

San Mateo County Harbor District Policies

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San Mateo County Harbor District

Policy	Number: 1.1.0	Date of Approval: 12/16/15	Adopted By: Motion 12/16/15
Title: Terminology Matrix Policy	Prepared By: Steve McGrath	Revised By:	Page: 1 of 2
Purpose: Definition of Terms: Ordinance, Policy and Procedure, etc.			

At Harbor Commission direction, or as needed:			
Document	Purpose	Who Drafts	Who Approves
District Ordinances	Provide legal foundation for activities within the District.	General Manager with input from the Board of Commissioners, staff and consultants, with review by District Legal Counsel.	Board of Commissioners at a public meeting.
District Policies	Provide broad framework of direction for the District. Set standards for District performance.	General Manager with input from the Board of Commissioners, staff and consultants. May require review by District Counsel.	Board of Commissioners at a public meeting. Consistent with all of the documents above.
District Resolutions	Formal statement of the Board's position on a topic or issue. May give formal approval to an action item or delegate authority.	General Manager with input from the Board of Commissioners, staff and consultants. May require review by District Counsel.	Board of Commissioners at a public meeting. Consistent with all of the documents above.
Board Policy Manual	Policies related to the organizational management of the Board's operation. Includes but not limited to parliamentary procedures, election of officers, Board committee structure and formation.	General Manager at the direction of the Board of Commissioners. May require review by District Counsel.	Board of Commissioners at a public meeting. Consistent with all of the documents above.
Board Handbook	Compilation of documents to provide Commissioners with background of District governance. Includes but not limited to District Ordinances, District Policies and Board Policy Manual.	Inclusion of documents at direction of Harbor Commission or General Manager	Board of Commissioners at a public meeting

San Mateo County Harbor District

Policy	Number: 1.1.0	Date of Approval: 12/16/15	Adopted By: Motion 12/16/15
Title: Terminology Matrix Policy	Prepared By: Steve McGrath	Revised By:	Page: 2 of 2

At General Manager direction, or as needed:			
Document	Purpose	Who Drafts	Who Approves
Department Procedures	Implement District policies. Provide specific instructions to staff on day to day tasks. Sets performance standards for management and field staff.	General Manager/Department Heads/Site Managers	General Manager. Consistent with all of the documents above.
Staff Guidelines	Provide very specific direction on day to day field level tasks. May include training materials and are more specific than Procedures.	Department Heads/Site Managers	Department Heads. Consistent with all of the documents above.
Staff Handbooks	Provide training documentation for specific job processes. Usually referred to by field staff to carry out routine job tasks.	Department Heads/Site Managers	Department Heads/Site Managers. Consistent with all of the documents above.

San Mateo County Harbor District

Policy Title: San Mateo County Harbor District Code of Ethics and Values	Number: 1.1.1	Date of Approval: May 20, 2020
Other Revisions: 7/15/2015	Prepared By: James B. Pruet	

Statement of Policy

The Harbor District designed its Code of Ethics and Values (the “Code”), to provide clear, positive statements of ethical behavior reflecting the core values of the District and the communities it serves. The Code includes practical strategies for addressing ethical questions and a useful framework for decision-making and handling the day-to-day operations of the District.

1.1 Goals of the Code of Ethics and Values

- To make San Mateo County a better place to live, work and play.
- To make the Harbor District a better public agency, built on mutual respect and trust.
- To promote and maintain the highest standards of personal and professional conduct among all involved in District government including, Harbor Commissioners, District staff, volunteers, and members of the District’s committees (herein referred to as District representatives).

The Code is a touchstone for members of the Board of Commissioners and staff in fulfilling their roles and responsibilities.

1.2 Preamble

The proper operation of democratic government requires that decision-makers be independent, impartial, and accountable to the people they serve. The San Mateo County Harbor District has adopted this Code to promote and maintain the highest standards of personal and professional conduct in the District’s government. All District representatives and others who participate in the District’s government are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its eight core values in their work. Because we seek public confidence in the District’s services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this Code.

1.3 Applicability

This Code shall apply to all District representatives as defined in section 1.1

1.4 Sanctions

Any representative found to be in violation of this Code may be subject to Censure by the District Board. Any member of any advisory Committee found in violation may be subject to dismissal from the Committee. In the case of an employee, appropriate action shall be taken by the General Manager or by an authorized designee.

1.5 Core Values

As participatory representatives in the District's government, we subscribe to the following Core Values:

1. As a Representative of the San Mateo County Harbor District, I will be ethical. In practice, this value looks like:
 - a. I am trustworthy, acting with the utmost integrity and moral courage.
 - b. I am truthful, do what I say I will do, and am dependable.
 - c. I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, financial, and other personal interests, that impair my independence of judgment or action.
 - d. I am fair, distributing benefits and burdens according to consistent and equitable criteria.
 - e. I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting-decisions or any improper or unauthorized representations on behalf of the District.
 - f. I show respect for persons, confidences, and information designated as "confidential".
 - g. I use my title(s) only when conducting official District business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.
 - h. I will avoid actions that might cause the public or others to question my independent judgment.
 - i. I maintain a constructive, creative, and practical attitude toward the District's affairs and a deep sense of social responsibility as a trusted public servant.

2. As a Representative of San Mateo County Harbor District, I will be professional. In practice, this value looks like:
 - a. I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.

- b. I approach my job and work-related relationships with a positive collaborative attitude.
 - c. I keep my professional education, knowledge and skills current and growing.
3. As a Representative of the San Mateo County Harbor District, I will be service-oriented. In practice, this value looks like:
- a. I provide friendly, receptive, courteous service to everyone.
 - b. I am attuned to, and care about, the needs and issues of citizens, public officials, and District workers.
 - c. In District-related matters, I am interested, engaged, and responsive.
4. As a Representative of the San Mateo County Harbor District, I will be fiscally responsible. In practice, this value looks like:
- a. I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the District, especially its financial stability.
 - b. I demonstrate concern for the proper use of District assets (e.g., personnel, time, property, equipment, funds) and follow established procedures.
 - c. I make good financial decisions that seek to preserve programs and services for District residents.
 - d. I have knowledge of and adhere to the District's Purchasing, Contracting and Allocation of Funds Policies.
5. As a Representative of the San Mateo County Harbor District, I will be organized. In practice, this value looks like:
- a. I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long-term goals.
 - b. I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
 - c. I am respectful of established District processes and guidelines.
6. As a Representative of the San Mateo County Harbor District, I will be communicative. In practice, this value looks like:
- a. I positively convey the District's care for and commitment to its citizens.
 - b. I communicate in various ways that I am approachable, open-minded and willing to participate in dialog.

- c. I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response, which adds value to conversations.
7. As a Representative of the San Mateo County Harbor District, I will be collaborative. In practice, this value looks like:
- a. I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.
 - b. I work towards consensus building and gain value from diverse opinions.
 - c. I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of the team.
 - d. I consider the broader regional and statewide implications of the District's decisions and issues.
8. As a Representative of the San Mateo County Harbor District, I will be progressive. In practice, this value looks like:
- a. I exhibit a proactive, innovative approach to setting goals and conducting the District's business.
 - b. I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary.
 - c. I promote intelligent and thoughtful innovation in order to forward the District's policy agenda and District's services.

San Mateo County Harbor District

Policy	Number: 2.1.4	Approved Date: 10-18-17	Effective Date: 10-18-17
Title: Records Management and Retention	Prepared By: Hodges, Pyle Reviewed By: S. McGrath	Approved By: Resolution 17-20	Page: Page 1 of 2
Objective: To establish a comprehensive Records Management and Retention Policy.			

A. Purpose

The purpose of this Records Management and Retention Policy ("Policy") is to provide guidelines to staff regarding the retention, disposal and storage of records for the San Mateo County Harbor District ("District"); provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements. It is the Policy of the District to maintain and dispose of records and information in accordance with accepted records management practices and standards, and all applicable state and federal laws.

B. Definition of Record

The term "record" as used in this Policy shall mean: handwriting, typewriting, printing, photocopying, photographing, video recording, e-mail, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or a combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, and other documents.

Vital and important records, regardless of recording media, are those having legal, financial, operational or historic value to the District.

C. General Guidelines & Delegation of Authority

All District records must be retained in their original form for a minimum of two years, unless otherwise provided for in this Policy.

The District reserves the right to retain records longer than the recommended minimum retention period. Authority regarding retention periods for the records referenced herein is derived from the California Government Code, and from the Local Government Records Management Guidelines (February 2006) issued by the California Secretary of State. Except where a longer retention period is required hereunder, after two years, the District, with the General Manager's approval, may destroy any original document without the District retaining a record or copy of these documents.

The General Manager is authorized by the Board of Harbor Commissioners to interpret and implement this Policy, and to cause to be destroyed any or all such records, papers and documents in accordance with this Policy.

San Mateo County Harbor District

Policy	Number: 2.1.4	Approved Date: 10-18-17	Effective Date: 10-18-17
Title: Records Management and Retention	Prepared By: Hodges, Pyle Reviewed By: S. McGrath	Approved By: Resolution 17-20	Page: Page 2 of 2
Objective: To establish a comprehensive Records Management and Retention Policy.			

D. Implementation Procedures:

The Board of Harbor Commissioners directs the General Manager to follow the attached procedures in carrying out this Policy. These Procedures may be amended from time to time by the General Manager as laws and regulations change; as District needs evolve; and as records not addressed therein are created. Any amendments to the Procedures must be consistent with the state and federal law, and must further the intent of this policy.

HISTORY:

Adopted by Resolution 19-96, 7/17/96

San Mateo County Harbor District

Policy Title: Policy on Standing Committees	Number: 3.0	Date of Approval: 10/16/19
Other Revisions: 01/06/16; 03/02/16; 12/07/16; 01/10/19	Prepared By: S. McGrath	

1. Purpose

- A. Committees will be created to facilitate in-depth examination of issues. Committees do not set policy – they only make recommendations to the Board.

2. Selection of Board Members on Committees

- A. At the first meeting after the election of officers and the appointment of the President for the calendar year, the President will appoint two Commissioners to each of the standing and ad-hoc committees.

3. Selection of Chair

- A. Board members on the Committee will select a chair. If Commissioners assigned to a committee are unable to agree upon who will chair the committee, the Harbor Commission Board President will decide.

4. Term of Committee Members

- A. Each committee member shall serve for a term of one year.
- B. Commissioners may be reappointed to subsequent terms.

5. Decorum

- A. If a commissioner assigned to a committee consistently works against the mission and goals of the committee the Board President will appoint a replacement commissioner to the committee.

6. Meeting Management

- A. Each Committee will decide its own meeting dates and times. To the greatest extent possible, meeting times will be consistent.

- B. At least one Commissioner must be present at each meeting.
- C. Each Committee will meet at least once every four months. The exact number of meetings will be determined by the needs of the Committee.
- D. The Committee will set each agenda for the committee. In the event of disagreement, the Committee Chair sets the agenda.
- E. The Harbor Commission may direct an item be placed on the Committee's agenda.
- F. Meeting sessions will be limited to two hours.
- G. Committee discussions should always attempt to reach consensus. Recommendations sent to the Commission will be approved by a vote of the Committee. In the event of a tie vote, no recommendation will be forwarded to the Board.
- H. A quorum will consist of a simple majority of committee members.
- I. A staff member will generally attend each committee meeting to provide administrative support, and background as necessary.
- J. A written meeting report to the Board will be produced after each committee meeting.
- K. Agendas, Committee packets, presentations, and meeting reports will be published on the Harbor District website.
- L. In accordance with the Brown Act, meetings of standing Committees will be publicly noticed and the agendas will be published at least 72 hours in advance of the meeting. Agendas will be published on the Harbor District website at least 72 hours in advance of the meeting.
- M. Every committee member is expected to attend meetings and to participate in committee activities.
- N. Each member is expected to study the issues or problems that come before the committee in order to contribute to the resolution process.

San Mateo County Harbor District

Policy	Number: 3.1.1	Approved Date: August 16, 2017	Revision Date:
Title: District-Provided Electronic Devices for Commissioners	Prepared By: S. McGrath L. Hodges	Approved By:	Page: 1 of 4
Purpose: To establish uniform guidelines for acquisition, use and recovery of Electronic Devices provided to Commissioners by the San Mateo County Harbor District.			

Statement of Purpose:

The purpose of the District-Provided Electronic Devices for Commissioners Policy is to establish uniform guidelines pertaining to electronic devices provided to the Board of Harbor Commissioners by the San Mateo County Harbor District.

1) General Policy Provisions:

On request, Commissioners will be provided with a District owned 1) smart phone; 2) tablet or laptop computer; and 3) additional associated equipment for Electronic Devices, as requested by the Commissioner and deemed necessary by the General Manager, such as protective case, mouse or keyboard (collectively, "**Electronic Devices**"). These Electronic Devices will be subject to the following restrictions to ensure that public resources are properly used:

Issuance and Ownership

- a) Electronic Devices will be supplied and owned by the District. Commissioners will not be reimbursed for acquisition costs of Electronic Devices.
- b) Commissioners may be issued previously used Electronic Devices for the remainder of the Electronic Devices' useful life.
- c) The District may require the delivery of any Electronic Device at any time to the District office.
- d) Electronic Devices will be returned to the District on or before the last day of service of the Commissioner.
- e) District issued Electronic Devices will be broad band enabled and provided with a reasonable data plan as determined by the General Manager.
- f) The General Manager will determine how often Electronic Devices are replaced based on industry standards.

San Mateo County Harbor District

Policy	Number: 3.1.1	Approved Date: August 16, 2017	Revision Date:
Title: District-Provided Electronic Devices for Commissioners	Prepared By: S. McGrath L. Hodges	Approved By:	Page: 2 of 4

Responsibility for Loss

- a) The District will provide reasonable insurance for Electronic Devices, as determined by the General Manager.
- b) Commissioners will be responsible for uninsured loss or damage to Electronic Devices and Associated Equipment, other than normal wear and tear.
- c) Commissioners must report any lost or stolen Electronic Device, Associated Equipment or data to the General Manager as soon as discovered.

Software and Maintenance

- a) Electronic Devices are to be supported and maintained by the District's approved I.T. provider ("**District IT**") only.
- b) District e-mail accounts will be established on the Electronic Devices prior to delivery, and will only be accessible from the Electronic Devices thereafter.
- c) District IT will install applications as available to enable regular back-up of data, including emails and text messages, from Electronic Devices to the District server.
- d) Commissioners will be provided with access to a folder on the District's server for delivery and storage of documents.
- e) No software or applications may be installed without approval of the General Manager. Software should be installed directly by District IT.
- f) Electronic Devices will be password protected. On receipt, Commissioners will be given the opportunity to re-set the password to security standards as developed by District IT.

Usage

- a) Except for limited, occasional, or incidental personal use, use of Electronic Devices and Associated Equipment is limited to the conduct of District business. Commissioners' usage of Electronic Devices, including personal use, shall conform with the District's Computers, Electronic Communications and Social Media Policy, Policy No. 6.2.4, as amended from time to time.
- b) Commissioners will not permit anyone else including, but not limited to, the Commissioner's family and/or associates, to use the Electronic Devices.

San Mateo County Harbor District

Policy	Number: 3.1.1	Approved Date: August 16, 2017	Revision Date:
Title: District-Provided Electronic Devices for Commissioners	Prepared By: S. McGrath L. Hodges	Approved By:	Page: 3 of 4

- c) Commissioners should comply with all applicable federal, state, and local laws, including District policies and Government Code Section 8314 (which prohibits the use of public resources for campaign or personal use), in using Electronic Devices. When provided with evidence of inappropriate or illegal use, including but not limited to violations of this Policy, the General Manager may revoke a Commissioner's Electronic Device privileges until the next meeting of the Board of Commissioners, at which time the Commission may elect to discuss the matter and take action.

Privacy

- a) All communications, information, and content, including, but not limited to, emails, text messages, photos, videos, voicemail, and call logs, created, sent, received, deleted, stored, or otherwise located on an Electronic Device (collectively "**Records**") are property of the District and may be subject to the Public Records Act. Records may be disclosed in compliance with applicable law and District policies without the consent of Commissioners.
- b) Deleting a Record from an Electronic Device does not necessarily mean the Record cannot be retrieved from the District's computer system. The District may backup copies of all Records.
- c) There is no expectation of personal privacy on Electronic Devices. The District may, at any time, review the contents of all Records at the District office, through automated computer programs, or by other means.
- d) Commissioners must disclose their passwords to the District upon request.

2) Smart Phones:

- a) The Commissioners may choose industry standard smart phones as approved by the General Manager, which for 2017 will be the equivalent of an Apple iPhone 7 or Samsung Galaxy S7 model. The phone may be on either the Apple iOS or Android operating platforms.
- b) Once a Commissioner is issued a District-provided smart phone, that phone will be the primary contact number for phone communications between staff and the Commissioner.

San Mateo County Harbor District

Policy	Number: 3.1.1	Approved Date: August 16, 2017	Revision Date:
Title: District-Provided Electronic Devices for Commissioners	Prepared By: S. McGrath L. Hodges	Approved By:	Page: 4 of 4

- c) Commissioners shall comply with all federal, state and local laws and regulations regarding the use of mobile devices while operating a vehicle. Commissioners who are charged with traffic violations resulting from the use of their smart phones while driving will be responsible for fines or other penalties associated with citations that result from such actions.

3) Personal Tablets and Laptop Computers:

- a) The Commissioners may choose an industry standard personal tablet or laptop computer suitable for general business purposes, and as approved by the General Manager, which for 2017 will be the equivalent of an iPad 4, Samsung Tab S3, MacBook Air or Microsoft Surface Pro 4. The tablet or laptop computer may be on either the Apple iOS or Microsoft Windows operating system.

San Mateo County Harbor District

Policy	Number: 3.2	Approved Date: 12-20-17	Revision Date: 07-24-2020
Title: Brown Act Compliance	Prepared By: S. McGrath	Approved By: Resolution 17-21	Page: Page 1 of 2

Statement of Policy

The District is subject to the Brown Act (California Government Code Section 54950 et seq) and all District meetings are subject to the Act's requirements. The District is committed to the Act's twin goals of transparency and public participation. This Policy is intended to reflect existing law and nothing in this Policy is intended to contradict any other District policy. Without limiting the requirement for compliance with all of the Act and all other District policies, following are general principles by which the District will conduct its meetings:

Regular Meetings

All members of the public are invited to attend open meetings of a District legislative body (Board or Standing Committee). Every Regular Meeting will provide an opportunity for members of the public to address the legislative body on any item under the legislative body's jurisdiction. In addition, the public will have the opportunity to comment before or during the legislative body's consideration of any item on a Regular Meeting's agenda.

- a. Regular Meetings of the Board of Commissioners shall be held on the third Wednesday of each calendar month.
- b. Special Meetings of the Board may be called by the Board President or by a majority of the Board.
- c. Emergency Meetings. In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an Emergency Special Meeting without complying with the 24-hour notice. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by the Board Chair or a majority of the Board.
- d. Standing Committee Meetings. The meetings of Standing Committees (comprising two Commissioners), are subject to the notice and open meeting provision of the Brown Act.
- e. Agenda:
 - i. At least 72 hours prior to the time of all Regular Meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted in a place that is freely accessible to members of the public (California Government

San Mateo County Harbor District

Policy	Number: 3.2	Approved Date: 12-20-17	Revision Date: 07-24-2020
Title: Brown Act Compliance	Prepared By: S. McGrath	Approved By: Resolution 17-21	Page: Page 2 of 2

Code 54954.2 (a)(1)). The agenda shall be posted on the District website at the same time

- ii. The agenda for a Special Meeting shall be posted at least 24 hours before the meeting in the same location as for Regular Meeting agendas (California Government Code Section 54956).
 - iii. All written materials submitted to the District pursuant to California Government Code §54957.5, that are related to a matter subject to discussion on the agenda at an open meeting shall be made available for public inspection and posted to the District's agenda webpage.
 - iv. The District does not post on its website with the agenda prior to a meeting written materials submitted by a commissioner about a matter that is not related to an item for discussion on such agenda.
- f. The District shall ensure that all required and appropriate information is available for the audience at meetings of the Board of Commissioners, and that physical facilities for said meetings are functional and appropriate for all persons.

San Mateo County Harbor District

Policy	Number: 3.3	Date: April 18, 2018	Revision:
Title: Rules for the Preparation and Distribution of Meeting Agendas	Prepared By: S. McGrath	Approved By: Resolution 18-06	Page: Page 1 of 3
Purpose: To guide the development of agendas for the Board of Commissioners			

STATEMENT OF POLICY

I. General:

The following rules for the preparation of the agenda for Harbor Commission Meetings are based on the premise that it is in the interest of good government that the public and the San Mateo County Harbor District be fully informed on all matters upon which the District is called upon to act; that the Harbor Commission relies upon the members of the Harbor District staff to prepare proper reports and thorough research and investigation require adequate time to carry out their duties and responsibilities.

Additionally, District Policy 6.2.5 'Harassment, Discrimination and Retaliation Prevention' is specifically referenced herein to affirm that the District has zero tolerance for harassment, discrimination or retaliation in the application of any of the District's policies, procedures or rules.

