements, shall be allowed up to two (2) hours of paid administrative leave for the purpose of voting on the day of the election. Scheduling of voting time must be arranged with the employee's immediate

supervisor prior to voting. Employees may be required to produce proof of voter registration.

6.9 EMERGENCY LEAVE

In the event of inclement weather, a natural disaster, or another situation deemed an emergency by the Executive Director, for employees who are non-exempt from overtime compensation under the Fair Labor Standards Act, absences from the worksite at other than their regularly scheduled times will be unpaid unless they choose to use vacation or compensatory time off leave or make alternative work schedule arrangements with their supervisor. If, however, the Executive Director deems that in the interest of public safety, Authority offices will be closed; employees will be paid their regular pay for the duration of the closure.

CHAPTER 7: WORKPLACE CONDUCT

7.1 GUIDELINES FOR BUSINESS AND ETHICAL CONDUCT

The Authority is committed to providing high quality services to the public and to ensuring compliance with the Governmental Conduct Act, NMSA 1978, § 10-16-1 *et seq.* This includes an expectation for integrity and ethical behavior by employees and public officials and delivering services in an impartial and responsible manner, which does not allow for personal gain or undue influence by persons involved in these transactions. The Authority further expects all employees to provide courteous, efficient, and effective services to the public consistent with its rules, regulations, and applicable laws. Failure to meet these expectations may establish cause for disciplinary action. Authority employees owe a duty of loyalty, honesty, candor, and confidentiality to the Authority.

It is not uncommon for RETA employees and board members to share meals with developers, other governmental officials, and other stakeholders. In such situations, it is appropriate for RETA employees and board members to alternate paying for such meals.

The following are examples of types of behavior which may result in disciplinary action. This is not an exhaustive list but merely illustrates the type of behavior inconsistent with the general code of conduct expected of employees.

- Drinking alcohol, using illegal drugs or abusing other controlled substances while on the job, or arriving on the job under the influence of or while in possession of alcohol, illegal drugs or other controlled substances.
- Engaging in behavior or dealings that create a conflict of interest or create the appearance of a conflict of interest.
- Sharing confidential documents or information.
- Insubordination, which is defined to include, but is not limited to, the intentional refusal to obey a lawful and reasonable directive from a supervisor. An employee's unwillingness to carry out a directive can manifest itself as a verbal refusal, a nonverbal refusal or an unreasonable delay in completing the work.
- Engaging in a business or business dealings that compete with the Authority or any of the Authority's project partners.
- Engaging in a business or business dealings that put the employee's personal interests in conflict with the duties Authority employees owe to the Authority.
- Abusiveness or harassing actions towards a fellow employee, supervisor, customer, or citizen.
- Dishonesty.
- Accepting fees, gifts, or services in the performance of the employee's duties for the Authority.
- Habitual absence or tardiness for any reason.
- Unauthorized absence from work without prior notice to employee's supervisor.
- Inability, refusal, or failure to perform the duties of the assigned job.
- Misappropriation or illegal use of Authority supplies, equipment, or time for personal use or gain.
- Malicious or careless acts that result in personal injury, property damage, or expense.
- Falsification of Authority records and/or reports, including time records.
- Violation of the duties or rules imposed by this policy manual or any other Authority rule, regulation, administrative order or applicable state law.

Employees who witness what they believe to be a violation of the guidelines for business and ethical conduct should report their observations to the Executive Director. The Executive Director or designee will promptly investigate all reported complaints. All reports will be investigated in a prompt manner. The confidentiality of all parties will be safeguarded to the extent possible while conducting a thorough investigation and administering disciplinary action as appropriate.

Where deemed appropriate by the Executive Director, paid investigative leave may occur for the pendency of such investigation(s). The findings and/or outcome of the investigation will normally be shared in general terms with the complaining party and the target of the complaint. If the substance of the complaint is established on a more likely than not basis, the offending employee will be subject to disciplinary action up to, and including termination.

7.2 SEXUAL HARASSMENT AND OTHER FORMS OF HARASSMENT

It is the Authority's policy that all employees and contractors are responsible for assuring that the workplace is free from intimidation and all forms of harassment, including sexual harassment. While this policy focuses on sexual harassment, the Authority will not tolerate any racial, ethnic, sexual, or religious slurs or comments demeaning national origin or individuals with disabilities or any other actions, which intimidate or harass Authority employees or customers. An employee or contractor who believes they have been the target of any form of harassment should report the incident per the procedure described in this policy. (See related Section 2.1 "Equal Employment Opportunity.")