II. Preparation of Agenda:

- A. The General Manager shall prepare an agenda for each regular and special meeting of the Board of Harbor Commissioners, which, for regular meetings, shall include, but not be limited to:
- i. An opportunity for members of the public to address the Board on items not on the agenda;
 - ii. An opportunity for Commissioners to make comments or public statements;
 - iii. A Consent agenda of routine items that may be approved by one motion;
 - iv. A Discussion agenda of matters of public significance, items requiring Board action or items requiring Board direction to staff;
 - v. A Future Agenda Items section for Board discussion and action on items to be placed on future agendas.

San Mateo County Harbor District

Policy	Number: 3.3	Date: April 18, 2018	Revision:
Title: Rules for the Preparation and Distribution of Meeting Agendas	Prepared By: S. McGrath	Approved By: Resolution 18-06	Page: Page 2 of 3
Purpose: To guide the development of agendas for the Board of Commissioners			

B. Authority to place matters on the Agenda:

The following persons shall have the authority to place matters on the agenda:

1. The Board of Harbor Commissioners, by majority vote (Board).
2. A committee of the Harbor District, on a matter within the scope of the committee, and approved by the committee as a whole.
3. The General Manager of the Harbor District.
4. The legal counsel of the Harbor District.

C. Unless specifically directed otherwise by the Board, the General Manager will determine the schedule for placement of items on the agenda of a future meeting, depending on the availability of staff and/or consultant resources and the complexity of the subject.

D. All matters placed on the agenda shall be identified by author.

E. If a Commissioner wishes to place an item on a future agenda, he or she shall first suggest the item under the Future Agenda Items portion of the Harbor District meeting agenda; and shall make a motion to that effect. If the motion is passed by the Board, the item will be placed on a future agenda.

F. Once the agenda has been posted to the District's website, an item may not be removed therefrom except by the majority vote of the Commission at the time the item is called at the meeting.

III. Posting of Agenda:

A. The agenda shall be posted in compliance with the provisions of the "Brown Act", Government Code §54950 et sequitur, and in accordance with District Policy 3.2, 'Brown Act Compliance'.

Policy	Number: 3.3	Date: April 18, 2018	Revision:
Title: Rules for the Preparation and Distribution of Meeting Agendas	Prepared By: S. McGrath	Approved By: Resolution 18-06	Page: Page 3 of 3
Purpose: To guide the development of agendas for the Board of Commissioners			

IV. Distribution of the Agenda:

- A. When distributing agenda packages and other materials to Commissioners, those materials should be provided to all Commissioners at the same time. Agenda packets, except for closed session materials, must also be made available to the public once distributed to the Commission.
- B. Copies of the agenda, and notice of Board packet availability, shall be distributed to:
 - 1. All members of the Board of Harbor Commissioners.
 - 2. Each of the Harbor Masters.
 - 3. Legal Counsel of the Harbor District.
 - 4. Members of the public who have requested, in writing, the printed agenda and packet, providing that they have paid the fee to cover the cost of distribution.
 - 5. Members of the public who have requested addition to the electronic distribution list of agenda and board packet availability.
- C. At the Commission Meetings, copies of the agenda and Board packet shall be made available for the public attending the meeting.

San Mateo County Harbor District

Policy Title: Legislative Advocacy	Number: 3.4	Date of Approval: 03/28/19
Other Revisions: N/A	Prepared By: Julie van Hoff	

1. Purpose

The purpose of the policy is to guide San Mateo County Harbor District (District) officials and staff in considering legislative or regulatory proposals that are likely to have an impact on the District, and to allow for a timely response to important legislative issues. Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited, the expenditure of public funds is allowed to advocate for or against proposed legislation or regulatory actions which will affect the public agency expending the funds.

The purpose for identifying Legislative Advocacy Policy is to provide clear direction to District staff with regard to monitoring and acting upon bills during state and federal legislative sessions. Adherence to Legislative Advocacy Policy will ensure that legislative inquiries and responses will be administered consistently with “one voice” as to the identified Advocacy Priorities adopted by the Board of Commissioners. The Legislative Advocacy Policy and Advocacy Priorities will provide the District General Manager, or other designee, discretion to advocate in the District’s best interests in a manner consistent with the goals and priorities adopted by the Board of Commissioners. This policy is intended to be manageable, consistent, and tailored to the specific needs and culture of the District.

2. Policy Goals

- A. Advocate for the District’s legislative interests at the State, County, and Federal levels.
- B. Inform and provide information to the Board of Commissioners and District staff on the legislative process and key issues and legislation that could have a potential impact on the District.
- C. Serve as an active participant with other local governments, the California Special Districts Association, and local government associations on legislative and regulatory issues that are important to the District and the region.
- D. Seek grant and funding assistance for District projects, services, and programs to enhance services for the community.

3. Policy Principles

- A. The Board of Commissioners recognizes the need to protect District interests and local control, and to identify various avenues to implement its strategic and long-term goals. It is the policy of District to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Commissioners.
- B. This policy provides the District General Manager, or other designee, the flexibility to adopt positions on legislation in a timely manner, while allowing the Board of Commissioners to set Advocacy Priorities to provide policy guidance. The Board of Commissioners shall establish various Advocacy Priorities and, so long as the position fits within the Advocacy Priorities, staff is authorized to take a position without board approval.
- C. Whenever an applicable Advocacy Priority does not exist pertaining to legislation affecting the District, the matter shall be brought before the Board of Commissioners at a regularly scheduled board meeting for formal direction from the Board of Commissioners. The Board of Commissioners may choose to establish a standing committee of two Commissioners, known as the “Legislative Advocacy Committee”, with the authority to adopt a position when consideration by the full Board of Commissioners is not feasible within the time-constraints of the legislative process.
- D. Generally, the District will not address matters that are not pertinent to the District’s local government services, such as social issues or international relations issues.

4. Legislative Advocacy Priorities

- A. It is the policy of District to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Commissioners. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and to promote positive intergovernmental relationships. Accordingly, involvement and participation in regional, state, and national organizations is encouraged and supported by the District.
- B. Monitoring legislation is a shared function of the Board of Commissioners and General Manager or designated staff. The Legislative Advocacy Procedures are the process by which staff will track and respond to legislative issues in a timely and consistent manner. The General Manager, or other designee, will act on legislation utilizing the following procedures:
 - 1. The General Manager or other designee shall review requests that the District take a position on legislative issues to determine if the legislation aligns with the District’s current approved Advocacy Priorities.

2. The General Manager or other designee will conduct a review of positions and analysis completed by the California Special Districts Association and other local government associations when formulating positions.
3. If the matter aligns with the approved priorities, District response shall be supplied in the form of a letter to the legislative body reviewing the bill or measure. Advocacy methods utilized on behalf of the District, including but not limited to letters, phone calls, emails, and prepared forms, will be communicated through the General Manager or designee. The General Manager or designee shall advise staff to administer the form of advocacy, typically via letters signed by the General Manager, or designee, on behalf of the Board of Commissioners.
4. All draft legislative position letters initiated by the General Manager or designee shall state whether the District is requesting “support”, “support if amended”, “oppose”, or “oppose unless amended” action on the issue, and shall include adequate justification for the recommended action. If possible, the letter should include examples of how a bill would specifically affect the District, e.g. “the funding the District will lose due to this bill could pay for X capital improvements.”
 - a. Support – legislation in this area advances the District’s goals and priorities.
 - b. Oppose – legislation in this area could potentially harm, negatively impact or undo positive momentum for the District, or does not advance the District’s goals and priorities.
5. The General Manager may also provide a letter of concern or interest regarding a legislative issue without taking a formal position on a piece of legislation. Letters of concern or interest are to be administered through the General Manager or designee.
6. When a letter is sent to a state or federal legislative body, the appropriate federal or state legislators representing the District shall be included as a copy or “cc” on the letter. The appropriate contacts at the California Special Districts Association and other local government associations, if applicable, shall be included as a cc on legislative letters.
7. A position may be adopted by the General Manager or designee if any of the following criteria is met:
 - a. The position is consistent with the adopted Advocacy Priorities;
 - b. The position is consistent with that of organizations to which the District is a member, such as the California Special Districts Association; or

- c. The position is approved by the Board of Commissioners or the Legislative Advocacy Committee.
8. All legislative positions adopted via a process outside of a regularly scheduled Board Meeting shall be communicated to the Board of Commissioners at the next regularly scheduled Board Meeting. When appropriate, the General Manager or other designee will submit a report (either written or verbal) summarizing activity on legislative measures to the Board of Commissioners.

5. Advocacy Priorities

A. Revenue, Finances, and Taxation

Ensure adequate funding for special districts' safe and reliable core local service delivery. Protect special districts' resources from the shift or diversion of revenues without the consent of the affected districts. Promote the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies. Protect and preserve special districts' property tax allocations and local flexibility with revenue and diversify local revenue sources.

Support opportunities that allow the district to compete for its fair share of regional, state, and federal funding, and that maintain funding streams. Opportunities may include competitive grant and funding programs.

Opportunities may also include dedicated funding streams at the regional, state, or federal levels that allow the district to maximize local revenues, offset and leverage capital expenditures, and maintain district goals and standards.

B. Governance and Accountability

Enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant or one-size-fits-all approaches.

Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preferences of each community.

Oppose additional public meeting and records requirements that unnecessarily increase the burden on public resources without effectively fostering public engagement and enhancing accountability of government agencies.

Promote local-level solutions, decision-making, and management concerning service delivery and governance structures while upholding

voter control and maintaining LAFCO authority over local government jurisdictional reorganizations and/or consolidations.

C. Human Resources and Personnel

Promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees.

Maintain special districts' ability to exercise local flexibility by minimizing state mandated contract requirements. Oppose any measure that would hinder the ability of special districts to maximize local resources and efficiencies through the use of contracted services.

D. Infrastructure, Innovation, and Investment

Encourage prudent planning for investment and maintenance of innovative long-term infrastructure. Support the contracting flexibility and fiscal tools and incentives needed to help special districts meet California's changing demands. Promote the efficient, effective, and sustainable delivery of core local services.

Prevent restrictive one-size-fits-all public works requirements that increase costs to taxpayers and reduce local flexibility.

San Mateo County Harbor District

Policy Title: Code of Conduct for Elected and Appointed Officials	Number: 3.5	Date of Approval: 05/20/20
Other Revisions:	Prepared by: SMCHD Human Relations Standing Committee	

Guiding Principles

Respect for the community that we serve.

Respect for the democratic process.

Respect for one another as individuals.

Respect for the validity of different opinions.

1. Introduction:

- A. The Board of Harbor Commissioners adopts this Code of Conduct to assure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of the San Mateo County Harbor District.
- B. This Code Conduct is designed to describe the manner in which Board Members should treat one another, District staff, constituents, and others they come into contact with in representing the San Mateo County Harbor District. As elected representatives of the citizens of San Mateo County, it is essential that each Commissioner's behavior be consistent with the level of responsibilities and duties of governance entrusted to them by the people of San Mateo County.
- C. The constant and consistent theme throughout of the Code of Conduct is "respect." Commissioners can experience tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Commissioners to do the right thing in even the most difficult situations.

2. Relation to Policy 1.1.1: San Mateo County Harbor District Ethics and Values:

This policy is intended to be complementary to Policy 1.1.1. The San Mateo County Harbor District Ethics and Values Policy is applicable to all District staff and Commissioners, while this policy (Policy 3.5) builds upon Policy 1.1.1. and is only applicable to Commissioners and appointed officials.

- 3. Fair and Equal Treatment:** Board members, in the performance of their official duties and responsibilities, will not discriminate against or harass any person on the

Policy 3.5 - Code of Conduct for Elected and Appointed Officials

basis of race, religion, color, creed, age, marital status, national origin, ancestry, gender, sexual orientation, medical condition or disability. A Board member will not grant any special consideration, treatment or advantage to any person or group beyond that which is available to every other person or group in similar circumstances. (See, e.g., Article 1, Section 31 of the California Constitution; Age Discrimination in Employment Act of 1967 (29 U.S.C., Section 621-634); Americans with Disabilities Act of 1990 (42 U.S.C., Section 12101 et. Seq.); Fair Employment and Housing Act (Government Code, Section 12900 et. Seq.); Rehabilitation Act of 1973 (29 U.S.C., Section 701 et. Seq.); Title VII of the Civil Rights Act of 1964 (42 U.S.C., Section 2000c et. Seq.); Labor Code Section 1102.)

4. **General Policy:**

- A. The citizens of San Mateo County are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials:
1. comply with both the letter and spirit of the laws and policies affecting the operations of government;
 2. are independent, impartial and fair in their judgment and actions;
 3. use their public office for the public good, not for personal gain; and
 4. conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect.
- B. Therefore, Members of the Board of Harbor Commissioners and all Committees shall conduct themselves in accordance with the following ethical standards:
1. Use of Formal Titles: The Board should refer to one another formally during Board meetings such as President, Vice President, Commissioner followed by the individual's last name.
 2. Honor the Role of the Presiding Officer in Maintaining Order and Equity: It is the responsibility of the President of the Board as Chair, or the Commissioner acting in that capacity, to keep the comments of Board Members on track during public meetings. Board Members should honor efforts by the President of the Board to focus discussion on current agenda items. If there is disagreement about the agenda or the President's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
 3. Practice Respect and Decorum in Discussions and Debate: Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of free democracy in action. Free debate does not require nor justify, however, public officials to make

Policy 3.5 - Code of Conduct for Elected and Appointed Officials

belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. During public discussions, Board Members should be respectful of others and diverse opinions, and allow for the debate of issues.

4. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of San Mateo County and users of District facilities and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them.
5. Comply with both the Spirit and the Letter of the Law and District Policy. Board Members shall comply with the laws of the nation, the State of California and the San Mateo County Harbor District Code of Ordinances, Resolutions, and Policies in the performance of their public duties.
6. Conduct of Board Members. The professional and personal conduct of Board Members while exercising their office must be above reproach and avoid even the appearance of impropriety. Board Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Board, the staff or public.
7. Conduct at Public Meetings. Board Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the Board/Committee; or otherwise interfering with the orderly conduct of meetings.
8. Decisions Based on Merit. Board Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
9. Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good and compliance with conflict of interest laws, members shall use their best efforts to refrain from creating an appearance of impropriety in their actions and decisions. Members shall not use their official positions to influence government decisions in which they have:
 - a. a material financial interest,
 - b. an organizational responsibility or personal relationship which may give the appearance of a conflict of interest, or
 - c. a strong personal bias.

A Board Member who has a potential conflict of interest regarding a particular decision shall disclose the matter to the General Counsel and reasonably cooperate with the General Counsel to analyze the potential conflict. If advised by the General Counsel to seek advice from the Fair Political

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Practices Commission (FPPC) or other appropriate state agency, a member shall not participate in a decision unless and until he or she has requested and received advice allowing the member to participate. A member shall diligently pursue obtaining such advice. The member shall provide the President of the Board and General Counsel a copy of any written request or advice and conform his or her participation to the advice given. In providing assistance to Board Members, the General Counsel represents the District and not individual members.

In accordance with the law, Board Members shall disclose investments, interests in real property, sources of income, and gifts; and if they have a conflict of interest regarding a particular decision, shall not, once the conflict is ascertained, participate in the decision and shall not discuss or comment on the matter in any way to any person including other members unless otherwise permitted by law.

10. Gifts and Favors. Board Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
11. Confidential Information. Board Members must maintain the confidentiality of all written materials and verbal information provided to members which is confidential or privileged. Board Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
12. Use of Public Resources. Board Members shall not use public resources which are not available to the public in general (e.g., District staff time, equipment, supplies or facilities) for private gain or for personal purposes not otherwise authorized by law.
13. Representation of Private Interests. In keeping with their role as stewards of the public interest, members of the Board shall not appear on behalf of the private interests of third parties before the Board or a Committee of the District.
14. Advocacy. Board Members shall represent the official policies or positions of the Harbor District to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent the Board or Harbor District, nor will they allow the inference that they do. Board Members have the right to endorse candidates for all Harbor District Commission seats or other elected offices. It is inappropriate to mention or display endorsements during Board or Committee meetings, or other official District meetings.

Policy 3.5 - Code of Conduct for Elected and Appointed Officials

15. Independence of Committees. Because of the value of the independent advice of Committees to the public decision-making process, members of Board shall refrain from using their position to unduly influence the deliberations or outcomes of Committees for which they are not assigned.
 16. Positive Workplace Environment. Board Members shall support the maintenance of a positive and constructive workplace environment for District employees and for citizens and businesses dealing with the District. Board Members shall recognize their special role in dealings with District employees to in no way create the perception of inappropriate direction to staff.
 17. Demonstrate effective problem-solving approaches. Board Members have a public stage and have the responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the District as a whole.
- C. Elected and Appointed Officials' Conduct with the Public in Public Meetings: Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.
1. Be Welcoming to Speakers and Treat Them with Care and Gentleness. While questions of clarification may be asked, the official's primary role during public testimony is to listen.
 2. Be Fair and Equitable in Allocating Public Hearing Time to Individual Speakers. The President of the Board will determine and announce limits on speakers at the start of the public hearing process.
 3. Practice Active Listening. It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Board Members shall try to be conscious of facial expressions, and avoid those that could be interpreted as "smirking," disbelief, anger or boredom.
 4. Maintain an Open Mind. Board Members of the public deserve an opportunity to influence the thinking of elected and appointed officials.
 5. Ask for Clarification, but Avoid Debate and Argument with the Public. Only the President of the Board – not individual Board Members – can interrupt a speaker during a presentation. However, a member can ask the President for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

Policy 3.5 - Code of Conduct for Elected and Appointed Officials

D. Elected and Appointed Officials' Conduct with District Staff:

Governance of the Harbor District relies on the cooperative efforts its elected officials, who set policy, appointed officials who advise the elected, and District staff who implement and administer the Board's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the Harbor District.

1. Treat all Staff as Professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
2. Do Not Disrupt District Staff from their Jobs. Board Members should not disrupt District staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend District staff meetings unless requested by staff – even if the Board Member does not say anything, his or her presence implies support, shows partiality, may intimidate staff, and hampers staff's ability to do their job objectively.
3. Never Publicly Criticize an Individual Employee. Board Members should never express concerns about the performance of a District employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the General Manager through private correspondence or conversation.
4. Do Not get Involved in Administrative Functions. Elected and appointed officials acting in their individual capacity must not attempt to influence District staff on matters within the staff's jurisdiction and authority.
5. Do Not Solicit Political Support from Staff. Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from District staff. District staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.
6. No Attorney-Client Relationship. Board Members shall not seek to establish an attorney-client relationship with the General Counsel, including his or her staff and attorneys contracted to work on behalf of the District. The General Counsel represents the District and not individual members. Members who consult with the General Counsel cannot enjoy or establish an attorney-client relationship with the attorney.
7. Request for Staff Resources.
 - a. Board Member's requests for research or other staff work must be directed to the General Manager or General Counsel regarding legal matters.

Policy 3.5 - Code of Conduct for Elected and Appointed Officials

- b. If more than one hour of staff time will be required to complete a requested task or project, the item will be agenized to ask the Harbor Board if time should be spent on preparing a report on the proposed item.
- c. Staff responses prepared to Board inquiries shall be distributed to all Board Members.

5. **Enforcement:**

- A. Acknowledgement of Code of Conduct. Board Members who do not sign an acknowledgement that they have read and understand the Code of Conduct shall be ineligible for intergovernmental assignments or Council subcommittees.
- B. Ethics Training for Local Officials. Board Members who are out of compliance with State or District mandated requirements for ethics training shall not represent the District on intergovernmental assignments or District subcommittees, and may be subject to sanctions.
- C. Behavior and Conduct. The San Mateo Harbor District Code of Conduct expresses standards of ethical conduct expected for members of the Board of Harbor Commissioners and Committee members. Commissioners themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The President of the Board and Chairs of Committees have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Conduct are brought to their attention.

6. **Required Ethics Training:**

- A. AB 1234 requires elected or appointed officials who are compensated for their service or reimbursed for their expenses to take two hours of training in ethics principles and laws every two years. The training must occur within two months of assuming office and be renewed within two months of the expiration of the current certificate.
- B. The training must cover general ethics principles relating to public service and ethics laws including:
 - 1. Laws relating to personal financial gain by public officials (including bribery and conflict of interest laws);
 - 2. Laws relating to office-holder perks, including gifts and travel restrictions, personal and political use of public resources, and prohibitions against gifts of public funds;
 - 3. Governmental transparency laws, including financial disclosure requirements and open government laws (the Brown Act and Public Records Act);

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4. Laws relating to fair processes, including fair contracting requirements, common law bias requirements, and due process.

7. **Sanctions:**

A. Disciplinary Action. Disciplinary action may be imposed by the Board of Harbor Commissioners upon Board Members who have violated the District Code of Conduct for Elected or Appointed Officials. Disciplinary action or sanctions are considered when a serious violation of District policy has occurred by a Board Member. In determining the type of sanction imposed, the following factors may be considered:

1. Nature of the violation,
2. Prior violations by the same individual, and
3. Other factors which bear upon the seriousness of the violation.

B. Types of Sanctions. At the discretion of the Board, sanctions may be imposed for violating the Code of Conduct or engaging in other misconduct. These actions may be applied individually or in combination. They include, but are not limited to:

1. Public Admonishment. A reproof or warning directed to a Board Member about a particular type of behavior that violates District policy.
2. Revocation of Special Privileges. A revocation of a Board Member's Committee assignments, including standing and ad hoc committees, regional boards and commissions, and community-generated board/committee appointments. Other revocations may include temporary suspension of official travel, conference participation, and ceremonial titles.
3. Censure. A formal statement or resolution by the Board of Harbor Commission officially reprimanding a Council Member.

C. Implementation:

1. The Code of Conduct is an expression of the standards of conduct for Board Members expected by the District. It is most effective when Board Members are thoroughly familiar with it and embrace its provisions.
2. All Board Member's shall sign a statement acknowledging they have read and understand the Code of Conduct. In addition, the Code of Conduct shall be periodically reviewed by the Board of Harbor Commissioner and updated it as necessary.

Policy 3.5 - Code of Conduct for Elected and Appointed Officials

Acknowledgement:

I affirm that I have read and understand the San Mateo County Harbor District Code of Conduct for Elected and Appointed Officials.

Signature

Date

APPROVED AS TO FORM:

General Counsel

Policies and Procedures	Number: 4.1.2	Date: 2/12/01	Revision: 6/6/97 4/10/00
Title: Weekly Time Sheets	Prepared By: LM	Approved By: PG	Page: Page 2 of 3

3. Section three:

- An explanation should be included for any overtime worked.
- When using EIB, attach a doctor's note as required. If old sick leave is used make a notation you were sick. Please note old sick leave is required to be used prior to using EIB.
- All PTO, PTO-OT and CET should be approved a minimum of 14 days in advance. The PTO/CET Approval form should be completed with Department Head and General Manager approval prior to submission for payroll processing

4. Other:

- Time sheets are to be submitted on the designated day to your Department Head or his/her designee.
- If you are regular full-time employee (this includes those on probation), your time sheet should be for a minimum of 40 hours per week. If you do not work the hours, you must use PTO or other banked hours to meet the minimum.
- Any full-time, regular employee failing to complete and submit a time sheet, will be paid using PTO hours. If PTO is not sufficient to cover full-time hours for the pay period, the balance of the PTO hours will be used to zero out the accrued hours. Any corrections, based on the submitted time sheet will be made on the next payroll.
- Any part-time employee failing to complete and submit a time sheet will not be paid.
- For Special Projects, your supervisor might on occasion, ask you to keep track of the hours you spend doing certain projects. Complete a separate form and attach to your time sheet.

5. Submission of Time Sheets:

Department Heads should submit signed or signed copies of time sheets to payroll on Monday, following the week ended on Saturday at 2400 hours.

Related Policies:

- 6.5.1 Hours of Work
- 6.5.2 Minor Work Permits
- 6.5.3 Date of Appointment
- 6.5.4 Probationary Period
- 6.5.5 Workweek
- 6.5.6 Overtime
- 6.5.7 Salary/PTO Advances
- 6.5.8 Paid Time Off (PTO)

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6.5.9 Holidays

6.5.10 Bereavement Leave

6.5.11 Jury/Court Leave

San Mateo County Harbor District

Policies and Procedures	Number: 4.1.3	Date: 12/2/98	Revision:
Title: Voluntary Payroll Deductions	Prepared By: AMWL	Approved By: 41 — 98	Page: Page 1 of 1
Purpose: To ensure proper documentation is obtained and District responsibility is clearly specified for voluntary payroll deductions			

STATEMENT OF POLICY:

The San Mateo County Harbor District will accommodate any reasonable request for voluntary payroll deductions subject to a limit of three voluntary payroll deductions per employee.

DESCRIPTION OF PROCEDURE:

All voluntary payroll deductions will require that a written request from the employee be submitted to the General Manager (Personnel Officer), who will be responsible for forwarding a copy to Director of Finance for proper payroll handling. Required information in the written request includes: employee name, amount to be deducted, account number payment is to be forwarded to, entity name to whom check is to be issued, address to where payment should be sent, date of first deduction and signature of the employee signifying consent for the voluntary deduction. The employee must also complete any required form as directed by entity, e.g. change form for ICMA Deferred Compensation.

All requests for voluntary payroll deductions must be received the first day of the payroll cycle to be processed on the next pay date.

If for any reason an employee is not issued a payroll check or the check is not sufficient to cover the deduction(s), the District is not responsible for payment of the voluntary deduction. It will be the responsibility of the employee to make any payment directly to the entity or pay the District directly prior to issuance of a check. At no time will the District make a payment based on a voluntary deduction if a paycheck is not processed for the employee.

Voluntary deductions will only be deducted from regular bi-weekly paychecks as identified on the Payroll Schedule. No voluntary deductions will be made from special checks, such as PTO payouts.

It will be the responsibility of the employee to provide a written request to terminate or change the amount on any voluntary payroll deduction. The request must be submitted to the General Manager who will forward a copy to the Finance Department. The date the deduction should be terminated or changed, the amount to be changed to if applicable and, the name of the entity and the signature of the employee should be included in the request. The employee must also complete any form required by entity.

San Mateo County Harbor District

Policy	Number: 4.2.1	Date of Approval: 06/21/2006	Adopted By: Resolution 36-98
Title: Expense Accounting and Expenditure Reimbursement for Employees	Prepared By: E. Wilkerson Procedure Approved S.McGrath 9/13/2016	Revised By: Resolution 31-06 Procedure 9/13/2016	Page: Page 1 of 6
Purpose: To establish policy guidelines on District reimbursement for expenses for District employees while on District business			

1.0 Statement of Policy

It is the policy of the District to prescribe the manner in which district employees may be reimbursed for expenditures related to District business. This policy applies to all employees and its provisions regarding expense reimbursement are intended to result in no personal gain or loss to an employee.

2.0 Description of Procedure

Whenever district employees desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to District business, they shall submit their requests on a reimbursement form approved by the General Manager. Included on the reimbursement form will be an explanation of the district-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.

The General Manager or Director of Finance will review and approve reimbursement requests.

Reimbursement rates shall coincide with rates set by Internal Revenue Service Publication 463 or its successor publication(s).

Any and all expenses that do not fall within the adopted reimbursement policy or the IRS reimbursable rates are not eligible for reimbursement.

The District shall provide expense reimbursement report forms to employees who incur reimbursable expenses on behalf of the District to document that their expenses adhere to this policy.

Receipts are required to be submitted in conjunction with all items listed on the expense report form. Expenses without receipts will not be reimbursed.

Expense reports shall be submitted within a reasonable time, but not more than sixty (60) days after incurring the expense.

It is against the law to falsify expense reports. Penalties for misuse of public resources or violating this policy may include, but are not limited to, the following:

- a) The loss of reimbursement privileges;
- b) Restitution to the local agency;
- c) Civil penalties for misuse of public resources pursuant to Government Code Section 8314; and
- d) Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code, penalties for which include 2, 3 or 4 years in prison.

Policy	Number: 4.2.1	Date of Approval: 6/21/2006	Adopted By: Resolution 36-98
Title: Expense Accounting and Expenditure Reimbursement for Employees	Prepared By: E. Wilkerson Procedure Approved S.McGrath 9/13/2016	Revised By: Resolution 31-06 Procedure 9/13/2016	Page: Page 2 of 6

2.1 PRIOR APPROVALS

2.1.1 Out-of-State Travel and Expenses

Requires prior approval by the Board of Harbor Commissioners, in writing, which shall verify that budgeted funds are available prior to approving the travel and expenses.

2.1.2 Travel and Expenses Outside of San Francisco and San Mateo Counties

Travel and expenses for employees require the prior approval of the General Manager. The General Manager shall verify that budgeted funds are available prior to approving the travel and expenses.

2.1.3 Travel and Expenses Within San Francisco and San Mateo Counties

Travel and expenses for employees require the prior approval of the Department or Site Manager. The Department or Site Manager shall verify that budgeted funds are available prior to approving the travel and expenses.

Allowable Expenses

3.1 General Expenses

3.1.1 *Parking Fees and Tolls*

Parking fees and tolls will be reimbursed by actual cost and receipts shall be presented where possible.

3.1.2 *Tips*

Tips shall be reimbursed when customary and reasonable but not to exceed twenty percent (20%).

3.1.3 *Meals*

Rates are established by the Federal General Service Administration. Employees may opt for a per diem rate as established for area of travel. Partial days of travel may be reimbursed at 50% of the daily per diem. If employee opts out of per diem, reimbursements must be itemized, with receipt and may not exceed GSA meal and incidental rates. The Per Diem rates including tax and gratuity are published for each travel area at the following link:

<http://www.gsa.gov/portal/content/104877>

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The above prices are to be used as a guideline for those who do not opt for the Per Diem reimbursement (without receipt). Daily total with receipts will not exceed \$53.00. Full itemization should be made when receipts are unavailable.

3.1.4 Other Miscellaneous Expenses

Other miscellaneous expenses incurred either personally or on a District credit card shall require the approval of the appropriate authority outline in Section 2.1, Prior Approvals, prior to the expenses being incurred..

3.1.5 Confirmation of Expenses Prior to Incurring Cost

Employees are encouraged to confirm reimbursement rates prior to incurring with the District Finance Department

3.2 Expenses Incurred Within San Francisco or San Mateo Counties

3.2.1 Mileage

Employees who utilize their personal vehicles on travel assignments will be allowed the IRS allowable rate per mile.

3.2.2 Meals

Reimbursement for meals will be allowed only when the employee is attending a seminar, conference, or meeting as a representative of the District for a specific purpose, or when the employee's attendance will directly benefit the District. There is no reimbursement for meals which are provided as part of the event registration. No reimbursement will be allowed for meetings that are of a social nature.

3.3 Expenses Incurred Outside San Francisco and San Mateo Counties

3.3.1 Lodging

Lodging connected or other prior approved events shall not exceed the maximum group rate published for the conference or activity, if one is available. Use of the conference hotel is generally recommended. If the published group rate is unavailable employees shall be reimbursed for comparable lodging at government or IRS rates up to the GSA maximum.

Lodging expenses will be reimbursed on completion of authorized travel upon submittal of proper claim. The single rate should be clearly indicated on all receipts.

3.3.2 Mileage Allowance

Employees who utilize their personal vehicles on travel assignments will be allowed the IRS allowable rate per mile. Each Employee who drives a private vehicle on District business must have copy of their personal liability insurance on said vehicle on file at the District Office. No reimbursement for mileage shall exceed the dollar amount of round trip airfare at the coach rate on a licensed common carrier, plus auto rental or taxi fare at point of destination.

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When two or more employees are attending the same seminar, convention, or meeting, carpooling shall be practiced whenever possible. The actual odometer reading from the District offices to destination and return to the District offices will be used.

If an employee, for his or her own convenience, travels by an indirect route or interrupts travels by the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

3.3.3 Air Travel

Reservations should be made far enough in advance to assure that the District realizes the maximum discount available. The District shall pay for economy class, and no higher.

3.4 Booking of Travel

Travel arrangements will be made by a person designated by the General Manager at each work site. This will assure that all maximum available discounts are obtained by the District, and that all arrangements are coordinated and uniform.

Should the employee elect to make his or her own travel arrangements and it is subsequently determined that the District could have achieved lower fares or rates, the District shall reimburse the employee only up to the amount that would have been paid by the District had it made the arrangements itself.

4.0 NON-ALLOWABLE EXPENSES

Laundry, cleaning, or valet service including luggage transportation (except of trips of over one week duration).

Tobacco.

Alcoholic beverages.

Entertainment including theater, movies either in room or otherwise, sporting events (including gym, massage, and/or other sports related expenses) or other events

Personal telephone calls to home in excess of one per day.

Meals and lodging in lieu of other meals and/or lodging the expense of which is included in the Registration fee.

Fines, forfeitures, traffic citations or other penalties.

Rental vehicles except as pre-approved by the District Manager.

Expenses of a spouse or other non-employee.

Loss or damage to personal property.

Barber, beauty parlor, shoe shine or toiletries.

Personal postage

Credit card late fees as a result of untimely submission of expense accounting forms.

5.0 SUBMISSION OF CLAIMS FOR REIMBURSEMENT

Each employee shall submit their claim for reimbursement and other expense accounting on the form provided by the District, which shall be filled out in its entirety. The signature on said form shall attest to the truthfulness and accuracy of the claim. Forms shall be submitted as follows:

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5.1 General Manager

All expenses incurred by the General Manager shall require action by the Board of Harbor Commissioners to approve same for payment. Forms shall be submitted to the Board Treasurer, who shall recommend approval or disapproval to the Board.

5.2 Department or Site Managers

All expenses incurred by Department or Site Managers shall be submitted to the General Manager, who shall approve or disapprove the expenses.

5.3 Other Employees

All expenses incurred by other employees shall be submitted to the Department or Site Manager, who shall recommend approval or disapproval to the General Manager, who shall approve or disapprove the claim.

6.0 PAYMENT OF CLAIMS

6.1 Required Signatures

No claim shall be honored for payment unless it bears all required signatures. All claims shall be submitted within 60 days of the date the last expense of the claim was incurred.

6.2 Payment Process

All claims shall be paid in the normal Bills and Claims process.

6.3 Pre-Payment and Advances

The employee may request to have the District pre-pay certain high expense items such as Conference Fees, Airline tickets, etc. When this is desired the employee shall submit the request in writing, well in advance in order to permit the appropriate arrangements to be made.

When it is anticipated that the out-of-pocket expense to an employee will exceed \$50.00, the employee may request an advance against anticipated expenses by forwarding a written request to the Director of Finance at least three (3) weeks in advance of the requirement for the funds. This will permit the funds to be handled within the normal Bills and Claims process.

The employee shall be responsible for any item pre-paid by the District and not used. Failure to repay said unused expenditure to the District may be construed as a gift of public funds, and will not be allowed. The Board of Harbor Commissioners may waive this requirement in the event that illness or injury to an employee precluded attendance at, or use of the pre-paid item, or the Board finds that other extenuating circumstances intervened to preclude attendance at or use of the pre-paid item.

6.4 Off-Line Checks

The issuance of "off-line" checks shall be limited to emergency situations, and shall require the written authorization of the General Manager and the Director of Finance.

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6.5 District Credit Cards

The Director of Finance is empowered to cancel, withdraw from service, or otherwise prohibit charges against any District credit card that has exceeded its authorized spending limits, or is delinquent in its accounting.

San Mateo County Harbor District

Policies and Procedures	Number: 4.2.3	Date: 3/1/95	Revision: 3/1/95
Title: Policy Expense Reporting, Payment for Services and Product and/or Receipt of Gifts or Payments	Prepared By:	Approved By: Resolution 2—95	Page: Page 1 of 1
Purpose: To establish expense reporting policy and payment for services and products and/or receipt of gifts or payments.			

STATEMENT OF POLICY

This Policy complies with Chapter 36 of the California Government Code, Section 82048.5, and the intent of the Harbor Commission to have all expenditures reported annually for all affected employees.

DESCRIPTION OF PROCEDURE

REIMBURSEMENT:

The District shall, in compliance with Section 53065.5 of the Government Code, prepare on or before August 31 of each year for the preceding fiscal year, a document disclosing all payments made to the Harbor Commissioners, officers, and all employees for expenses incurred in the performance of their duties, expenses incurred for the business of the District, or expenses incurred for any other purpose prior to fiscal year.

This Policy will fulfill the requirements of Chapter 36 pertaining to special districts reporting requirements.

LIMITS ON GIFTS:

Chapter 36 also reduces from \$1,000 to \$250, the limitation on gifts that may be accepted by Harbor Commissioners and designated employees from any single source, in any calendar year, except reimbursement for actual travel expenses and reasonable subsistence in connection herewith.

Chapter 36 further requires each special district to report and disclose, at least annually, any reimbursement paid by the District within the immediately preceding Fiscal Year of at least \$100 for individual charges paid to any employee or member of the governing body of the District. It required the disclosure to be in the form of a document published or printed at least annually by a date determined by each District and is to be made available for public inspection.

The annual document shall be prepared not later than August 31 for such payments and reimbursements made during the preceding fiscal year. This document shall be posted at the San Mateo County Harbor District's Administration Office and Oyster Point Marina/Park Harbormaster's office, for public inspection.

VIOLATION OF CHAPTER 36:

It is a misdemeanor for elected office holders and designated employees of local government agencies to violate Sections 53065.5 and 82048.5 of the California Government Code.

San Mateo County Harbor District

Policy	Number: 4.2.4	Date of Approval: 06/21/2006	Adopted By: Resolution No. 25-16
Title: Expense Accounting and Expenditure Reimbursement for Commissioners	Prepared By: G. Lazof	Revised By: Board of Harbor Commissioners September 1, 2010, September 7, 2016	Page: Page 1 of 8
Purpose: To establish policy guidelines on District reimbursement for expenses for Commissioners while on District business.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District (District) is obligated to ensure that expenditures made by the District are solely for public purposes as well as prudent. This policy governs and provides for a process by which a member of the District's Board of Harbor Commissioners (Board) may seek reimbursement for expenses that he or she has incurred in the conduct of District business.

This policy complies with Government Code Section 53232.2, which provides that if a local agency reimburses members of its legislative body for actual and necessary expenses incurred in the performance of official duties, then the agency's governing board must adopt a written policy, in a public meeting, specifying the types of activities that qualify for reimbursement of expenses such as those related to travel, meals and lodging. To the extent practical, Commissioners are encouraged to work with District staff to make travel arrangements paid for in advance directly by the District, not subject to reimbursement under this Policy.

This policy applies to all members of the Board of Harbor Commissioners, and its provisions regarding expense reimbursement are intended to result in no personal gain or loss to a commissioner.

District Commissioners are eligible to receive reimbursements for travel, meals, lodging, and other reasonable and necessary expenses. Commissioners are limited to reimbursement only as authorized in this policy.

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Title: Expense Accounting and Expenditure Reimbursement for Commissioners	Prepared By: G. Lazof	Revised By: Harbor Commission- September 1, 2010, September 7, 2016	Page: Page 2 of 8

2. AUTHORIZED EXPENSES

A. Expenses

Expenses incurred in connection with the following types of activities generally constitute authorized and reimbursable expenses, and do not need pre-expense approval of the Board, as long as the other requirements of this Policy are met:

- a. Communicating with representatives of regional, state and national governments on Board-adopted policy positions;
- b. Attending conferences or educational seminars designed to improve the skills and knowledge of Commissioners, so long as the skills and knowledge relate to their position with the District; and
- c. Participating in regional, state and national organizations whose activities or agenda directly affects the District's interests.

B. Prior Approvals

Out-of-State travel and expenses require prior approval by the Board of Harbor Commissioners, in writing, which shall verify that budgeted funds are available prior to approving the travel and expenses.

C. Other Expenses

All other expenses must be approved by the Board, in a public meeting, before the expense is incurred.

3. EXPENSES NOT ELIGIBLE FOR REIMBURSEMENT

Expenses that are not eligible for reimbursement include:

- a. The personal portion of any trip;
- b. Political or charitable contributions;

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- c. Family expenses, including a partner's expenses when accompanying a Commissioner on District-related business, as well as child- or pet-related expenses;
- d. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf-related expenses), or other cultural events;
- e. Alcoholic beverages, including personal hotel honor bar expenses;
- f. Tips greater than 20 percent (unless automatically included in the bill);
- g. Regular commuting costs and personal automobile expenses, including for vehicle maintenance and repairs, traffic citations, insurance and gasoline;
- h. Personal losses incurred while on District business;
- i. Laundry, cleaning, or valet service including luggage transportation (except of trips of over one week duration);
- j. Personal telephone calls;
- k. Meals and lodging in lieu of other meals and/or lodging the expense of which is included in the Registration fee;
- l. Fines, forfeitures, traffic citations or other penalties;
- m. Loss or damage to personal property;
- n. Barber, beauty parlor, shoe shine or toiletries;
- o. Personal postage; and
- p. Credit card late fees or interest as a result of untimely submission of expense accounting forms.

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Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred.

4. TRANSPORTATION

Commissioners are encouraged to use public transit and carpool to the maximum extent possible when travelling on District business. When transportation is needed for Commissioners to travel for District business other than in District vehicles, costs are eligible for reimbursement as follows:

- a. **Airfare.** Airfares that are reasonable and economical (coach fare) are eligible for reimbursement. Ticket purchases should be made well in advance to take advantage of low fares when possible.
- b. **Automobile.** Personal automobile mileage is reimbursed at Internal Revenue Service (IRS) rates in effect at the time of travel. Tolls are eligible for reimbursement.

Reimbursement for auto mileage will be capped at the cost of corresponding coach airfare for the same trip when it would be less expensive to fly than drive.

- c. **Car Rental.** Rental car costs and fees are authorized for reimbursement only when absolutely necessary and when other transportation is not feasible or car rental is more economical. Cars are to be reserved at a rate that does not exceed the standard-size car rate.
- d. **Parking and Shuttles.** Reasonable parking costs will be reimbursed. Long-term parking or shuttle service to and from the airport may be claimed as a miscellaneous expense for reimbursement.
- e. **Public Transit.** Actual fares for public transit will be reimbursed.

5. LODGING

Lodging costs are only reimbursable when Commissioners travel for authorized purposes.