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature, excluding occasional compliments of a socially acceptable nature. Sexual harassment is considered to exist when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment with the Authority;
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- Such conduct has the purpose or effect of creating an intimidating, hostile or offensive work environment.

Employees and contractors must avoid any action or conduct which could be viewed as sexual harassment, including:

- Unwelcome sexual advances;
- Requests for sexual favors; or
- Other verbal or physical conduct of a harassing, intimidating, hostile or offensive nature, including but not limited to sexually oriented jokes, remarks, gestures, or lewd pictures.

Even though a certain behavior may not meet the legal definition of sexual harassment, the Authority may treat such conduct as inappropriate behavior and take disciplinary action to halt such behavior. This policy is not meant to interfere with or discourage friendships among employees; however, employees must be sensitive to acts or conduct that may be considered offensive by other employees and refrain from engaging in such conduct. Each complaint of sexual harassment will be assessed on a case-by-case basis.

If an employee or contractor believes that he/she has been a subject of harassment, either sexual or any other form of harassment, the employee or contractor should follow the reporting procedure described below. At any point, the employee or contractor may bypass this reporting procedure and bring the matter to the immediate attention of the Executive Director, unless the complaint is about the Executive Director, in which case the complaint should be referred to the Chair of the Board of Directors of the Authority.

1. If the employee or contractor is comfortable discussing the matter with the person who may be violating this policy, then he/she should talk directly to that person. If he/she is not comfortable doing this, or he/she does not believe this will cause the conduct to stop, he/she may bypass this step and go to step 2.
2. Bring the matter to the attention of the immediate supervisor. If the employee is not comfortable doing this, the supervisor does not respond to the report, or the offensive conduct does not stop immediately, the employee may bypass this step and go to step 3.
3. Bring the matter to the attention of the Executive Director. If the employee is not comfortable doing this, the Executive Director does not respond to the report, or the offensive conduct does not stop immediately, the employee may bypass this step and go to step 4.
4. Bring the matter to the attention of the Chair of the Board of Directors of the Authority.

In addition, any employee or contractor who observes conduct that appears to violate this policy should report it immediately per the procedure described above.

The complaint procedure described in this policy constitutes the approved manner for an employee to report and obtain resolution of potential violations of

this policy. Failure to use this procedure may bar an employee from bringing a claim for harassment or retaliation against the Authority.

If a complaint is made to a person other than the Executive Director, then the person to whom the complaint was made is responsible for referring the complaint to the Executive Director unless the complaint is about the Executive Director, in which case the complaint should be referred to the Chair of the Board of Directors of the Authority.

All complaints will be promptly handled, and the confidentiality of all parties will be safeguarded to the extent possible while conducting a thorough investigation and administering disciplinary action as appropriate. Where deemed appropriate by the Executive Director (or the Chair of the Board of Directors of the Authority), paid investigative leave may occur for the pendency of such investigation(s). The findings and/or outcome of the investigation will generally be shared in general terms with the complaining party and the target of the complaint. If the substance of the complaint is established on a more likely than not basis, the offending employee will be subject to disciplinary action, up to and including termination.

Retaliation against any employee or contractor for good faith actions in filing a complaint per this policy, for reporting suspected harassment, or for assisting in a complaint investigation is strictly prohibited. Retaliation may include, but is not limited to, treating the employee who made the complaint in an unprofessional manner or otherwise taking negative action against that employee. If employees or contractors believe that they have been subjected to retaliation for making a complaint of harassment or if they observe that another employee has been subjected to such retaliation, they are expected to report the matter immediately using the reporting procedure described above.

7.3 DRUG-FREE WORKPLACE

The Authority's policy regarding substance abuse has a two-pronged focus: a concern for the safety of employees and members of the public, and a concern for the well-being of its employees.

The manufacture, possession, distribution, sale, dispensing or use of alcohol or controlled substances in the workplace is strictly prohibited. The possession and use of medically prescribed drugs during working hours is permissible; however, the employee shall notify his/her supervisor if such a drug may cause adverse side effects that may prevent the employee from performing his/her job safely and effectively. When employees are on the job, they are expected to be physically free from any impairment or substance that would contribute to an injury, property damage, or interfere with productivity.