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Lodging expenses at the single-room rate will be reimbursed or paid for when travel on District business reasonably requires an overnight stay. If such lodging is in connection with a conference, training or other educational activity, lodging expenses must not exceed the group rate published by the conference sponsor or training provider for the event in question.

6. MEALS & INCIDENTAL EXPENSES

Meals and incidental expenses are reimbursable whenever Commissioners travel for authorized purposes, and as otherwise set forth below:

- a. **Business Meetings.** Actual and reasonable costs of business meals and gratuities are allowed when representing the District, regardless of geographic location. These are capped at GSA per diem rates.
- b. **Conference, Seminar or Training.** When Commissioners attend conferences, seminars and trainings for the District, reimbursements will be provided, upon submission of receipts, for the actual cost of meals, capped by the maximum established GSA for all meals, based on the locations of the events.
- c. **Alcohol.** The District will not pay for alcohol or hotel-room personal bar/honor bar expenses.

7. REGISTRATION FEES

Registration fees for conferences or meetings will be reimbursed at actual cost.

8. TELEPHONE/FAX/INTERNET

Commissioners will be reimbursed for actual telephone, fax, or Internet connection expenses incurred for District business.

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9. REPORTS TO THE COMMISSION

When a Commissioner attends a conference, training, seminar or other event for which he or she seeks reimbursement from the District, the Commissioner must submit a brief oral or written report at the next regular Commission meeting. If multiple members attended, a joint report may be made.

10. COMPLIANCE WITH LAWS

Commissioners should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All District expense reports and accompanying documentation are public records subject to disclosure under the Public Records Act and other applicable laws.

11. VIOLATION OF POLICY

Misuse of public resources or falsifying expense reports in violation of District Policy may result in any or all of the following:

- a. Loss of reimbursement privileges;
- b. Restitution to the District;
- c. The District reporting the expenses as income to State and Federal tax authorities;
- d. Civil Penalties of up to \$1,000 per day and three-times the value of the resources used;
- e. Prosecution for misuse of public resources; and
- f. Censure by the Board or such other measure as may be determined by the Board.

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12. IMPLEMENTING PROCEDURES

The District and its Commissioners must follow the procedures adopted to implement this Policy. These procedures may be revised by the General Manager in compliance with all laws and in furtherance of this Policy.

13. EXPENSE REPORT FORM SUBMISSIONS

- a. All expense reimbursement requests must be submitted on an Expense Report Form approved by the General Manager. Completed Expense Report Forms must document that the expense in question met the requirements of the Policy.
- b. Expense Report Forms must be submitted within thirty (30) calendar days of an expense being incurred, and must include the following attachments:
 1. Original receipts showing the claimed expenses (e.g., restaurant receipts as opposed to credit card receipts or statements);
 2. Name of the Commissioner, as well as a description of the purpose of the meeting;
 3. A copy of the Program or Agenda of the event(s) attended, when relevant;
 4. When original receipts are required under these procedures, but have been lost, a duplicate receipt if available;
 5. If neither an original nor duplicate receipt is available, or if a receipt is not available for a small expenditure (e.g., parking meters), a detailed explanation of the expenditure and explanation of which receipts are not available;
 6. Telephone bills identifying calls made on District business, when relevant; and

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7. Actual Odometer readings or Google (or similar) map displaying mileage by most direct route.
 - c. Expense Report Forms will be reviewed by the Treasurer and will be approved by the Harbor Commission pursuant to the normal process for approving bills and claims.

14. AUDITS OF EXPENSE REPORTS

All evidence of expenses and related documentation are subject to verification that they comply with this Policy.

San Mateo County Harbor District

Policies and Procedures	Number: 4.3.1	Date: 5/18/98 5/17/2017	Revision: Number 1
Title: Purchasing and Procurement Policy	Prepared By: AMWL/PG	Approved By: PG Revised Policy Board of Harbor Commissioners	Page: Page 1 of 6
Purpose: Establish purchasing and procurement policy to ensure appropriate controls are maintained over the purchase and payment of goods and services for the District.			

STATEMENT OF POLICY:

The San Mateo County Harbor District's procurement policy is in furtherance of the following goals and general principles:

- 1) To promote the greatest economy and efficiency for the District,
- 2) To provide safeguards to maintain a procurement policy of quality and integrity,
- 3) To instill public confidence in the procurement process of the District and adherence to proper standards of conduct by all District personnel,
- 4) To ensure fair and equitable treatment for all vendors who seek to deal with the District,
- 5) To foster maximum open and free competition in the expenditure of public funds, and
- 6) To maintain procurement policies and procedures to ensure compliance with applicable local, state, and federal laws and regulations.

All procurement transactions, regardless of whether negotiated or advertised and without regard to dollar value, must be conducted so as to provide maximum open and free competition. Positive efforts must be made by the District to utilize San Mateo County businesses and sources of supplies and services and every effort must be made to allow such sources the maximum feasible opportunity to compete for contracts with the District. The following set of procurement and contracting policies have been developed based on these goals and general principles.

DESCRIPTION OF POLICY

A. Conflicts of Interest

No Commissioner, officer, employee or agent of the District shall participate in any procedure, task, or decision relative to initiation, evaluation, award, or administration of a contract if a conflict of interest, real or apparent, exists. Such a conflict of interest arises when (a) the Commissioner, officer, employee or agent, (b) any member of his or

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her immediate family, (c) his or her business associate, or (d) an organization which employs, or which is about to employ, any of the above described individuals has a financial or other interest in a firm that participates in a District procurement process or that is selected for a contract award. The standards governing the determination as to whether such an interest exists are set forth in Sections 1090, 1091, and 1091.5 of the California Government Code and the California Political Reform Act.

B. Methods of Procurement

1. All purchases and contracts, whether by informal bidding, formal bidding or proposals, shall be made on a competitive basis to the greatest extent practicable.
2. The method of procurement shall be appropriate for the type of project or procurement and shall be in the best interest of the District.
3. Public Works. Formal competitive bidding must be used for construction, alteration, repair, or improvement of any public structure, building or road, whenever the estimated expenditure for such work exceeds \$5,000 or more and, for new construction, whenever the estimated expenditure for such work exceeds \$10,000 or more.
4. Equipment, Materials, and Supplies Over \$25,000. Formal competitive bidding may be used when purchasing equipment, supplies, or materials over \$25,000, but a competitive proposal process using a "best value" approach may be used in circumstances where it is determined to be in the best interest of the District. "Best value" means a process in which the overall combination of quality, price, and other elements such as reliability, standardization, vendor track record, warranty, and life cycle costs are considered together to determine which proposal provides the greatest overall benefit to the District. On a case by case basis, and in particular when a procurement involves a combination of goods and services, the General Manager, or designee, shall make the determination of whether a "best value" approach is in the best interest of the District.
5. Equipment, Materials, and Supplies Between \$5,000 and \$25,000. An informal procurement method may be used for the purchase of materials, equipment, or supplies when the estimated expenditure is between \$5,000 and \$25,000. To the extent practicable, such a method will involve obtaining a minimum of three quotations, either written or oral, that permit prices and other terms to be compared. Adequate outreach

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will be made to ensure open and free competition, and that small businesses, and local vendors are notified of contract opportunities.

6. Services Over \$25,000. Formal competitive proposals, which use a "best value" approach to consider and evaluate factors in addition to price, will be used to retain professional services when the estimated expenditure exceeds \$25,000. Specialized State and federal laws may apply to the procurement of architectural and engineering services regardless of the estimated expenditure.
7. Services, Equipment, Materials, and Supplies Less Than \$25,000. If the estimated cost of the acquisition of services, materials, equipment, or supplies does not exceed the sum of twenty-five thousand dollars (\$25,000.00), the General Manager may acquire the services or property requisitioned in the manner he or she deems most suitable.
8. Alternative methods of procurement may be permissible if authorized by state law.
9. The use of appropriate intergovernmental agreements is encouraged in order to reduce duplicative efforts and to achieve cost economies.

C. Procurement Documentation and Consideration of Bids and Proposals

1. Formal competitive bidding requires preparation of bid documents that clearly set forth all requirements, which must be fulfilled in order for the bid to be responsive, and advertisement in accordance with legal requirements.
2. Whenever construction, alteration, repair, or improvement contracts are let by public bidding, notice of such shall be published by the General Manager as required by law, but at least twice in two (2) consecutive weeks, with at least five days between each publication date, prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least twice in two (2) consecutive weeks, with at least five days between each publication date, prior to the date set for opening bids in a weekly newspaper printed and published in the County and designated by the Board. All bids for construction work must be presented under sealed cover and must be accompanied by one of the following forms of bidder's security: 1) Cash, 2) a cashier's check made payable to the District, 3) a certified check made payable to the District, 4) a bidder's

Policies and Procedures	Number: 4.3.1	Date: 5/18/98 5/17/2017	Revision: Number 1
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bond executed by an admitted surety insurer, made payable to the District. An award, if made, will be to the lowest responsive and responsible bidder. All construction, alteration, repair, or improvement contracts and bid documents must comply with all other statutory requirements for public works contracts and bid documents.

3. Formal competitive proposals, including the “best value” approach for equipment, materials, and supplies, require issuance of Requests for Proposals, which clearly set forth all the requirements, and state the qualitative factors in addition to price, which will be used to evaluate and rank the Proposals. An award, if made, will be to the proposer receiving the highest consensus ranking, subject to successful negotiations with the District.
4. Any and all bids or proposals may be rejected by the District if it is in the District’s best interest to do so.
5. The District may only contract with contractors who are trustworthy and are qualified and possess the ability to perform successfully under the terms and conditions of the proposed procurement.

D. Execution of Contract Documents

1. All District contracts and amendments will be in writing and executed prior to beginning performance under the contract.
2. The General Manager may execute all contracts on behalf of the District that are duly approved within the General Manager’s authority. The President of the Board of Harbor Commissioners will sign contracts that require approval by the Board, unless otherwise delegated to the General Manager.

E. General Manager’s Procurement Authority

3. The General Manager or his or her designee may award and execute agreements for equipment, supplies, materials, and services when the amount to be paid by the District does not exceed \$25,000, inclusive of any change orders.
4. The General Manager is authorized to approve change orders/amendments to contracts if the total contract value inclusive of the change order/amendment, does not exceed \$25,000, unless the Board

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has established a contract contingency and authorized the General Manager to approve change orders/amendments within that contingency. All other change orders/amendments must be approved by the Board of Harbor Commissioners.

5. Any changes in the General Manager's Procurement Authority may only be made by the Board.

The General Manager is authorized to delegate to managers or other employees the responsibility and authority to approve purchases within the General Manager's procurement authority, which delegation must be in writing, include defined monetary limits; and be consistent with this Procurement Policy.

F. Protest Procedures

Bidders may protest contracts that are let through formal competitive bidding or competitive negotiations. The General Manager is authorized to review and determine protests concerning contracts awarded within the General Manager's procurement authority. Bid protests for all other contracts not within the General Manager's procurement authority will be reviewed and determined by the Board of Harbor Commissioners upon recommendation by the General Manager and the District's Attorney. All protests will be in accordance with the written procedures established by the General Manager.

G. Contract Administration

The District shall administer all contracts to ensure that contractors conform to the terms, conditions, and specifications of all contracts and to ensure all purchases are received in a timely manner. Each contract file shall contain documentation concerning the contract administration, including, but not limited to, monitoring of the contract budget, change orders and final disposition. Undocumented actions on all contracts must be committed to written memoranda and promptly included in the contract file.

H. Emergency Contracts

The General Manager has been authorized by the Board of Harbor Commissioners to take all necessary and proper measures in emergency conditions to keep District services and facilities operational. When emergency conditions do not permit a delay resulting from a competitive solicitation for bids, the General Manager is authorized to make emergency purchases without giving notice for bids. The General Manager shall promptly report on the reasons and necessity for proceeding without a competitive

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solicitation for bids to the Board of Harbor Commissioners at the next available meeting (not later than 7 days after the action) or at the next regularly scheduled meeting (not later than 14 days after the action). The Board of Harbor Commissioners will review the emergency action at every regularly scheduled meeting thereafter until the emergency action is terminated and will vote, by four-fifths vote, that there is a need to continue the action.

I. Discretion to Waive the Competitive Process

The Board of Harbor Commissioners, or the General Manager for procurements within the General Manager's procurement authority, may waive the requirements for competitive procurement when it finds that doing so is in the District's best interest, and keeping in mind the fundamental principles of procurement set forth in this policy. In particular with regard to contracts for public works requiring competitive bidding, the Board of Harbor Commission may waive formal bidding requirements only when those requirements would be unavailing and such waiver is permissible under applicable law. The circumstances for waiving formal bidding requirements for public works projects must be evaluated on a case-by-case basis, in consultation with legal counsel.

J. Implementation

This Procurement Policy sets forth the standards and methods to be followed by the District in obtaining goods and services. The General Manager shall prepare written procedures concerning the purchase and procurement of equipment, supplies, materials and services for the guidance of managers and employees to ensure compliance with this chapter.

San Mateo County Harbor District

Policies and Procedures	Number: 4.3.3	Date: 12/05/01	Revision: 02/03/2016
Title: Emergency Expenditures	Prepared By: Steve McGrath	Approved By: Harbor Commission	Page: Page 1 of 1
Purpose: To establish emergency expenditure policy			

STATEMENT OF POLICY

This policy establishes and clarifies the basis for the District's emergency expenditures

In the event of an emergency occurrence for which:

- a) An immediate expenditure decision must be made to address the emergency concern in the interests of health, welfare and safety, and
- b) The emergency expenditure exceeds the General Manager's established authority of \$25,000, and
- c) Which occurs prior to a regular Harbor Commissioner meeting,

The General Manager shall have the discretion to make the emergency expenditure decision and take other steps necessary to address the emergency concern. The General Manager shall make all reasonable attempts to first contact the President of the Board of Harbor Commissioners, or the Vice President of the Board if the President is unavailable, before deciding to proceed. The General Manager shall report to the Harbor Commission at the next scheduled Board Meeting as to the circumstances of the emergency expenditure.

San Mateo County Harbor District

Policies and Procedures	Number: 4.3.4	Date: 01/07/2015	Revision: 02/03/2016
Title: General Manager Procurement Authority	Prepared By: Steve McGrath	Approved By: Harbor Commission	Page: Page 1 of 1
Purpose: To establish policy on General Manager procurement			

STATEMENT OF POLICY

This policy establishes and clarifies the basis for procurement by the General Manager.

The procurement authority of the General Manager is limited to twenty five thousand dollars (\$25,000), when such procurement is made consistent with the adopted or amended budget and when in accordance with District policies and procedures, the Harbors and Navigation Code, Public Contract Code and all other state and federal regulations.

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Policies and Procedures	Number: 4.4.1	Original Date: 6/5/96	Revision: 6/5/02; 5/7/03; 9/15/04; 08/16/06; 09/02/09; 08/19/15
Title: Investment Policy	Prepared By: AMWL LAM LAM LAM MLS MLS DG	Approved By: Resolution 12-96 Resolution 17-02 Resolution 18-03 Resolution 19-04 Resolution 54-06 Resolution 18-09 Resolution 36-15	Page: Page 1 of 7
Purpose: To Establish an Investment Policy for the San Mateo County Harbor District.			

STATEMENT OF POLICY

WHEREAS, the Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (Cal. Gov. Code, §§ 53600.6, 53630.1); and

WHEREAS, the legislative body of a local agency may invest surplus moneys not required for the immediate necessities of the local agency in accordance with the provisions of California Government Code Sections 5922 and 53600 et seq.; and

WHEREAS, the treasurer or fiscal officer of the San Mateo County Harbor District shall annually prepare and submit a statement of investment policy and such policy, and any changes thereto, shall be considered by the legislative body at a public meeting (Cal. Gov. Code, § 53646, subd. (a)). now

THEREFORE be it resolved, that it shall be the policy of the San Mateo County Harbor District to conduct its investments using the prudent investor standard, which provides that when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency (Cal. Gov. Code, §§ 53600 et seq.).

SCOPE

This investment policy applies to all financial assets of the San Mateo County Harbor District. These funds are accounted for in the Annual Financial Report and include: General Fund and Enterprise Funds.

PRUDENCE

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent persons standard" (Cal. Gov. Code, § 53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers shall act in accordance with written procedures and the investment policy and exercise due diligence.

Policies and Procedures	Number: 4.4.1	Original Date: 6/5/96	Revision: 6/5/02; 5/7/03; 9/15/04; 08/16/06; 09/02/09; 08/19/15
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OBJECTIVES

When investing, reinvesting, purchasing, acquiring, exchanging selling and managing public funds, the primary objectives, in priority order, of the investment activities shall be:

Safety

Safety of principal is the foremost objective of the investment program. The safety and risk associated with an investment refer to the potential loss of principal, interest, or a combination of these amounts. Investments of the San Mateo County Harbor District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required so that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Liquidity

An adequate percentage of the portfolio, in the approximate amount of annual operating expenses, should be maintained in liquid short-term investments which can be converted to cash if necessary to meet disbursement requirements. A short-term investment is defined as any investment which matures within a one year period. The investment portfolio will remain sufficiently liquid to enable the San Mateo County Harbor District to meet all operating requirements, which might be reasonably anticipated.

Return on Investments

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio. Return on investments becomes a consideration only after the basic requirements of safety and liquidity have been met.

(Cal. Gov. Code, § 53600.5.)

DELEGATION OF AUTHORITY

Authority to manage the investment program is derived from California Government Code ("CGC") Sections 5922 and 53600, et seq. Management responsibility for the investment program is hereby delegated to the Director of Finance, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements and banking services contracts, as appropriate. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Director of Finance. The Director of Finance shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The Director of Finance is a trustee and a fiduciary subject to the prudent investor standard. (Cal. Gov. Code, § 53600.3)

Policies and Procedures	Number: 4.4.1	Original Date: 6/5/96	Revision: 6/5/02; 5/7/03; 9/15/04; 08/16/06; 09/02/09; 08/19/15
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ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment policy, or which could impair their ability to make impartial investment decisions.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Director of Finance will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization, that are authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers who are authorized to provide investment and financial advisory services in the State of California in accordance with GCG § 53601.5. No public deposit shall be made except in a qualified public depository as established by state laws

For brokers/dealers of government securities and other investments, the Director of Finance shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the Director of Finance shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the San Mateo County Harbor District's account with that firm has reviewed the San Mateo County Harbor District's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the San Mateo County Harbor District that are appropriate under the terms and conditions of the Investment Policy.

DEPOSIT OF FUNDS

As far as possible, all money belonging to or in the custody of the District including money paid to the District to pay the principal, interest or penalties of bonds, shall be deposited for safekeeping in state or national banks, savings associations or federal associations, state or federal credit unions or federally insured industrial loan companies in California (as defined by Cal. Gov. Code Section 53630). Under California Government Code Sections 53635, 53637 and 53638, the money shall be deposited in any authorized depository with the objective of realizing maximum return, consistent with prudent financial management.

AUTHORIZED AND SUITABLE INVESTMENTS:

The San Mateo County Harbor District is empowered by California Government Code 53601 to invest in the following:

- (a) Bonds issued by the San Mateo County Harbor District.

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- (b) United States Treasury Bills, Notes & Bonds.
- (c) Registered state warrants or treasury notes or bonds issued by the State of California, or by a department, board, agency, or authority of the state.
- (d) Registered treasury notes or bonds of any of the other 49 states in addition to California.
- (e) Bonds, notes, warrants or other evidence of debt issued by a local agency within the State California, including pooled investment accounts sponsored by the State of California, County Treasurers, other local agencies or Joint Powers Agencies.
- (f) Obligations issued by federal agencies or U.S. government-sponsored enterprise obligations, participations, or other instruments.
- (g) Bankers' acceptances with a term not to exceed 180 days' maturity or 40% of District's moneys that may be invested, however, no more than 30% of the District's moneys can be invested in the banker's acceptances of any single commercial bank.
- (h) Prime Commercial Paper with a term not to exceed 270 days and the highest ranking issued by **a nationally recognized statistical-rating organization (NRSRO)**. Commercial paper cannot exceed 25% of total surplus funds and the District may purchase not more than 10 percent of the outstanding commercial paper of any single issuer.
- (i) Negotiable Certificates of Deposit issued by federally or state chartered banks, savings or federal associations, state or federal credit union, or by a federally or state-licensed branch of a foreign bank. Not more than 30% of surplus funds can be invested in certificates of deposit.
- (j) Repurchase/Reverse Repurchase Agreements of any securities authorized by Section 53601. Securities purchased under these agreements shall be no less than 102% of fund borrowed against those securities and the value shall be adjusted no less than quarterly, and will not exceed 20% of base value of portfolio. (See special limits in CGC § 53601(j).)
- (k) Medium term notes (not to exceed 5 Years) of US corporations rated "A" or better by **an NRSRO**. Not more than 30% of surplus funds can be invested in medium term notes.
- (l) Shares of beneficial interest issued by diversified management companies investing in the securities and obligations authorized by this Section (Money Market Mutual Funds). Such funds must carry the highest rating of at least two national rating agencies. Not more than 20% of surplus funds can be invested in Money Market Mutual Funds.

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(m) Funds held under the terms of a Trust Indenture or other contract or agreement may be invested according to the provisions of those indentures or agreements.

(n) Collateralized bank deposits with a perfected security interest in accordance with the Uniform Commercial Code (UCC) or applicable federal security regulations

(o) Any mortgage pass-through security, collateralized mortgage obligation, mortgaged backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate or consumer receivable backed bond of a maximum maturity of five years. Securities in this category must be rated AA or better by a national rating series. No more than 20% of surplus funds can be invested in this category of securities.

Any other investment security authorized under the provisions of CGC §§ 5922 and 53601.

Also, see CGC § 53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. CGC § 53601 is attached as Attachment A and included by reference in this investment policy.

The Board of Commissioners also authorizes the District to invest in Local Agency Investment Fund (LAIF) under CGC § 16429.1 and the San Mateo County Investment Fund (SMCIF).

Prohibited Investments. Under the provisions of CGC §§ 53601.6 and 53631.5, the San Mateo County Harbor District shall not invest any funds in inverse floaters, range notes, interest only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity. This limitation does not apply to investments in shares of beneficial interest issued by diversified management companies.

COLLATERALIZATION

All certificates of deposits must be collateralized by U.S. Treasury Obligations. Collateral must be held by a third party and valued on a monthly basis. The percentage of collateralization on Repurchase Agreements will adhere to the amount required under CGC § 53601(j).

SAFEKEEPING AND CUSTODY

All security transactions entered into by the San Mateo County Harbor District shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the San Mateo County Harbor District by book entry, physical delivery or by third party custodial agreement (Cal. Gov. Code, § 53601)

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Title: Investment Policy	Prepared By: AMWL LAM LAM LAM MLS MLS DG	Approved By: Resolution 12-96 Resolution 17-02 Resolution 18-03 Resolution 19-04 Resolution 54-06 Resolution 18-09 Resolution 36-15	Page: Page 6 of 7
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DIVERSIFICATION

It is the policy of the San Mateo County Harbor District to diversify its investment portfolio. The San Mateo County Harbor District will diversify its investments by security type and, within each type, by institution. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity a specific issuer or a specific date of securities. Diversification strategies shall be determined and revised periodically. In establishing specific diversification strategies, the following guidelines shall apply:

Portfolio maturities shall be matched against projected liabilities to avoid an over concentration in a specific series of maturities.

Maturities selected shall provide for stability and liquidity.

REPORTING

The Director of Finance shall submit to each member of the governing body a quarterly investment report in accordance with GCG § 53646(b). The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds, investments, or programs managed by third party contractors. With respect to all securities held by the local agency, and under the management of outside party that is not also a local agency or the LAIF, the report must include a current market value as of the date of the report and the source of the valuation.

In the case of funds invested in the San Mateo County Investment Fund, the Local Agency Investment Fund (LAIF), Federal Deposit Insurance Corporation-Insured accounts or county investment pools, current statements from those institutions will satisfy the above reporting requirement. The report will also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and, (2) the San Mateo County Harbor District will meet its expenditure obligations for the next six months. (Cal. Gov. Code § 53646(b)-(e)). The Director of Finance shall maintain a complete and timely record of all investment transactions.

INVESTMENT POLICY ADOPTION

The Investment Policy shall be adopted by resolution of the San Mateo County Harbor District. Moreover, the Policy shall be reviewed on an annual basis, and modifications must be approved by the San Mateo County Harbor District.

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INVESTMENTS AUTHORIZED

UNDER CALIFORNIA GOVERNMENT CODE 53601

CGC Section	Investment Type	Maximum Maturity	Authorized Limit (%)	Required Rating
53601 (a)	Local Agency Bonds	5 years	None	None
53601 (b)	U.S. Treasury Bills, Notes or Bonds	5 years	None	None
53601 (c)	State Warrants	5 years	None	None
53601 (d)	Notes & Bonds of other Local Agencies	5 years	None	None
53601 (e)	U.S. Agencies	5 years	None	None
53601 (f)	Bankers Acceptance	180 Days	40%	None
53601 (g)	Prime Commercial Paper	270 Days	25%	A1/P1
53601 (h)	Negotiable Certificates of Deposit	5 Years	30%	None
53601 (i)	Repurchase Agreement *	1 Year	20%	None
53601 (j)	Medium Term Corporate Notes	5 Years	30%	A
53601 (k)	Money Market Mutual Funds & Mutual Funds**	5 Years	20%	AAA (2)
53601 (m)	Collateralized Bank Deposits	5 Years	None	None
53601 (n)	Mortgage Pass-Through Securities	5 Years	20%	AA
53601 (d)	Local Agency Investment Fund (LAIF)	N/A	None	None
53601 (d)	County Pooled Investment Funds	N/A	None	None

* See CGC 53601(I) for limits on the use of Reverse Repurchase Agreements.

** Mutual Funds maturity may be defined as the weighted average maturity. Under SEC Regulations, Money Market Mutual Funds must have an average maturity of 90 days or less.

San Mateo County Harbor District

Policy Title: Reserve Policy	Number: 4.4.3	Approval Date: 4/15/2020
Other Revisions: 9/7/2016	Prepared by: Julie van Hoff	

STATEMENT OF POLICY

The San Mateo County Harbor District must maintain a prudent level of financial resources to guard its stakeholders against service disruption in the event of temporary unexpected revenue shortfalls or unpredicted one-time expenses. To meet this requirement, the District's Enterprise Fund Reserves (Reserves) has been created and maintained to respond to unexpected adversity and/or opportunities. This policy has been established to provide the rules and procedures on how the District will manage Reserves. In addition, this policy is intended to document the appropriate Reserve levels to protect the District's credit worthiness. Specifically, this policy establishes the amounts that the District will strive to maintain in its Reserves, how the Reserves will be funded, and the conditions under which the Reserves may be used

Definitions and Acronyms:

- 1) Capital Improvement Program (CIP)- A plan that describes the capital projects and associated funding sources the District intends to undertake in the current year plus five additional future years, including the acquisition or construction of capital facilities and assets, and the maintenance thereof.
- 2) Cash Balance- The sum of cash and Cash Equivalents of the District.
- 3) Cash Equivalents- In the context of cash flow reporting, short-term, highly liquid investments that are both readily convertible to known amounts of cash and so near their maturity that they present insignificant risk of changes in value because of changes in interest rates. Generally, only investments with original maturities of three months or less meet this definition. For this purpose, "original maturity" means maturity as of the date the investment is acquired.
- 4) Enterprise Fund- Proprietary fund type used to report an activity for which a fee is charged to external users for goods or services.
- 5) Non-Recurring Item- An expense that has not occurred in the previous two years and is not expected to occur in the following year.
- 6) Enterprise Fund Reserves (Reserves)- Reserves refer only to the portion of Working Capital that is intended to provide stability and respond to unplanned events or opportunities.
- 7) Working Capital- An accounting term defined as current assets less current liabilities in a proprietary fund. Working Capital is used to express the Reserves available in a proprietary fund for use.

Policy:

- 1) Reserve Levels- The District will maintain a minimum level of Working Capital equivalent to 25% of the Operating Budget Appropriation adjusted to include 50% of biennial appropriations (e.g. election costs) and not include non-recurring appropriations. For purposes of this calculation Working Capital will include long-term investments that can be liquidated within five business days. The District will measure its compliance with this policy as of June 30th each year, or as soon as practical after final year-end account information becomes available.

If based on staff's analysis and forecasting, the target level of the Reserves is not being met or is likely to not be met at some point within a five-year time horizon, then during the annual budget process Working Capital levels will be provided to the Board of Commissioners. Should the projected year-end Working Capital position be below the minimum Reserve levels established based on the requirements outlined in this policy, a plan to replenish Reserves would be established based on the requirements outlined in this policy.

- 2) Cash Balance- In order to provide liquidity adequate to meet the needs and demands of providing government services including unanticipated reductions in revenues or unplanned increases in expenses, Reserve levels will be maintained and managed within the District's Cash Balance accounts. Reserves are intended to support this effort and provide cash during different annual cycles of payments due and revenues collected.
- 3) Funding Reserves- Funding will generally come from excess revenues over expenses or one-time revenues.
- 4) Conditions for Use of Reserves- It is the intent of the District to limit use of the Reserves to address unanticipated, non-recurring needs. Reserves shall not normally be applied to recurring annual operating expenses. Reserves may however be used to allow time for the District to restructure its operations in a deliberate manner (as might be required in an economic downturn), but such use will only take place in the context of an adopted long-term plan.
- 5) Authority Over Reserves- Approval from the Board of Harbor Commissioners is required to expend Reserves. Staff will regularly report both current and projected Reserve levels to the Board on a quarterly or semi-annual basis.
- 6) Replenishment of Reserves- In the event that Reserves are used resulting in a balance below the 25% minimum, a plan will be developed and included in the formulation of the five-year forecast presented during the annual budget process.

- 7) Excess of Reserves- In the event that the Reserves exceed the minimum balance requirements, at the end of each fiscal year, any excess Reserves may be used in the following ways:
- a. Fund accrued liabilities including but not limited to debt service, pension, and other post-employment benefits as directed and approved within the long-term financial plan and the annual budget resolution. Priority will be given to those items that relieve budget or financial operating pressure in future periods.
 - b. Appropriated to lower the amount of bonds needed to fund capital projects in the District's CIP.
 - c. One-time expenses that do not increase reoccurring operating costs that cannot be funded through current revenues. Emphasis will be placed on one-time uses that reduce future operating costs.
- 8) Periodic Review of the Targets- At a minimum, during the budget process staff shall review the current and five-year projected Reserves to ensure they are appropriate given the economic and financial risk factors the District is subject to.

San Mateo County Harbor District

Policy	Number: 4.6.2	Date: 02/20/2002	Revision: 06/15/05 05/18/16 08/16/17 11/14/18
Title: Bank Account Signatures	Prepared By: Boomer Henthorne	Approved By: Resolution 18-16	Page: Page 1 of 1
Purpose: To establish a policy for the safe distribution of funds from Harbor District bank accounts.			

STATEMENT OF POLICY

To ensure that those District funds held in bank accounts are not distributed without proper authorization and signatures.

The persons in the following positions are authorized to sign on the District's Bank Accounts for the purposes of wire transfers:

- President of Board of Harbor Commissioners
- District Treasurer
- General Manager
- Director of Administrative Services
- Director of Operations
- Accounting Manager

The following conditions apply:

1. Signatures of any two of the above persons, one of which shall be of the President or Treasurer, shall be required for transfers between bank accounts.
2. The Accounting Manager cannot sign checks.
3. Payroll checks require only one signature.
4. All checks over \$25,000 for operating expense, capital project and capital outlay expenditures require two signatures, one by a Commissioner and one by either the General Manager, the Director of Administrative Services or the Director of Operations

San Mateo County Harbor District

Policy	Number: 4.7.1	Date of Approval: 6/7/06	Adopted By: Resolution 21-03
Title: Fixed Asset System	Prepared By: M. Schnapp	Revised By: Resolution 41-06	Page: Page 1 of 3
Purpose: To define and describe standard procedures and policies required to record and control the changes in the fixed asset system in accordance with generally accepted accounting principles.			

STATEMENT OF POLICY:

It is the policy of the District to capitalize assets with a cost of \$10,000 or greater and a useful life of five (5) or more years. Capitalization of fixed assets will be by individual fixed assets rather than by groups of fixed assets (e.g., desks, tables). Capitalized fixed assets are subject to depreciation and are recorded on the balance sheet as an asset. Required procedures are set forth to allow for consistent treatment of fixed assets.

DESCRIPTION OF PROCEDURE:

Classes of Controlled Property

The following items are considered fixed assets and shall be treated as capital property for accounting purposes:

- Land;
- Land improvements;
- Buildings
- Building services equipment
- Departmental fixed equipment;
- Infrastructure assets;
- Equipment;
- Capitalized leases;
- Motor vehicles;
- Boats; and
- Construction in progress as determined.

Controllable Assets

Controllable assets include those items that do not fit the definition of capital property but need to be included in any property record system for control purposes. These controllable assets are expensed in the year of purchase and are not subject to depreciation. These items fall below the dollar amount of the capitalization policy but need to be tracked due to their nature or for insurance or claim purposes (e.g., computer servers for security purposes, large or expensive harbor tools, etc). The General Manager shall

Policy	Number: 4.7.1	Date of Approval: 6/7/06	Adopted By: Resolution 21-03
Title: Fixed Asset System	Prepared By: M. Schnapp	Revised By: Resolution 41-06	Page: Page 2 of 3

have final decision as to which Controllable Assets are tracked with recommendations from the Director of Finance and the Department Heads.

Purchase of Fixed Assets

Follow the purchasing policies contained in Policy No. 4.3.1.

Custody and Accountability

The General Manager and Harbormasters or their designate(s) is (are) responsible for all property purchased for, assigned to or otherwise provided to his/her department(s).

Not less than once per fiscal year, the Director of Finance shall provide a current fixed asset list and require that an inventory of the listed property be conducted, discrepancies be resolved and the listing be signed by the department head verifying the property on hand. Once completed, the original signed copy should be returned to the Director of Finance. All previous asset listings can then be destroyed.

The Director of Finance or other authorized person is responsible for maintaining the accounting records for capitalized fixed assets. Depreciation will be straight line over the estimated useful life of all assets other than land.

Inventory of Fixed Assets

Prior to the inventory of fixed assets, a meeting will be held to clearly identify the task to be completed. Specific assets to be included or excluded from the inventory will be identified. The time frame for completion of the inventory will be established and agreed upon by the General Manger, Harbor Masters and Director of Finance.

The goal for the annual inventory will be to complete it by June 30 each year to coincide with the end of the fiscal year. To facilitate this goal, inventory will begin on April 1st of each year.

Inventory Process

Land inventory should be listed by parcel using the assessor’s parcel number and/or lot, block and tract. The location, use and zoning of land owned should be listed.

Buildings and building improvements shall be physically inspected at least annually. The building inventory should include a quantitative and qualitative description of each structure segregating basic building construction from heating, ventilating, air conditioning, roof, plumbing, lighting, floor and ceiling cover, and built-ins for component life purposes. The listed items may be replaced several times during the course of the building’s useful life.

Improvements other than buildings include all improvements to the outside of buildings or improvements to a parcel of land. For paving, include total quantitative and qualitative amounts for site including berms and parking lot striping. Fencing should be inventoried by total linear feet including gates by type of fence.

Movable and fixed equipment should include the location, account, building, floor and department. The description of the unit should include the quantity, description, manufacturer, model number, serial number, year acquired, remaining life and historical cost.

Valuing and Costing

Per generally accepted accounting principles (GAAP), governments are required to record fixed assets at historical cost or estimated historical costs. Historical cost is the actual or allocated cost of assets to the present owners. Original cost is defined as the cost of fixed assets in accordance with costs prevailing at

Policy	Number: 4.7.1	Date of Approval: 6/7/06	Adopted By: Resolution 21-03
Title: Fixed Asset System	Prepared By: M. Schnapp	Revised By: Resolution 41-06	Page: Page 3 of 3

the date the fixed asset was first constructed, originally installed or originally purchased. Actual original costs obtained from an invoice or other source documents is the best source of information.

Assets acquired through contribution or donation must be recorded at fair market value on the date donated. Fair market value is the estimated amount at which the fixed asset might exchange between a willing buyer and a willing seller.

Tagging

All fixed assets and controllable assets will be tagged with a unique number, either by barcode or RFID or a pre-numbered decal or imprinted with an engraving tool or stenciled upon receipt of the asset. The person(s) designated by the General Manager and Harbor Masters for their respective departments will do fixed asset and controllable asset tagging. Numbering shall be a consecutive series of numbers. The Director of Finance or his/her designee will assign tag numbers. All tags, engraving or stenciling should be consistent.

- o *Machinery* - The tag should be attached in a prominent eye-level position on the front of the machine yet where it will be least likely to be defaced in the normal course of operation.
- *Desks, tables, benches* - Attach tag to the front rail or drawer of the desk or table.
- *Files, cabinets* - Attach on the front upper left-hand corner.
- *Computers, Office Equipment* – Attach on front upper or lower corner or side, whichever is most practical (due to attachability issues).
- *Chairs* - Attach tag to the rear edge of the seat or upper center of the back.
- *Trucks, racks* - Place in the upper left-hand corner at eye level for racks and the upper left-hand corner of the windshield for trucks.

Changes to Fixed Assets

Transfers of fixed assets are defined as any movement of an asset by a change in location, either by account, department, building or room. This must be communicated to the Director of Finance by the appropriate Department Head on the appropriate form once the transfer is complete with all pertinent information. This includes fixed assets and controllable assets.

Disposals are those items sold, traded in, scrapped, abandoned or in any way removed from service during the current fiscal reporting period. District policy requires Harbor Commission approval for disposals of assets with a value of \$10,000 or greater in the opinion of the General Manager. See Ordinance Code [Section 2.7.5 Disposal of Unneeded District Property](#).

San Mateo County Harbor District

Policies and Procedures	Number: 4.8.3	Date: 01/15/03	Revision:
Title: Returned Check Policy	Prepared By: LAM	Approved By: Resolution 03-03	Page: Page 1 of 1
Purpose: To ensure proper and consistent handling of returned checks.			

STATEMENT OF POLICY:

It is the policy of the San Mateo County Harbor District to collect all fees due to the District for services rendered. Any checks received for payment of services that are returned unpaid to the District require diligent effort and cost to collect. When the bank returns two or more checks unpaid from a maker, the privilege to pay by personal check will be suspended for a reasonable period of time.

DESCRIPTION OF PROCEDURE:

The Director of Finance receives returned checks. He/she is responsible for recording the returned check on the cash spreadsheet, in the general ledger and on the returned check listing. A journal entry is prepared to decrease cash and the miscellaneous income account.

Upon receipt of the bank notice of a returned item, the Director of Finance will notify the Accounting Technician and send the original bank notice and the returned check to him/her. The Accounting Technician will be responsible for contacting the maker of the check by phone or letter and making all efforts to collect the monies owed.

Every month the Director of Finance will provide the Accounting Technicians with the returned check listing requesting the status of the checks.

If an individual has had two or more checks returned in a six month period, the District will only accept cash, cashier's check or money order for the next six months starting from the date of the last returned check. At the end of this six-month period, the District will accept personal checks again. If the bank returns a check once again, personal checks will no longer be accepted from that individual.

All returned checks will be charged a fee as adopted within the Rates and Fees Schedule for bank fees, processing and collection associated with the returned check.

San Mateo County Harbor District

Policies and Procedures	Number: 4.9.1	Date: 6/22/00	Revision: 4/7/2016
Title: Budget Process	Prepared By: PG/AMWL SM/GL:	Approved By:	Page: Page 1 of 2
Purpose: To document procedures associated with the budget process to ensure the process is completed in a timely manner.			

STATEMENT OF POLICY:

It is the policy of the District to adopt an annual budget per Harbors and Navigation Code Section 6093.

DESCRIPTION OF PROCEDURE:

- No later than November 1st of each year the Director of Finance shall prepare a draft schedule for the General Manager for the budget to be adopted for the fiscal year beginning the following July 1st. After review and approval of a schedule by the General Manager, make arrangements to have the Board of Harbor Commissioners set the dates for a minimum of two budget workshops. Distribute the budget schedule to the General Manager, Board of Harbor Commissioners, Harbor Masters and Director of Finance.
- No later than December 15th of each year the General Manager, Harbor Masters and Director of Finance shall review the Capital Improvement Five Year Plan (CIP) used for internal budget preparation. Each existing project shall be updated for cost estimates, priorities and implementation schedule. New projects shall be reviewed and added with appropriate priority ranking, cost estimates and implementation calendar.
- No later than January 15th of each year, the Director of Finance shall present the revised multi-year CIP and preliminary six-month budget review to the Management Team (General Manager, Harbor Masters and Director of Finance) for review and discussion.
- By the third week in January Management team shall discuss the multi-year CIP and preliminary six-month budget review.
- By the last week in January, the Director of Finance shall provide worksheets and information about trends for expenses to the Harbor Masters to assist with preparation of the budget. No later than March 31, the Director of Finance shall complete the draft operating and capital budget using worksheets from Harbor Masters and CIP.
- By end of 2ndst week in March, complete agenda and Board packet for Budget "First Look"
- Second regular meeting in March, agendaize "First Look" at next fiscal year budget
- By first week in April, Director of Finance to complete proposed budget for following fiscal year and submit to General Manager.
- By 2nd Harbor Commission meeting in April, General Manager to provide Commissioners with copy of proposed budget for their review.
- Director of Finance to edit and make changes to budget based on Commission direction. Complete Preliminary budget for adoption.

Policies and Procedures	Number: 4.9.1	Date: 6/22/00	Revision:
Title: Budget Process	Prepared By: PG/AMWL	Approved By: Peter Grenell	Page: Page 2 of 2

- Before the second meeting in May 31 the Commission shall adopt Preliminary Budget by resolution per Harbor and Navigation Code Section 6093 and establish time and place for hearing on budget at the second meeting in June. (There must be at least 30 days between adoption and hearing date to fix the final budget.)
- No later than 30 days before the hearing date, publish a notice pursuant to Section 6061 of the Government Code stating that the Preliminary Budget has been adopted and is available for review at specified locations and state the date, time and location for the hearing on the budget.
- At the Harbor Commission's second meeting in June, hold hearing on the budget adopt the Final Budget by resolution.
- Prior to June 30th of each year, ensure the budget document is printed and distributed. The distribution list includes the Board of Harbor Commissioners, General Manager, Director of Finance, Harbor Masters for Pillar Point and Oyster Point, City of South San Francisco, City of Half Moon Bay, City of San Mateo, California Department of Boating and Waterways, Pillar Point Citizens' Advisory Committee, Pillar Point Harbor Office, Oyster Point Marina/Park Office, South San Francisco Public Library and Half Moon Bay Public Library.
- July 1st, the budget goes into effect.
- August 1st, deadline for submission of the final budget to the San Mateo County Board of Supervisors per H & N Code Sec. 6093.3.