The Authority may require an employee to submit to appropriate tests to determine the existence of alcohol or a prohibited substance in her/his system when reasonable suspicion exists. Reasonable suspicion is the contemporaneous, articulable observation or other corroborated information by a supervisor or fellow employee concerning the work performance, appearance, behavior, speech, or body odor of the employee that may reasonably cause one to infer that the employee is under the influence of drugs or alcohol. Refusal to submit to testing when requested is cause for disciplinary action, up to and including termination.

Employees who are concerned about their alcohol or drug use are encouraged to seek confidential counseling, treatment, and/or rehabilitation. Although the decision to seek diagnosis and accept treatment is voluntary, the Authority is committed to helping employees who voluntarily come forward overcome substance abuse problems. Employees who seek advice or treatment will not be subject to discrimination or retaliation. Information regarding employee requests for assistance will be confidential and shall not be revealed to other employees except Authority management personnel when business necessity dictates such disclosure.

Employees who seek treatment for their alcohol or drug use are subject to the same rules, regulations, and job performance standards as all other employees. Disciplinary action, if any is taken, will be based upon the employee's participation in the recommended rehabilitation program, and the severity of any offenses committed while under the influence of alcohol or drugs.

Any employee who is convicted under any criminal drug statute for a violation occurring in the workplace must notify the Authority of such conviction within five (5) days of the conviction. The employee may be subject to disciplinary action.

7.4 WORKPLACE PRIVACY

The Authority regards desks, computers, furniture, lockers, work spaces, data, programs, and other property acquired by, developed for, or located in the Authority facility, to be Authority property. This property is provided for employees to use while conducting Authority business, and there is no right to personal privacy with respect to use of Authority property. The Authority reserves the right to inspect the same if, in its sole discretion, it determines that there is a security, health, suspicion of misconduct, or other appropriate reason to do so.

7.5 USE OF ELECTRONIC COMMUNICATIONS EQUIPMENT

The Authority's electronic communications equipment and resources are provided for the benefit of providing services to the public, and they are to be used for that purpose, except as otherwise explicitly stated in written policies. Users of this equipment are responsible for its safe and appropriate usage and will be held accountable for their actions in accessing information, utilizing network and stand-alone computer services, expending limited resources, and posting information in any form or in communications on a networked or stand-alone computer. To this end, employees are responsible for safeguarding the security of their access password or other codes and equipment assigned for their use.

Employees may use Authority electronic communications equipment and resources, including Authority cell phones, for limited and reasonable personal use.

When employees use the Authority's computers, they are creating Authority documents using Authority assets. The computers and telephones and the information stored on them are Authority property and as such computer data, voicemail messages, electronic mail messages, and other data may be subject to search or review as part of a random review of Authority assets or an investigation in response to a specific incident.

Unethical, illegal or unacceptable use of electronic communications equipment may result in disciplinary action, up to and including termination. Such use includes, but is not limited to, viewing or storing pornographic or other sexually explicit materials, the unauthorized sharing of confidential or privileged material, or the sharing of harassing materials.

All employees who are assigned a computer to use as part of their job will receive a copy of the Authority's current acceptable use policy which contains detailed information about the use of the Authority's electronics communications systems.

7.6 TOBACCO-FREE WORKPLACE

For health and safety considerations, and to comply with the New Mexico Clean Indoor Air Act, NMSA 1978, § 24-16-1 et seq., smoking and tobacco use in any form is prohibited in all Authority facilities, including Authority-owned or leased buildings, vehicles, and offices.

7.7 SALES, CANVASSING, SOLICITATION, AND RELATED ACTIVITIES

The purpose of this policy is to prevent interference with Authority employees' ability to perform their jobs, to avoid the misuse of Authority facilities and resources, and to preserve the Authority's actual and the appearance of its independent, non-political status. To this end, passive forms of solicitation may be allowed in designated areas with the approval of the Executive Director. Examples of passive solicitation include leaving order forms and a product sample in a non-work area or posting a notice at one's own work area about an item being sold for a charitable purpose.

Active acts of solicitation, such as contacting Authority employees personally with an offer to sell them something or requesting their participation in a fund-raising activity is generally prohibited unless approved by the Executive Director. Other reasonable, non-intrusive forms of solicitation, such as distributing leaflets, may be allowed during non-work time in non-work areas if approved by the Executive Director.

Authority employees may not use their official position or any Authority resources, such as Authority stationery or computer equipment, for purposes of sales, canvassing, solicitation or related activities except as specifically authorized by the Executive Director. Posting of information on Authority bulletin boards without the authorization of the Executive Director is prohibited. Nothing in this policy is meant to limit an employee's ability to exchange views and associate with other employees.

7.8 POLITICAL ACTIVITIES

The purpose of this policy is to preserve the Authority's actual and the appearance of its independent, non-political status. While in the workplace, on the job, or representing the Authority in any way, employees may not campaign for a candidate or ballot issue. Campaign activities include, but are not limited, to the following:

- a. Wearing a button, badge or sticker relevant to a political candidate or ballot issue;
- b. Soliciting for a contribution for a political candidate or ballot issue; or
- c. Using Authority funds or facilities for political purposes.

Nothing in this policy is meant to limit an employee's participation in political activities of their choosing on their own time.

7.9 OUTSIDE EMPLOYMENT

Employees shall not engage in any outside employment or financial interest, which may, in the opinion of the Executive Director, conflict with the best interests of the

Authority or interfere with the employee's ability to perform his/her Authority job, or violate the Governmental Conduct Act, NMSA 1978, § 10-16-1 *et seq.*

An employee who chooses to have an additional job shall obtain prior approval from the Executive Director. Approval for outside employment will generally be granted if the outside employment does not:

- a. Result in a conflict of interest or appearance of a conflict of interest with Authority employment or violate the Governmental Conduct Act;
- b. Interfere with the employee's ability to perform his/her job with the Authority, including being available for work beyond normal working hours when such availability is a regular part of the employee's job; or
- c. Discredit public service.

7.10 DISCIPLINE PROCEDURES

For all regular full- and part-time employees, the Authority will generally use a system of progressive discipline, except that the nature and severity of the discipline will be determined on an individual basis according to the particular circumstances. Depending upon the seriousness of the issue being addressed, any and all of the steps outlined below may be bypassed during the disciplinary process.

When an employee fails to meet expectations, the issue may be discussed with the employee in a verbal counseling session the purpose of which is to ensure that the employee understands the expectations and how he/she is falling short of them.

If the initial failure to meet expectations is severe, or if after verbal counseling, the employee fails to correct the previously identified deficiencies, a written warning may be issued. Generally, a written warning will include a description of the problem, the required corrective action on the part of the employee, a definite time by which the employee must clearly demonstrate improvement, and the consequences of a lack of improvement. Written warnings are signed by the employee and supervisor and made a part of the employee's personnel file.

A suspension from duties, which is time off without pay for disciplinary reasons, may be given for serious offenses of employee rules of conduct not deemed sufficient justification for immediate discharge, for repeated offenses, or for failure to correct an action for which a written warning was previously given. The suspension will be for a period of time that the Executive Director deems reasonable and necessary for a specific violation. The letter of suspension will generally include the same elements as a written warning, will be signed by the employee and supervisor, and will be made a part of the employee's personnel file.

For employees exempt from overtime compensation per the Fair Labor Standards Act, suspensions will be for periods of not less than one week and in one-week increments, except for major safety violations.

Upon the decision of the Executive Director, an employee may be discharged when, in his/her opinion, the nature of a violation warrants it or if previous disciplinary actions have not resolved the problem. In the case of a pending termination or suspension of a regular full -or part-time employee, the Executive Director or his/her designee will conduct an informal pre-termination meeting with the employee; this is an opportunity for the employee to furnish additional facts before a termination or suspension decision is finalized. The Executive Director will decide whether there are reasonable grounds to support discharging or suspending the employee and will communicate his/her decision to the employee in writing usually within three (3) days of the pre-termination meeting.

7.11 DISPUTE RESOLUTION

It is the policy of the Authority to encourage direct communication between employees and their supervisor or manager to facilitate prompt and fair resolution of questions or issues that arise regarding work and working conditions. Employees should try to resolve questions or issues with their supervisor as they occur.

If, after meeting with the supervisor, an employee still feels that the matter has not been resolved satisfactorily, he/she may submit his/her complaint in writing to the Executive Director. This written complaint must be submitted within ten business

days of meeting with their supervisor. The Executive Director will usually respond to the employee in writing within twenty (20) business days of receiving the written complaint. The decision of the Executive Director will be final and binding.