San Mateo County Harbor District

Policies and Procedures	Number: 4.9.2	Date: 02/17/16	Revision: New
Title: Budget Appropriations Policy	Prepared By: Glenn Lazof Interim Director of Administrative Service	Approved By: Harbor Commission	Page: Page 1 of 1
Purpose: To Establish Authority for the Appropriation of District Funds			

STATEMENT OF POLICY

This policy establishes the Appropriations Authority for the Board of Harbor Commissioners.

Appropriations are approved by the Harbor District Board of Commissioners. For each fiscal year, the initial appropriations are approved as the District's Adopted Budget.

Throughout the year the Adopted Budget plan may require revision.

The Harbor Commission approves any revision to, or transfer of appropriations between these Expenditure Classifications:

- Salary and Benefits
- Operating Expenditures
- Non - Operating Expenditures
- Capital Projects

The Board of Harbor Commissioners approves any transfer of appropriation from reserves, as well as designation of reserves.

The Board of Harbor Commissions approves any increase in revenue appropriation.

The General Manager shall implement procedures for adjustments to projected expenditures within the Classifications above.

The Board of Harbor Commissioners shall receive a quarterly financial report for each quarter of the year to review and ensure that all expenditures are within the approved appropriations.

San Mateo County Harbor District

Policies and Procedures	Number: 5.2.1	Date: 5/2/96	Revision: 5/2/96
Title: Launch Ramp Operating Hours	Prepared By: JS	Approved By: Stilwell	Page: Page 1 of 1
Purpose: To Define The Operating Procedures For The Oyster Point Launch Ramp Outside Of Park Hours			

STATEMENT OF POLICY

It is the policy of the Board of Harbor Commissioners of the San Mateo County Harbor District that all users shall be granted equal access to the facilities of the San Mateo County Harbor District. Further, that a balance is required between the rights of all users of the facilities, including those whose rights might be infringed in one area by those persons using another.

DESCRIPTION OF PROCEDURE

The Ordinance Code of the District provides that the operating hours of Oyster Point Marina/Park are from 0600 to 2200. The Ordinance Code further provides that persons shall be allowed to use the launch ramp from one hour before sunrise to one hour after sunset.

In order to accommodate the launch ramp users the following procedures shall be in effect whenever sunrise will occur prior to 0600:

- Persons entering the Oyster Point Marina/Park prior to 0600 will be required to log in with the Security Officer on duty at the gate. The License number of the entering vehicle, along with the names of all occupants will be recorded.
- The Person entering will be given a launch ramp self-pay envelope, which he/she will complete and return to the appropriate location. The vehicle's license number will be entered on the outside of the envelope.
- The Person launching will be expected to launch in as quiet a manner as possible, with due respect for the rights of live-aboard tenants in the vicinity of the launch ramp. Boaters should not start their engines until necessary, and will not use excessive RPMS. Persons who willfully disturb the peace will be cited by the City of South San Francisco Police Department.

San Mateo County Harbor District

Policies and Procedures	5.4.0	Date: 6/21/17	Revision:
Title: Public Records Act Policy	Prepared By: G. Lazof	Approved By: Board of Harbor Commissioners	Page: Page 1 of 2
Purpose: To Ensure Compliance with California Public Records Act			

STATEMENT OF PURPOSE:

To ensure that the San Mateo County Harbor District complies with the California Public Records Act

POLICY:

The public has a right to access records of the San Mateo County Harbor District in accordance with the California Constitution and the California Public Records Act (California Government Code 6250 et seq.) and any amendments thereto.

Consistent with the California Public Records Act (Act), public records are available upon request and are open for inspection at all times during office hours. Every member of the public has a right to inspect any public record, except those records exempted from disclosure under the Act. The District is not required to create a record in response to a public records request. In addition, the District is not required to respond to prospective requests by providing records not yet in the District's possession or records that will be created in the future.

Determination as to whether a requested record is a public record and available for inspection or copying, as well as decisions to withhold a record, will be made by the General Manager, in consultation with District Counsel as necessary.

The District will respond to every public records request in accordance with the Act. If a request does not reasonably describe an identifiable record, the requested record does not exist, or the record is exempt from disclosure, the District will respond and inform the requester. In order to assist a member of the public to make a focused and effective request, the District will make a reasonable effort to elicit additional clarifying information from the requester that will help identify the record(s).

To facilitate the District's compliance with the Act, all District employees and officials should adhere to the following requirements:

- To the greatest extent possible, emails that relate to District business should be sent to and from employees' and officials' "@smharbor.com" email

Policies and Procedures	5.4.0	Date: 6/21/2017	Revision:
Title: Public Records Act Policy	Prepared By: G. Lazof	Approved By: Board of Harbor Commissioners	Page: Page 2 of 2

accounts. Ordinarily, no public business should be conducted on personal email accounts. If personal email accounts must be used for District business, employees and officials should (a) copy such an email sent from their personal account to their District email account and (b) forward any such email sent to their personal account to their District email account promptly upon receipt.

- Conducting District business via text messaging or via social media is discouraged. For those District employees or officials who are provided with a District telephone, text messages that relate to District business should be sent to and from the phone number associated with that phone and not from a personal phone number or other personal text messaging service (for example, WhatsApp).

Under the California Supreme Court's interpretation of the Act, communications that relate to District business may be public records even if such records are located on an employee's or official's private device or personal account:

- If a member of the public requests public records sent to or from an employee or official's personal account or private device, the District will forward the request to the employee or official.
- The employee or official will make reasonable efforts to locate responsive records and will provide such records to the General Manager, or designee, in a timely fashion.
- Determining what efforts are reasonable and what records are responsive will depend on specific facts and circumstances, but always in light of the public's rights under the Act.
- Employees and officials will seek guidance from the General Manager or District counsel when it is difficult to determine whether a particular record is a public record.
- Ultimately, the District will rely on its employees and officials in complying with the Act and so the District's compliance will in part depend on the cooperation of its employees and officials.

The General Manager is authorized to develop procedures, and to amend those procedures from time to time as may be necessary, consistent with this Policy and to ensure compliance with the Act. Only the Board of Commissioners is authorized to amend this Policy.

San Mateo County Harbor District

<p align="center">Policy</p>	<p>Number: 5.4.1</p>	<p>Date of Adoption: November 7, 2012 Effective date: January 1, 2013</p>	<p>Revision: July 1, 2015</p>
<p>Title: Event Policy</p>	<p>Prepared By: Glenn Lazof</p>	<p>Approved By: Harbor Commission</p>	<p>Page Page 1 of 12</p>
<p>Purpose: To establish guidelines for issuance of permits for events held on property owned and/or controlled by the Harbor District.</p>			

Purpose

It is the policy of the San Mateo County Harbor District to establish a guide for the issuance of permits for events held on property owned and/or controlled by the Harbor District. The purpose of this policy is to provide for a process for evaluating, approving, and overseeing events to ensure the health and safety of event patrons, workers and other visitors, residents and District staff, to prohibit illegal activities from occurring at events, and to protect the rights of event permit holders and of the District.

Examples of events that may be permitted include, but are not limited to, parades, fairs, festivals, parties, weddings, organized athletic or sporting events and community celebrations and observances which involve use of, or have an impact on District facilities and operations which may require provision of District services. Events that have substantial adverse impacts on District facilities including harbor operations shall not be permitted without provision of acceptable mitigating measures.

It is also the intent of the San Mateo County Harbor District to protect the rights of the people to engage in expressive activities in the District's public places and to establish a reasonable time, place, management and regulation of these activities. It is further intended to create mechanisms for the recovery of District costs incurred in the course of reviewing, approving, overseeing, and providing services and facilities and to the extent authorized by law, while not unduly impacting the viability of permitted events.

Any organization, agency or individual wishing to sponsor or hold an event at a District facility or location will be required to complete the San Mateo County Harbor District Event Application and obtain a District event permit.

The San Mateo County Harbor District reserves the right to waive required fees for an event that is deemed to serve a significant District or other public interest as determined by the Board of Harbor Commissioners.

San Mateo County Harbor District

Policy	Number: 5.4.1	Date of Adoption: November 7, 2012 Effective date: January 1, 2013	Revision: July 1, 2015
Title: Event Policy	Prepared By: Glenn Lazof	Approved By: Harbor Commission	Page Page 2 of 12
Purpose: To establish guidelines for issuance of permits for events held on property owned and/or controlled by the Harbor District.			

Pursuant to this policy the Harbor District shall implement a Procedure to receive, evaluate, and act upon event applications.

Definition and category of events

Event is defined as the following activities including, but not limited to: any transient enterprise including outdoor temporary (three (3) days or less) gatherings, parades, arts and crafts shows/fairs, weddings, festivals, photographic/promotional activities, commercial or non-commercial video or filming, theatrical exhibitions, athletic and sporting events, musical performances, or other exhibitions. Permit Category definitions are described in the Permit Fee Schedule.

Permit Requirement

It shall be unlawful to conduct, sponsor, or knowingly participate in an event unless a permit for such event has been issued.

Application Procedure Details Including Process for Review of Applications

Event applications will be available from the San Mateo County Harbor District Administration office located at 504 Avenue Alhambra, 2nd Floor, PO Box 1449, El Granada, CA 94018 or on the Harbor District website at www.smharbor.com. A completed application must be received by the Harbor District no less than twenty-one (21) days prior to the day of the event (or first day if the event has more than one (1) day.)

Applications for a permit authorizing an event or multiple events shall be filed on a form prescribed by the General Manager and shall contain the following information:

- A. The name, home and business addresses, and home and business telephone numbers of the person filing the application;

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- B. If the event is to be conducted by an organization, the name, addresses and telephone numbers of the organization, the name, home and business addresses, and home and business telephone numbers of the president or head of the organization, and documentation of the authority under which the applicant is applying for the permit on behalf of the organization;
- C. The name, home and business addresses, and home and business telephone numbers of the person who will be present and in charge of the event on the day of the event and any pager and cell phone numbers at which that person can be reached during the event;
- D. The area to be closed or used for the event;
- E. The proposed date and the starting and estimated ending times of the event;
- F. The proposed location of the event, including its boundaries;
- G. The estimated number of participants in the event;
- H. A description of any sound amplification equipment proposed to be used;
- I. The parking requirements for the event;
- J. The location of any water and first aid stations to be provided at the event;
- K. The type and number of any vendors who will sell food or beverages at the event pursuant to a permit issued;
- L. Such other information as the General Manager may require.

The Harbor District may waive the twenty-one (21) days rule only in cases in which approval can be given by the General Manager or if an event requires an immediate decision.

Permit Fee Schedule

An application fee, established in the Event Fees Schedule, must be included with the application. An applicant simultaneously applying for multiple events in one year may pay just one application fee per year, at the highest rate for all events applied for

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Costs incurred by the Harbor District to process applications and incurred as a result of the event will be billed to the applicant based on the costs of staff, equipment and facility use.

The Harbor District will review all complete applications. Application review may include consultation with the applicant, if necessary. To facilitate processing of applications, to reduce Harbor Commission and staff time, costs involved, and to make the process more responsive to the public, the District will distinguish two groups of events:

- (a) Events which are larger in scope and extent, because they involve large numbers of people, have substantial impacts on harbor operations, and District facilities and staff, and may involve multi-agency coordination; and
- (b) Events which are small in scope, and extent, and because they involve a limited number of people, are essentially private, and have minimal or no impact on District facilities and staff.

Events of type (a) require Harbor Commission review and approval. Events of type (b) require General Manager review and approval.

Action on Applications and Notification of Harbor District Decision

Action

Upon receipt of a completed application for a permit, the General Manager or Harbor Commission shall approve or deny the application no later than twenty-one (21) days after the application is deemed complete.

When the General Manager or Harbor Commission determines that a completed application has been filed for a permit for an event and that there are no grounds for

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denying such permit, the General Manager or Harbor Commission shall approve the permit subject to all the general conditions required, plus any special conditions authorized and determined by the General Manager or Harbor Commission to be applicable to the event to address concerns for public health and safety, and/or to eliminate or significantly reduce potential negative impacts on harbor operations. Harbor District staff will be available to meet with event applicants to review these special conditions and ensure that all requirements and conditions, including provision of adequate insurance coverage are met before permits are approved. Harbor District staff or their agents(s) may be onsite during an event to ensure compliance with permit conditions.

Upon approval of the permit by the General Manager or Harbor Commission, the General Manager shall promptly cause a notice of such action to be provided to the applicant and to the Harbor Master. The General Manager shall issue a permit authorizing the event after the applicant has executed an indemnification agreement, provided proof of insurance coverage naming the District as Additional Insured and has completed and submitted a traffic control and parking plan, all as required by this policy as conditions precedent to the issuance of an event permit.

Conflicting Dates Resolution Process

In the event that two (2) or more event applications are received for the same date and time prior to the approval of either event, the date and time that each application was received by the Harbor District shall determine order of preference for receipt of permit. Once an event permit has been approved, it shall be the policy of the Harbor District to not approve further permits for the same date, time and general location, unless the events can be held without conflict and/or additional disruption or other negative impact on harbor operations. The Harbor District has the discretion to resolve date and time conflicts with applicants filing applications.

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Denial of permit

The General Manager or Harbor Commission shall deny an application for a permit if the General Manager or Harbor Commission determines that:

1. The application is incomplete;
2. The information contained in the application is false in any material respect;
3. An application for another event to be held on the same date and in the same location as requested by the applicant has been previously approved or has been previously filed and may be approved; a license, franchise or other permit has previously been granted to another person for the use of the same location on the same date;
4. The location or concentration of participants at the site of the event or at the site of an assembly or disbanding area around the event will prevent proper police, fire or ambulance services to the event or areas continuous to the event; or
5. The location of the event will substantially interfere with construction or maintenance work previously scheduled to take place on the Harbor District premises proposed, to be used or occupied by the event.

Notice of denial

If the General Manager or Harbor Commission denies an application for a permit, the General Manager shall promptly serve a notice to the applicant, Harbor Master and Harbor Commissioners. The notice shall set forth, with particularity, the reasons for the denial.

Liability and Other Insurance Requirements

San Mateo County Harbor District

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The Harbor District requires that all sponsors of an event provide liability insurance prior to the issuance of a permit. In addition, applicants shall indemnify, hold harmless and defend the District for and against any and all injury to and deaths of persons, and injuries to property, and all claims, demands, losses, damages and liability, arising out of the applicant's activities under this permit and the use by applicant of District facilities. At a minimum an event/applicant shall be required to provide a valid certificate of insurance from an insurance company licensed to do business in the state of California for Comprehensive General Liability policy with a Broad Form endorsement that provides coverage for bodily injury and property damage in the amount of \$1,000,000 per occurrence and \$2,000,000 in aggregate. Said policy shall be in favor of and name applicant and the Harbor District, its directors, officers, agents and employees as additional insured and shall be maintained in full force and effect during the term of the permit.

Prior to issuance of a permit, the applicant must sign an agreement to reimburse the District for any costs incurred by it in repairing damage to Harbor District property which results from the actions of those sponsoring the event or participants in the event and to defend the Harbor District against and indemnify and hold the Harbor District harmless from any liability to any person which results from the actions of those sponsoring the event or participating in the event.

The General Manager, or his/her designee, shall not issue the permit, unless evidence of required insurance coverage naming the District as Additional Insured, is provided to the District, no later than seventy-two (72) hours prior to the date of the event, or unless other requirements or special conditions of the event are met.

General Permit Condition of Approval

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- Staffing for police and fire services must be coordinated by the applicants with the appropriate agencies.
- Access for other Harbor visitors, customers, and employees must not be impeded.
- Permit does not grant exclusive use.
- Certain event types may have time limitations.
- Permits may be denied during periods of heavy use (e.g. Memorial Day weekend, July 4th, Labor Day weekend and opening weeks of salmon and crab season).
- The District may limit the number of permits issued.
- Roping off of areas is prohibited.
- The use of special equipment, such as canopies, arches, chairs, volleyball nets or other decorations may require further review and are only allowed by certain types of Event Permits. Equipment must be identified on the Event Permit Application and the District must authorize use of such equipment.
- Applicants should be aware that high tides impact the area of beach available for use.
- At no time shall the special equipment extend more than seventy-five feet (75') in width along the beach front.
- Special conveyances including, but not limited to, horse drawn carriages, electric carts, portable dance floors, and hot air balloons must be included in Event Permit application for special approval.
- Towable BBQs are not allowed on District beaches.
- Tiki torches may be allowed if identified on Event Permit application and with District permission.
- To protect parklands and wildlife, the releasing of balloons, doves, or butterflies and the throwing of rice, birdseed, flower petals, confetti or other natural or artificial material is not allowed.

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- Affixing directional signage to existing buildings, property, signs, poles or plants is not allowed. Any posted signs will be removed immediately by District personnel.
- Alcohol consumption is not permitted on District beaches unless required licenses have been obtained.
- Glass containers are not allowed on the beach.

All trash associated with an event must be bagged and removed from District property or arrangements must be made with the District to have special disposal bin available.

Special Permit Conditions

Where applicable, the General Manager or Harbor Commission shall also condition a permit on the following special conditions:

- A. The provision of portable sanitation facilities, including handi-cap accessible facilities for any event with a duration longer than one (1) hour;
- B. The provision of first aid stations;
- C. The provision of garbage containers and the cleanup of all debris and litter from the site of the event within four (4) hours after the conclusion of the event;
- D. The provision and use of traffic cones and barricades; and
- E. The provision of a notice of permit conditions to event participants.

The Harbor District may place special conditions of approval on the event to address concerns for public health and safety, and/or to eliminate or significantly reduce potential negative impacts on harbor operations. Harbor District staff will be available to meet with event applicants to review these special conditions and ensure that all requirements and conditions, including provision of adequate insurance coverage are met before permits are approved. Harbor District staff or their agent(s) may be onsite during an event to ensure compliance with permit conditions.

San Mateo County Harbor District

Policy	Number: 5.4.1	Date of Adoption: November 7, 2012 Effective date: January 1, 2013	Revision: July 1, 2015
Title: Event Policy	Prepared By: Glenn Lazof	Approved By: Harbor Commission	Page Page 10 of 12
Purpose: To establish guidelines for issuance of permits for events held on property owned and/or controlled by the Harbor District.			

Traffic Control, Parking Plan and Safety Requirements

The event application shall include a traffic control, parking plan and safety plan to demonstrate how the applicant proposes to provide adequate parking, traffic control and ensure traffic safety on the date of the event. The event applicant shall be responsible for complying with all traffic, parking and safety regulations and procedures required by the Harbor District and other appropriate agencies during the event. The requirement will be stated in the notice of approval, and additional requirements may be made by the Harbor District during the event as may be necessary for the safety of the public and avoidance of adverse impacts on Harbor operations. If traffic control and safety requirements are not met on the day of the event and additional staff is required for traffic control and safety, the applicant shall reimburse the Harbor District for expenses incurred for traffic control and safety.

Vendor License Requirements

All vendors must have all required licenses required by the appropriate licensing agency.

All food/beverage vendors must have the appropriate Health Department approval required in San Mateo County and/or City of South San Francisco and must post a valid food handler's license at their site.

Food/beverage vendors are responsible for any and all fees related to obtaining a San Mateo County and/or City of South San Francisco food license. Food/beverage vendors are required to comply with all San Mateo County and/or City of South San Francisco rules and regulations for temporary food license facilities. If alcohol is to be served or sold all applicable licenses must be obtained from the appropriate sources.

San Mateo County Harbor District

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Title: Event Policy	Prepared By: Glenn Lazof	Approved By: Harbor Commission	Page Page 11 of 12
Purpose: To establish guidelines for issuance of permits for events held on property owned and/or controlled by the Harbor District.			

Requirements for Event Signage and Promotion

The event application shall include a description of any promotional, advertising and/or directional signs to be used for the event. The use of signs shall conform to the description contained in the application and as approved by the Harbor District. Recognition of the San Mateo County Harbor District as permitting authority is required in all advertising and promotion for the event.

Notice to Lessees and Adjoining Property Owners

The event director shall give written notice of the nature, date and time of any event for which a permit is issued as soon as possible prior to the date of such event to all lessees in the Harbor District, owners of property adjoining the Harbor or Marina, or other public right-of-way where such event is to occur, either by serving copies of such notice on such property owners or lessees, by publishing such notice in a newspaper of general circulation, or by posting such notice along the route or at the site of the event. However, the provisions of this section shall be directory only, and the failure to give such notice shall not invalidate a permit.