CHAPTER 8: WORKPLACE SAFETY

8.1 SAFETY RESPONSIBILITIES

The Authority strives to offer a safe and healthy environment for its employees and customers. The Authority will maintain a safety management program consistent with all applicable laws, and the success of the program is dependent on the cooperative efforts of all employees.

All employees are responsible for ensuring that they understand and observe all safety and health policies and procedures. The Executive Director is responsible for reviewing and updating employee safety policies and procedures; training employees in their application; providing and requiring the proper use of personal protective equipment; identifying, eliminating, and/or reducing job hazards; and participating in safety meetings, investigations and inspections.

All employees are responsible for understanding and abiding by safety policies and procedures; attending training regarding their application; properly using and caring for personal protective equipment; immediately reporting unsafe work practices or conditions to their supervisor; immediately reporting all injuries and accidents to their supervisor; and participating in safety meetings, investigations and inspections as required.

ALL AUTHORITY EMPLOYEES MUST IMMEDIATELY REPORT ANY UNSAFE WORK PRACTICES OR CONDITIONS OR AN INJURY OR ACCIDENT TO THE EXECUTIVE DIRECTOR.

8.2 WORKERS' COMPENSATION PROGRAM

An employee who suffers an on-the-job injury will receive benefits in accordance with New Mexico workers' compensation insurance program. Such benefits may

include payment of medical costs or time-loss payments. Benefits shall be paid in amounts and to employees deemed eligible as established by the State of New Mexico. In the event of an employee's absence for injury for which the employee receives a workers' compensation benefit payment, accrued sick leave (Section 7.3) will be used to pay the difference between the net amount paid by the State and the employee's compensation.

8.3 VIOLENCE IN THE WORKPLACE

The Authority is committed to providing a safe environment for working and conducting business and the Authority intends to use reasonable legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence. The Authority will not tolerate any acts of aggression or violence committed by or against Authority employees or members of the public while on Authority property or while performing Authority business at other locations. This includes a prohibition on the following types of behavior:

- Threatening injury or damage against a person or property;
- Fighting or threatening to fight with another person;
- Stalking, following, or invading another employee's personal life;
- Engaging in shoving, blocking or impeding another person;
- Abusing or injuring another person;
- Using obscene or abusive language or gestures in a threatening manner;

- Raising voices in a threatening manner; or
- Violating the Authority's policy regarding possession and use of dangerous weapons.

All employees while on Authority property (including offices, buildings, parking lots, project sites, desks, cabinets, locker, or other storage areas) or performing Authority business are prohibited from possessing or using a dangerous weapon. A dangerous weapon is any instrument capable of producing bodily harm, in a manner, under circumstances, and at a time and place that manifests intent to harm or intimidate another person that warrants alarm for the safety of other people. Dangerous weapons include, but are not limited to, firearms and knives with a blade of three inches or more.

ANY EMPLOYEE WHO REASONABLY BELIEVES THAT A SITUATION WITH AN AGGRESSIVE EMPLOYEE, MEMBER OF THE PUBLIC, OR OTHER PARTY MAY BECOME VIOLENT AND CONSTITUTES AN EMERGENCY SHOULD IMMEDIATELY CALL 911.

All incidents or threats of violence in the workplace must be reported to the Executive Director as soon as possible. All reports of potential or actual violence will be investigated and appropriate disciplinary action, up to and including termination will be taken. Where deemed appropriate by the Executive Director, paid investigative leave may occur for the pendency of such investigation(s).

CHAPTER 9: ACKNOWLEDGMENT

9.1 ACKNOWLEDGMENT OF RECEIVING PERSONNEL POLICIES

These personnel policies are provided to Authority employees so that they can become familiar with the policies and procedures that govern the employment relationship. None of the provisions in these policies shall be construed to create any implied or express warranty or contract of employment for any period of time or at any wage or salary or create any contractual obligation on the part of the Authority or employee. If you have questions about any of the provisions in this handbook, contact your supervisor.

This handbook cannot be ignored, modified or varied by any oral representation or written statements without the express written approval of the Executive Director.

These personnel policies supersede all other personnel policies. Please sign your name below. Your signature indicates that you have received a copy of these personnel policies, and that you understand that it is your responsibility to read and follow them. If you do not understand these personnel policies, it is also your responsibility to contact your supervisor to ask for assistance.

Employee Signature

Date