Revocation of Permit

- A. Revocation by General Manager – The General Manager shall revoke a permit authorizing an event if the General Manager determines that grounds exist for denying the permit which were first disclosed or otherwise made known to the General Manager after issuance of the permit.
- B. Revocation by General Manager or designee. The General Manager or designee may revoke a permit authorizing an event if the General Manager or designee determine that the event is being conducted in violation of the terms and conditions of the permit, or where the event participants have violated any applicable law or regulation or the health, safety and welfare of participants is

San Mateo County Harbor District

Policy	Number: 5.4.1	Date of Adoption: November 7, 2012 Effective date: January 1, 2013	Revision: July 1, 2015
Title: Event Policy	Prepared By: Glenn Lazof	Approved By: Harbor Commission	Page Page 12 of 12
Purpose: To establish guidelines for issuance of permits for events held on property owned and/or controlled by the Harbor District.			

jeopardized. The General Manager or designee shall not revoke a permit in the manner provided by this section until the General Manager or designee advises the permittee or responsible event participants of the violation and provides the permittee with a reasonable opportunity to correct the violation.

- C. Notice of Revocation – When the General Manager or designee determine to revoke a permit authorizing an event prior to the date of such event, the General Manager or designee shall promptly cause a notice of such action to be served on the permittee/event sponsor/organizer in charge of the event and shall provide copies of the notice to the Board of Harbor Commissioners. However, when the General Manager or designee determine to revoke a permit authorizing an event on the day of such event, they shall announce such action to the event participants, to those persons engaged in monitoring or controlling traffic during the event, and to the person in charge of the event if such person can be located at the site of the event. Thereafter, the General Manager or designee, revoking such permit shall cause a written notice of such action to be served on the permittee and shall provide copies of the notice to the Board of Harbor Commissioners. The written notice shall set forth, with particularity, the reasons for the revocation.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.1	Date of Approval: 01/18/2006	Adopted By: Resolution 21-02
Title: Administration of Personnel Records	Prepared By: E. Wilkerson	Revised By: Resolution 05-06	Page: Page 1 of 3
Purpose: To establish procedures and responsibilities for the maintenance of employee Personnel Records.			

1. Statement of Policy

It is the policy of the District that the personnel records of the District shall be administered and maintained in a manner consistent with Law, while maintaining the privacy rights of the employee.

2. Description of Procedures

2.1 The Personnel Officer

The Personnel Officer is responsible for establishing and maintaining an Official Personnel File for each employee of the District. The General Manager is designated as the Personnel Officer of the District. The Personnel Officer may designate the Human Resource Manager to assist with any and all duties.

2.1.1 Official Personnel Files

Department Heads are responsible for the forwarding of documents for inclusion in the Official Personnel Files of those employees assigned to their department.

Each employee is responsible for the verification of information contained in the Official Personnel File through periodic audit.

An administration representative must be present when file is audited. The Human Resource Manager shall schedule all audits or inspection of records by employees. All audit appointments should be with the Personnel Officer or Human Resource Manager. The purpose of the audit or inspection is to ensure accuracy and completeness of the file. Only the Personnel Officer or Human Resource Manager may remove items from the respective files with notification to the respective Department Head. Individual departments shall not maintain separate personnel files..

2.1.1.1 Contents of Official Personnel File

Identification of information to be included in the employee's official personnel file:

2.1.1.1.1 Permanent Documents.

Documents retained in the official personnel file throughout the association of an employee with the District:

Employee application

Job description and specification information

Job performance ratings and evaluations

Education/training information

Personnel data card

Personnel action forms

Policies and Procedures	Number: 6.1.1	Date of Approval: 01/18/2006	Adopted By: Resolution 21-02
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Pay adjustment memoranda or letters

Employment Contracts

Administrative documents relating to hiring and promotion dates and other dates of administrative action not otherwise specified or provided for herein.

Letters or other documents of discipline dated on or after January 1, 2006.

These records are maintained during the tenure of the employee and for seven years after the employee leaves District employment.

2.1.1.1.2 Temporary documents (Personnel)

Documents, which have limited retention of three (3) calendar years or less unless otherwise provided pursuant to labor agreement. Examples include:

Administrative correspondence relating to leave/vacation requests.

All other administrative documents of limited informational life span.

Letters or other documents of appreciation, or commendation.

Letters or other documents of discipline dated prior to January 1, 2006.

Letters of written reprimand.

2.2 Procedures For The Release And Accessibility Of Information And Audit Of The Personnel Files

2.2.1 Confidentiality

The Personnel Officer and all other District employees as specified in Section 2.3.3 with access to personnel records shall treat as confidential all personnel information from personnel, civil service, finance and accounting, or any other District file. Only the Personnel Officer and Human Resource Manager shall have the authority to release personnel information as authorized by law.

2.2.2 Responsibility to Divulge Information

Information contained in the Official Personnel File or Civil Service File (other than items listed immediately above) will not be released to the public without the express written permission of the employee, provided, however, certain situations may arise where the District as current or past employer has a right or duty to provide information without the permission of the employee. In such cases, the Personnel Officer and Human Resource Manager have the authority to divulge such information.

2.2.3 Access to Information

Access to information contained in an employee's personnel file will be limited to the General Manager, Personnel Officer, Human Resource Manager, respective Department Heads and individual employees. Files pertaining to employees who are bonafide candidates of interdepartmental transfer will be accessible by the prospective gaining Department Head.

Each employee folder will contain an entry log for recording every person's access to the records and purpose with an exception of personnel file maintenance by the General Manager, Personnel Officer, and Human Resource Manager.

Policies and Procedures	Number: 6.1.1	Date of Approval: 01/18/2006	Adopted By: Resolution 21-02
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2.2.4 Use of Information

Items not included in the Official Personnel File and/or Official Finance Department records of the District may not be used to justify either promotional or disciplinary proceedings.

2.3 Procedures For The Administration, Release And Accessibility of Personnel Information Maintained In District Finance And Accounting Files and Records

2.3.1 Confidentiality

The Personnel Officer, Human Resource Manager, and all other District employees as specified in Section 2.4.3 who have access to personnel records or other personnel information maintained in District Finance and Accounting Files and Records shall treat as confidential all such personnel information. The Personnel Officer and Human Resource Manager shall have the authority to release such information to the public or other employees as described in Section 2.3. Personnel information includes salary information, merit increases, information contained in performance evaluations, job applications, hiring dates and anniversary dates.

2.3.2 Responsibility to Divulge Information

Information contained in District Finance and Accounting Files and Records will not be released to the public or to other employees without the express written permission of the employee, or as authorized in Section 2.3.

2.3.3 Access to Information

Access to information contained in District Finance and Accounting Files and Records will be limited to the General Manager, Personnel Officer, Human Resource Manager, respective Department Heads and individual employees whose job duties require such access. Files pertaining to employees who are bonafide candidates of interdepartmental transfer will be accessible by the prospective gaining Department Head.

2.4 Currency of Policy and Records

This policy will be periodically reviewed to ensure compatibility with current accepted personnel procedures.

These records are maintained during the tenure of the employee and for seven years after the employee leaves District employment.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.2	Date of Adoption: 10/1/97	Revision:
Title: Union Rights	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish a policy for union rights and procedures for union activities.			

STATEMENT OF POLICY

The San Mateo County Harbor District recognizes the following union as the exclusive bargaining representative for the designated employees of the following bargaining units:

- A. International Union of Operating Engineers Local 3

All District employees have a right to belong to an appropriate bargaining unit unless they are exempt as defined by law, or exclusion by union contracts. Additional conditions of membership are described in each labor contract.

Each bargaining unit separately negotiates contracts for its employees with the District. Wages, benefits and conditions of employment of union employees will be provided as specified in the respective labor agreement. Employees are not granted time off with pay to perform union activities unless specifically provided for in the labor agreement. District equipment and facilities are not to be used for union activity unless specifically provided for in the labor agreement and approved by the General Manager.

San Mateo County Harbor District

Policy	Number: 6.1.3	Date of Approval: 01/08/2006	Adopted By: Resolution 06-06
Title: Equal Employment Opportunity	Prepared By: E. Wilkerson	Revised By:	Page: Page 1 of 2
Purpose: To establish a policy to ensure equal employment opportunity with the District and to outline procedures for action in case of violation.			

1. Statement Of Policy

It is the policy of the San Mateo County Harbor District to promote and afford equal treatment to all employees and District representatives, and to assure equal employment opportunity based on ability and fitness to all persons regardless of race, religion, color, creed, national origin, sex, gender, marital status, age, perceived or actual sexual orientation or disability.

The goals and objectives of the Equal Employment Opportunity Policy are to:

1. Ensure fair treatment and non-discrimination in District hiring, District employment, and in appointments to and service on District boards and commissions.
2. Provide compliance with applicable State and Federal equal opportunity requirements and regulations.

2. Program Responsibility

The Human Resource Manager shall serve as the Equal Opportunity Officer to carry out the Equal Employment Opportunity Policy and Program. The Officer shall be the focal point for the District's equal opportunity efforts and shall advise and assist staff and management personnel in all matters regarding implementation of and compliance with the Equal Employment Opportunity Policy, and be responsible for the successful execution of the program, utilizing the assistance of appropriate State and community agencies. The Equal Opportunity Officer will have responsibility to examine existing internal policies or procedures that may serve as barriers to implementing the Equal Employment Opportunity Program.

3. Equal Employment Opportunity Practices

The Equal Opportunity Officer shall undertake the following actions to assure equal employment opportunities in the District:

1. Periodically review all position qualifications and job descriptions to insure requirements are relevant to the tasks to be performed. Make recommendations as needed to delete requirements not reasonably related to the tasks to be performed.
2. Assure that pay and fringe benefits depend upon job responsibility and, along with overtime work, are administered on a non-discriminatory basis.
3. Inform and provide guidance to staff and management personnel who make hiring decisions so that all applications for selections, promotion and termination are considered without

Policy	Number: 6.1.3	Date of Approval: 01/08/2006	Adopted By: Resolution 06-06
Title: Equal Employment Opportunity	Prepared By: E. Wilkerson	Revised By:	Page: Page 2 of 2

discrimination and all applicants be given equal opportunity regardless of race, creed, color, national origin, sex, gender, marital status, age, actual or perceived sexual orientation or disability effectively prevents the performance of essential duties and functions required by the position and which are bona fide occupational qualifications which cannot be accommodated without undue hardship.

4. EEO Grievance Procedures

In as much as the success of the Equal Employment Opportunity Program depends largely upon the attitude of the community as well as of the employees, opinion as to what constitutes fair and equal opportunity and treatment may vary widely and grievances may result. The following steps shall be taken for any grievance arising from the implementation of this program so as to maintain the best possible employee/supervisor and District/community relationships:

1. Employees covered by a labor agreement containing a grievance procedure shall be encouraged to use it in seeking relief from alleged discriminatory practices. Employees may elect to bring a grievance through either the procedure outlined herein or the procedure in their labor agreement, but not both.
2. Employees not subject to Paragraph 1 above shall bring their grievance to the attention of their immediate supervisor or department head, who will investigate as necessary to determine the cause of the complaint and work with the employee to effect an equitable solution. Every effort shall be made to resolve the difficulty at this level.
3. At the option of either party, the services of the Equal Opportunity Officer may be requested. The Equal Opportunity Officer shall interview both parties, conduct additional investigation as necessary, and recommend appropriate corrective action and settlement conditions.
4. In the event mutual agreement cannot be achieved and resolution is required by the General Manager, the Equal Opportunity Officer shall obtain signed statements detailing the grievance and specific investigative action from the employee and her/his supervisor. The Officer may draw upon all resources at her/his disposal to arrive at recommended corrective action and settlement conditions.
5. The General Manager may elect as deemed necessary and as circumstances dictate to refer the grievance to the Board of Harbor Commissioners.

The Equal Opportunity Officer shall maintain all reports, decisions and other documentation generated by the grievance procedure as a matter of permanent record.

5. Other

Violations of this policy may be cause for the full range of disciplinary action.

6.1.4 Nondiscrimination

1. STATEMENT OF POLICY

The San Mateo County Harbor District shall promote and afford equal treatment and service to all citizens and to assure that all applicants are assured equal employment opportunity without regard to race, religion, creed, color, national origin, age, sex, marital status, or the presence of any sensory, mental, or physical disability unless such disability effectively prevents the performance of essential duties required by the position and which are bonafide occupational qualifications and which cannot be accommodated without undue hardship.

The District shall operate within the principles of equal employment opportunity and affirmative action guidelines set forth in Federal, state and local laws and regulations.

All activities relating to employment including recruitment, testing, selection, promotion training and termination shall be conducted in a nondiscriminatory manner.

The District will cooperate fully with all organizations and Commissions organized to promote fair practices and equal employment opportunity.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.5	Date of Adoption: 10/1/97	Revision:
Title: Hours of Work	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish a policy setting uniform work weeks for certain classifications.			

1. STATEMENT OF POLICY

Except as otherwise provided by labor agreement, the normal working hours for employees are forty (40) hours per week with employees allowed to work a flexible work week. Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule.

Employees shall receive break periods consistent with the laws of the State of California and the Fair Labor Standards Act.

Daily attendance records will be maintained by each department, including date and time absent and reason for absence. Attendance shall be a consideration in determining promotions, transfers, satisfactory completion of probationary periods, and continued employment with the District. Frequent tardiness or other attendance irregularities shall be cause for disciplinary action. This may take the form of progressive discipline.

Hours for part-time and certain employees may vary from the normal office hours due to the nature of their duties and will be determined by the appropriate Department Head, with concurrence of the General Manager.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.6	Date of Adoption: 10/1/97	Revision:
Title: Minor Work Permits	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish procedure for employment of persons under the age of 18			

1. STATEMENT OF POLICY

The San Mateo County Harbor District encourages employment of young people between the ages of 16 and 18 as authorized by the Fair Labor Standards Act of 1938 (FSLA). The employment of minors between 14 and 16 years of age is permitted, specified that it does not interfere with their schooling or with their health and well-being and shall not be deemed to be oppressive child labor.

The District has the option to contract with a youth employment agency or directly employ a minor.

Prior to direct employment of a minor, the minor must provide the District the following forms.

1. Completed school district authorization work permit form, with all necessary signatures (parent, guardian and school).
2. Certificate of age which shall consist of the one of the following:
 - a) Birth Certificate,
 - b) Record of baptism,
 - c) School Record together with a sworn statement of a parent or person standing in place of a parent as to the age of the minor and also a certificate signed by a physician specifying what in his opinion is the physical age of the minor. Such certificate shall show the height and weight of minor.

Minors shall not work more than 40 hours in any one week, nor more than 8 hours in any one day, nor more than 3 hours in any one day when school is in session. During the summer months (June 1st through Labor Day) minors are allowed to work between the hours of 7 a.m. and 9 p.m. in any one day, subject to the above provisions. All other times, minors are only allowed to work between the hours of 7 am. and 7 p.m.

Notwithstanding any of the above provisions, this policy shall be consistent with the requirements of state or FSLA regulations.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.7	Date of Adoption: 10/1/97	Revision:
Title: Date of Appointment	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish definitions and a policy for administering the date of appointment for District employees.			

1. STATEMENT OF POLICY

Date of appointment shall mean the effective date of the individual's employment with the San Mateo County Harbor District.

A regular employee returning from an approved leave of absence, to a maximum of one year (365 days), without pay will retain their original date of appointment.

An employee returning to full-time employment with the District following a continuous six month or 180 day voluntary separation from full-time employment with the District and is not on an approved leave of absence shall have a new date of appointment.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.8	Date of Adoption: 10/1/97	Revision:
Title: Probation Period	Prepared By: P. Grenell	Approved By: Resolution 28-97	Page: Page 1 of 1
Purpose: To establish policy and procedure for the probation period for current employees who are promoted or receive a transfer to a new position.			

1. STATEMENT OF POLICY

The provisions of this policy apply to all employees of the San Mateo County Harbor District not covered by a labor agreement including the Memorandum of Understanding (MOU) between the District and the Operating Engineers Union Local 3. Employees covered by a labor agreement, including said MOU between the District and Local 3, shall be provided for by the terms, conditions, and procedures of said labor agreement.

The probation period is designed to give a current employee time to learn the new position. Probationary periods shall occur for all current employees upon either promotions or lateral transfers. For probationary periods for promotions and lateral transfers, the District reserves the right to reverse the personnel action on the basis of unsatisfactory performance and place the employee in their previous position.

At the end of the probation period, the employee is formally evaluated and provided written documentation of progress. It is expected that informal evaluations will be conducted during the course of the probation period to assess performance and to advise employees of expectations regarding performance.

Under unusual circumstances, the probationary period may be extended upon recommendation of the Department Head and General Manager.

If an employee successfully completes the probation period, he/she shall be informed that he/she is now a regular employee in the position to which he/she has been either promoted or transferred laterally. This will be accomplished with the General Manager's approval and recommendation of the appropriate Department Head via the Personnel Action form.

A leave of absence, up to five (5) days, that is required because of an emergency during an employee's probationary period shall not be considered as time worked, unless approved by the General Manager.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.9	Date of Adoption: 10/1/97	Revision:
Title: Re-Employment	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish a policy for re-employment of former District employees.			

1. STATEMENT OF POLICY

Any former regular employee who resigned from the San Mateo County Harbor District in good standing is eligible for re-employment.

Persons interested in re-employment should file a completed District application form. The individual will then proceed through the regular hiring procedures with other applicants as described in the Hiring Process Policy. The individual's previous personnel file will be re-activated once re-employed by the District provided re-employment is within seven years after the original resignation.

All individuals re-employed by the District must complete a new probationary period.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.10	Date of Adoption: 10/1/97	Revision:
Title: Employee In-Processing/Orientation	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish a policy and procedure for processing new District employees.			

1. STATEMENT OF POLICY

All new regular full-time and regular part-time employees of the San Mateo County Harbor District will be scheduled to meet with the Civil Service Secretary on their first day of work for general orientation. In this orientation, the new employee will be provided with information on the District's Personnel Policies, Overall Policies and Procedures, Employee benefits, Workers Compensation, and other personnel issues and will complete the required employment forms.

After the general orientation, the new employee will be given a site specific orientation by the respective supervisor to include work standards and regulations, hours of work, safety rules and procedures, location of safety or protective equipment, tour of the work area, introduction to co-workers, and other matters the supervisor wants to include.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.11	Date of Adoption: 10/1/97	Revision:
Title: Types of Employment and Eligibility for Benefits	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish guidelines and definitions for types of employment and for entitlement to benefits.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District has several categories of employees to maximize each individuals potential for each position with the District. The categories and benefit coverage are listed below.

- a. Probationary Employee: An employee on a trial status during the initial period of employment. All newly hired District employees are on a six month probationary status and may be extended. Those employees serving probationary periods for reasons of promotion and lateral transfers are considered regular employees only for purpose of benefit eligibility.
- b. Regular Full-Time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule which will total no less than 2080 hours per year.
- c. Regular Part-Time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule of 20 hours or more, but less than 40 hours, per week.
- d. Temporary Full-Time Employee: An employee whose work assignment is limited in duration to six months or less, and works a shift schedule which on an annual basis would total no less than 2,080 hours.
- e. Temporary, Seasonal Employee: An employee who works on a part-time basis for a certain amount of time but less than three months.

Employees classified as regular full-time employees shall receive all employee benefits provided by the District and/or provided in the Memorandum of Understanding between the bargaining agent for the represented employees and the District.

Employees classified as part-time employees are not eligible for any employee benefits; however those part-time employees who work over 1000 hours per fiscal year are eligible for retirement benefits.

Employees classified as temporary employees are not eligible for any employee benefits.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.12	Date of Adoption: 10/1/97	Revision:
Title: Work Week	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To define the work week within the District.			

1. STATEMENT OF POLICY

The work week for all District employees shall consist of seven consecutive 24-hour periods as regulated by the U.S. Department of Labor. All hours worked over and above forty hours in any one week shall be considered overtime and treated according to the Overtime Policy, except that hours taken as approved paid leave under the Paid Time Off (PTO) 6.5.1, Holidays 6.5.2, Bereavement Leave 6.5.3, Jury/Court Leave 6.5.4 policies shall be considered as hours worked for the purposes of consistency with this Work Week policy.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.13	Date of Adoption: 12/3/97 Revision 12/16/2015	Adopted By: Resolution 39-97 Resolution Motion
Title: Employment Hiring Process	Prepared By: S. McGrath	Approved By: Board of Harbor Commissioners	Page: Page 1 of 7
Purpose: To establish a policy and procedure for all phases of the hiring process to include recruitment, testing, interview, reference check, notification, certified employment list and appointment.			

1. STATEMENT OF POLICY

Administration will administer and coordinate the hiring process for all positions, with the exception of the General Manager, within the San Mateo County Harbor District to ensure compliance with contractual, legal, and equal opportunity requirements.

2. RECRUITMENT PROCEDURE

- 2.1 Administration will be notified by the Department Head immediately of all position vacancies.
- 2.2 The affected department may be asked to assist Administration, as necessary, in formulating the job announcement, ads, and in determining special applicant sources.
- 2.3 A determination will be made by the General Manager whether to accept current employee applications only for a promotional appointment or whether the position will be open-competitive to all candidates.
- 2.4 Administration will distribute to all District departments copies of the job announcement, whether the position is promotional or open-competitive, for posting for a minimum of five working days. In cases where the job is open-competitive to all candidates, job announcements will be published in local newspaper(s) of general circulation, internet based forums and other avenues for distribution as may be warranted. For operational positions at Pillar Point Harbor and Oyster Point Marina/Park, open-competitive job announcements will also be sent to San Francisco Bay area and other marinas/harbors.
- 2.5 If the District feels the necessity for outside recruitment services, the General Manager or the Board of Harbor Commissioners will select the recruitment agency. The District may use only those recruitment services which do not discriminate on the basis of race, color, religion, creed, age, sex, national origin, marital status, or disability in making referrals. Execution of contracts will be consistent with current District procurement policies.
- 2.6 Administration will screen active application files and lists for possible candidates. These candidates will be contacted to determine current interest in District employment prior to the closing date listed on the employment notice.
- 2.7 Applications shall be submitted to Administration using District Employment Application forms and are required in the application process. No applicant will be considered if they only submit a resume.

Policies and Procedures	Number: 6.1.13	Date of Adoption: 12/3/97 Amended 12/16/2015	Adopted By: Resolution 39-97 Motion
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- 2.8 All applications will be kept on file for two years and may be used to consider an application for all positions for which he or she may be qualified.
- 2.9 No applications for a position will be accepted after the published closing and/or receipt date. If there are not sufficient qualified candidates at the closing date, the position will be re-opened and re-advertised.
- 2.10 Administration will screen all applications received to determine qualification for the position to be filled. Applications of top candidates will be forwarded to the department for final review and comment prior to scheduling candidates for interviews.
- 2.11 Applicants may be disqualified for consideration for employment when any of the following facts exist:
 - 2.11.1 Incomplete application
 - 2.11.2 Lack of qualifications for the job.
 - 2.11.3 False statements of any material facts or practiced deception in their application.

3. TESTING

- 3.1 Applicants who apply for positions within the District shall be administered an examination developed specifically for that position and shall test for skill level and, qualifications required for the specific position. Examinations shall test the applicants technical and general knowledge of the abilities needed for each position.
- 3.2 The examination may consist of any or all of the following: oral interview/application review, a structured questionnaire, practical tests, written tests, physical agility exercises, etc. In all cases, the testing will be job-related and designed to determine the candidate's knowledge, skills and abilities for the position.
- 3.3 Applicants will be required to successfully pass the oral and/or written examinations for the particular position as determined by the District to be considered for employment.
- 3.4 Oral interview questions and other examination contents are developed by Administration with assistance provided by the department. Examination contents are confidential and unauthorized disclosure to any candidate is grounds for discipline.
- 3.5 The testing process will be administered by Administration, with assistance from the department, as determined by Administration, unless otherwise requested by the hiring department.
- 3.6 Administration shall ensure that all testing is based on bona fide occupational qualifications.
- 3.7 Administration shall ensure that reasonable accommodations are made in test procedures to assure that persons with disabilities can be tested in an appropriate manner.
- 3.8 The following are ways in which the District may accommodate an applicant with a disability: replace written tests with on-the-job tests or verbal testing, enlarge print in

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exams, magnification, amplification devices, interpreters. Administration shall inquire in testing announcements whether an applicant requires a disability-related accommodation.

3.9 The following examinations are listed for each position with the minimum score required and its related percentage for the interview process.

<u>Position</u>	<u>Examination</u>	<u>Minimum Score</u>	<u>Weighted (Percentage)</u>
Deputy Harbormaster	Deputy Harbormaster Exam	70 out of 100 possible points	25%
	General Knowledge Exam for Deputy Harbormasters	none	10%
	Essay	none	10%
	Boating Skills	none	15%
	Swimming Test	Pass	
	Physical Agility (Dummy Drag)	Pass	
	Interview		40%

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<u>Position</u>	<u>Examination</u>	<u>Minimum Score</u>	<u>Weighted (Percentage)</u>
Harbor Worker	Harbor Worker Exam	70 out of 100 possible points	25%
	General Knowledge Exam	none	15%
	Essay	none	10%
	Interview		50%
Accounting	Accounting Test	none	50% combined for all 3 tests
	Accounting Questionnaire	none	
	General Knowledge Exam	none	
	Interview		50%
Accounting Technician /Administrative Assistant	Accounting Test	none	50% combined for both tests
	General Knowledge Exam	none	
	Interview		50%
Administrative Assistant	Writing on computer	none	50% combined for both tests
	General Knowledge Exam	none	
	Interview		50%
Launch Ramp Attendant	Launch Ramp Exam	75 points out of 100 possible pts	50%
	Interview		50%

4. INTERVIEW PROCESS

The employment interview is part of the selection process. The primary function of the interview is to obtain data or certain knowledge of the skills and abilities of a candidate not available through review of applications, resumes and the written examination process. Certain guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to current EEOC requirements.

- 4.1 Administration shall coordinate the interview process with the Department, including selection of panel members, scheduling candidates, development of interview questions , etc.

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4.2 The interview panel will be selected and confirmed by Administration with input by the affected department. Generally no more than five individuals will serve on the interview panel.

The composition of the interview panel shall generally consist of personnel who have expertise with the technical elements of the position and a personnel specialist. Careful selection will be made of panel members to ensure objectivity and job knowledge. Relatives or personal friends of the applicants will be excluded from serving on the panel. Individuals from other agencies who are considered knowledgeable in areas related to the designated position may be utilized on the interview panel.

Reasonable accommodations shall be made for disabled applicants to allow participation in the interview process.

4.3 Administration and the Department Head in which the position vacancy exists shall be responsible for the development of interview questions and standards for measurement of candidate responses. Consistency will be maintained in the questions asked of all candidates. The questions shall be job-related. Questions will be designed to measure job knowledge, experience, education or to solicit responses which reflect those personal traits which are job-related. Questions which pertain to race, sex, religion, age or marital status or other inquiries which tend to directly or indirectly disclose such information are prohibited.

4.4 The interview process, including the nature of the questions implicitly or explicitly asked, shall be consistent with all state and federal regulations and laws.

4.5 Administration will inform the interview panel of the responsibilities and requirements of the position to be staffed. Copies of the applications of final candidates will also be provided to the interview panel members prior to the interview, along with proposed interview questions. A representative of Administration will meet with panel members prior to the interview for an orientation on appropriate interview and assessment techniques needed to evaluate each candidate objectively.

4.6 Each panel member scores the candidates independently.

4.7 Following the interview, the Personnel Department will tally the examination results and interview scores and calculate final total score.

5. CERTIFIED EMPLOYMENT LIST

5.1 PLACEMENT ON LIST

5.1.1 Upon completion of the examination process, candidates who successfully completed all components of the examination and receive a minimum of 70% of total points shall be placed, from highest to lowest score, on a certified employment list for the position. In the event two or more candidates receive the identical final, average score, the score earned by each candidate on the test given the greatest weight shall determine the position of the candidate's name on

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the list. Should this means fail to break the tie, the date and time on which each candidate's application was filed will be applied as the determining factor.

5.2 TERM OF LIST

- 5.2.1 Certified employment lists shall remain valid for a period of one year, unless extended for an additional one (1) year by the General Manager.

5.3 APPOINTMENT FROM LIST

- 5.3.1 All vacancies within the District shall be filled by appointment from the certified employment list for the individual position. Appointments may be made from any classification on the certified employment list to serve in the best interest of the District.
- 5.3.2 Certified employment lists shall be classified in the following order:
- a) Classification Reinstatement
 - b) Re-Employment
 - c) Reinstatement
 - d) Promotional
 - e) Open-Competitive
- 5.3.3 Notwithstanding the above order, appointments may be made from any category in the above list if the General Manager determines that such appointments are in the best interest of the District.

6. REFERENCE CHECK

- 6.1 Before any offer of employment is extended by Administration, Administration shall conduct a reference check on the final candidate(s). This check shall include to the greatest extent possible verification of previous employment duties, dates of previous employment, work history, attendance record, strengths, weaknesses, safety record, and other pertinent information. Parts of the reference check may be delegated to the affected department.
- 6.2 All positions may be designated by Administration to undergo a check on the applicant's driving record.
- 6.3 No reference check or background investigation will be conducted without first notifying the applicant of the investigation.
- 6.4 Certain positions may be designated by Administration to undergo a thorough background check by the Police Department or other designated individual/agency.
- 6.5 Results of the reference check and/or background check will help determine the applicant's fitness for the position. The reference and background checks shall be considered confidential.

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6.6 A recommendation for hire will be forwarded to the Department Head, and/or General Manager, for final approval to extend an offer of employment.

7. APPLICANT NOTIFICATION

- 7.1 After references are verified and a final decision reached, Administration shall notify the candidate of his/her selection, with an employment offer, and request that the offer be accepted or rejected within a set number of days.
- 7.2 If the first offer is rejected, it will be decided whether to hire another candidate or to re-open the position.
- 7.3 Once a candidate accepts the employment offer, all other candidates are notified in writing that they were not selected for the position, whether they were placed on the certified employment list for that position and their status for future employment.

8. APPOINTMENT

- 8.1 For all positions, an employment confirmation letter is forwarded to the final accepting candidate outlining the terms of employment. The letter is prepared and mailed by Administration in cooperation with the Department Head.
- 8.2 Personnel Action Forms will be prepared for the new employee by Administration. (See Attachment A.)

9. APPLICANT EXPENSES

- 9.1 Unless approved by the District Manager or Board of Harbor Commissioners, the District does not reimburse any applicant for travel costs in conjunction with the hiring process.
- 9.2 Relocation costs are paid in full by the employee unless otherwise budgeted and approved by the District Manager or Board of Harbor Commissioners.
- 9.3 The applicant should be advised of Items 1 and 2 above before reporting for the interview.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.14.	Date of Adoption: 10/1/97	Revision:
Title: Nepotism	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish policy for the employment of immediate relatives in order to assure the reality and appearance of fairness in the best interest of the District.			

1. STATEMENT OF POLICY

It is the San Mateo County Harbor District's policy that no members of the employee's immediate family shall be employed with the District in a regular, full-time capacity.

The General Manager may waive this restriction if the General Manager determines that, because of the nature of the operation and work assignments in question, the members of the employee's immediate family would have minimal job-related contact with one another and neither would be placed in such a position to supervise or evaluate the other.

The San Mateo County Harbor District shall not retain the services on a contractual basis with any member of an employee's immediate family.

Immediate Family is defined as spouse, child, domestic partner, parent, brother, sister, grandparent, parent-in-law, daughter-in-law, son-in-law, or grandchild.

This policy shall also apply to persons related by blood or marriage residing in an employee's home.

Policy Title: Telecommuting Policy	Number: 6.1.15	Date of Approval: 05/20/2020
Other Revisions: N/A	Prepared by: Julie van Hoff	

Statement of Policy

Telecommuting, also called “telework,” or performing work for one’s employer from home or a remote location, is an increasingly desirable employment model and a necessary model as proven during the 2020 COVID-19 Pandemic. High-speed internet connections, smart phones, and innovative telecommunications equipment routinely facilitate off-site work. Allowing employees the freedom to perform their job in locations other than on San Mateo County Harbor District (District) property can improve employee performance, productivity and morale; facilitate optimum utilization of District office facilities; allow for physical distancing requirements; promote employee health and wellness; improve air quality and traffic congestion; improve employee recruitment and retention; enhance the working life and opportunities of persons with disabilities; and effectively continue business as part of a disaster recovery or emergency plan.

Therefore, the purpose of this policy is to: (1) encourage employees who desire and are able to work from home or another remote location to discuss the feasibility of such an arrangement with their immediate supervisors; (2) develop a uniform policy for employees who work remotely; and (3) ensure that all telecommuting arrangements are in full compliance with applicable laws governing workplace safety, employee rights and responsibilities, and District policies.

1. Eligibility

Only employees whose job duties can be performed away from the District office (or other primary work location) may be considered for participating in a telecommuting program. In addition, other criteria shall be considered in determining whether to grant a specific request for telecommuting. These other criteria may include, but are not limited to, years of employment at the District; whether the employee’s past work performance has shown reliable and responsible performance of work duties over time; whether the employee can reliably provide alternative work space; whether the employee’s absence from the primary work location will disrupt the workflow of other employees and/or overall management of the District; and whether the employee can demonstrate full understanding of the requirements of this policy. Supervisors may use other reasonable criteria in addition to these examples.

Telecommuting during a probationary or introductory period shall not be granted because of the need to clarify job responsibilities with the employee and to assess the employee’s suitability for continued employment, and because of the employee’s need to establish relationships with co-workers. This provision may be waived as part of a disaster recovery or emergency plan.

Employee participation in telecommuting is normally voluntary and granted only at the discretion of the Director of Administrative Services in consultation with the employee’s

6.1.15 Telecommuting Policy

immediate supervisor. The District has the right to refuse to make telecommuting available to any employee. The District has no obligation to allow one employee to telecommute merely because another employee who performs the same or similar job duties has been approved for telecommuting. An employee may decline a suggestion to telecommute made by a supervisor. In the event of a disaster recovery or emergency plan, the declination by an employee to telecommute may lead to a furlough or layoff of the employee.

2. Work Schedule

All telecommuting work schedules are at management's discretion. Telecommunicating arrangements do not necessarily provide the employee with a flexible work schedule. The work schedule shall be consistent with the operational needs of the employee's work group and department and overall management of the District. As with any work schedule, management has the discretion to change or eliminate telecommuting arrangements to meet operational needs, or at the employee's reasonable request.

Telecommuters may be required to spend a minimum number of workdays per week or per month at their primary onsite work location. Operational needs may also demand the presence of a regularly telecommuting employee in the office on a regularly scheduled telecommute day, with or without advance notice. Management shall attempt to provide as much notice as possible to the telecommuting employee.

Telecommuters shall maintain regular contact with supervisors and co-workers by phone, e-mail, or other means while they are telecommuting. Unless granted express permission by the employee's immediate supervisor, employees shall expect to adhere to a regular workday schedule as if they were present in the office, and shall be in communication by phone, e-mail, or other means during those hours.

3. Meetings at the Telework Site

Telecommuting employees are not permitted to conduct in person work-related meetings at their remote worksites. Meetings must be conducted either onsite or through teleconferencing. Absent express written authorization from the telecommuting employee's supervisor, no other District employee is permitted to conduct District business at the remote worksite.

4. Benefits and Compensation

All benefits and compensation will be based on the employee's position, with no distinction made between telecommuting and onsite employees. All applicable contracts, agreements and policies governing an employee's position shall continue to apply in the telecommuting program.

5. Health and Safety

The District is committed to ensuring a safe worksite in compliance with the rules and

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guidelines set forth by the Division of Occupational Safety and Health (Cal/OSHA). Employees who telecommute are responsible for designating one area in their home as the worksite. The employee's direct supervisor or other designated manager shall review the applicable health and safety rules with the employee, and the employee must complete a checklist and certify in writing that the worksite meets all of the requirements for a safe and healthy work environment. The employee must also certify in writing that, should any condition arise at the worksite so that the health and safety requirements are no longer met, or if any other hazardous condition occurs, the employee will notify his or her supervisor immediately and cease working at the remote worksite until the condition has been remediated. The employee shall not be permitted to resume telecommuting from the remote worksite without the express authorization of his or her supervisor.

Upon reasonable notice, management has the right to inspect the employee's designated worksite. If the employee refuses such a request, he or she may not be allowed to continue telecommuting. Management reserves the right to refuse or rescind a telecommuting agreement based on the employee's failure to adhere to the guidelines, or if a supervisor or other manager makes the reasonable assessment that the employee's worksite poses a health or safety risk.

If an employee incurs an injury or illness in the course or scope of employment while telecommuting, Workers' Compensation laws apply. Employees must immediately notify their supervisor and complete all necessary paperwork as required by the District.

Actions that the telecommuter may take during break periods from working and actions not directly related to the approved remote worksite will not be covered under Workers' Compensation. These non-covered actions include, but are not limited to, all actions that the employee would not be able to perform in his or her District office, such as caring for children or pets, domestic tasks, yard work, retrieving the mail, cooking, exercising and interacting with non-District employees for non-business purposes.

The District shall in no instance be liable for injuries to third persons, including members of the telecommuting employee's family, who enter the employee's worksite or otherwise interact with the employee or use his or her home office equipment.

The District understands that compliance with the health and safety provisions of this policy does not necessarily provide the reasonable accommodations required by employees with disabilities. Telecommuting employees with disabilities shall be entitled to the same rights and accommodations they would be entitled to under all applicable state and federal laws and District policy. Telework may be provided as a reasonable accommodation, and such arrangement is addressed in a separate reasonable accommodation policy.

6. Performance Standards and Evaluation

An employee participating in a telecommuting arrangement is accountable under the same performance standards as employees working onsite. As in "regular" office assignments, supervisors and employees should discuss and understand what is expected to be produced

6.1.15 Telecommuting Policy

during telecommuting hours and when assignments are due. Supervisors and employees should also arrange when and how to make contact with each other on telecommuting days. Employee performance must remain satisfactory or above to participate in the telecommuting program.

7. Business Expenses and Reimbursement

To the greatest extent practical, employees will use District issued equipment and supplies. Expenses incurred as a result of telecommuting for the convenience of the employee, will not be reimbursed by District unless they are normally reimbursable pursuant to District policies, or pre-approved in advance at the sole discretion of the employee's supervisor. Such non-reimbursable expenses include, but are not limited to, utility costs, computer repair or replacement, purchase of office equipment or furniture, and travel to and from the primary District worksite if required to be onsite.

Telecommuting employees may, and are encouraged, to use District office equipment and supplies at any time, according to need. For example, a telecommuting employee is allowed to come to the District's office to use printing and copying equipment, obtain administrative assistance, or use other office resources to which the employee would have access if he or she was working onsite. With the advance approval of the employee's supervisor, a telecommuting employee may be permitted to take District office supplies to his or her remote worksite to facilitate productivity. Such supplies may include printer paper, pens and pencils, or other miscellaneous office-related items. Employees should not remove any item from District property to use offsite without the express permission of their supervisor.

Employers are obligated to reimburse employees for all "necessary expenditures or losses" the employees incur in carrying out their job duties. Reimbursement may be necessary under California law even when an employee does not incur additional out of pocket costs. Expenses that are reimbursable include but are not limited to a portion of WiFi, internet, and cell phone services.

8. Use of Personal Computers, Smart Phones and Other Technology

Telecommuting employees using their personal computers, internet connections, smart phones and other technology are responsible for ensuring and certifying that they meet the same security standards as if they were using District technology. The District's information technology consultant will assess whether the employee's remote worksite ensures the level of security required by the District. At the supervisor's discretion, the telecommuting employee may be required, as a condition of telecommuting, to establish a secure internet connection, install enhanced password protection or encryption software, keep confidential materials in a locked or otherwise secured location, restrict non-employees' (such as family members') usage of computers or smart phones used for District business, and any other measure required to maintain District's information security standards.

Any and all policies governing employee usage of District computers, internet connections and mobile devices shall apply to telecommuting employees when they are using their

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personal equipment in the course and scope of employment, and when they are using District technology at any time. Employees using District technology or conducting District business on personal devices have no expectation of privacy.

9. Equal Opportunity

This policy does not alter the District's commitment to maintaining an equal opportunity, discrimination-free workplace. All District policies, as well as all state and federal laws, governing the District's anti-discrimination policy apply uniformly to telecommuting and onsite employees.

10. Harassment-Free Workplace

This policy does not alter the District's commitment to maintaining a harassment-free workplace. All District policies, as well as all state and federal laws, governing the District's anti-harassment policy apply uniformly to telecommuting and onsite employees.

Any employee who feels they have been subjected to harassment in the course of performing District business should report the incident in accordance with the District's anti-harassment policy. Investigations of alleged harassment shall be conducted in the same manner for telecommuters as for onsite employees, regardless of where the incident occurred.

11. Approval Process

Employees who wish to telecommute are encouraged to contact their immediate supervisor to discuss the feasibility of such an arrangement. Employees may arrange to telecommute regularly, or on an as-needed basis. Same-day requests for telecommuting cannot be granted unless the employee has already certified to a safety-compliant worksite and discussed information security with his or her supervisor.

All telecommuting arrangements are subject to ongoing review and may be revoked at any time. Nothing in this policy shall grant a telecommuting employee any rights he or she would not have if working onsite, nor shall it limit his or her rights under all applicable District policies and state and federal laws.

I understand, acknowledge and agree to abide by all of the provisions contained in this policy.

[EMPLOYEE]

[SUPERVISOR]

Home Safety Checklist for Telecommuters

The telecommuter is responsible for ensuring a clean, safe, and ergonomically sound home/work office as a condition for telecommuting. The telecommuter should review this checklist with his/her supervisor and sign it prior to the start of telecommuting.

Work Site

- Telecommuter agrees to maintain a clearly defined workspace that is clean, free from distractions and obstructions, and is in ergonomically sound condition.
- The work area is adequately illuminated with lighting directed toward the side or behind the line of vision, not in front or above it.
- Supplies and equipment (both departmental and employee-owned) are in good condition.
- The area is well ventilated and heated.
- Storage is organized to minimize risks of fire and spontaneous combustion.
- All extension cords have grounding conductors.
- Exposed or frayed wiring and cords are repaired or replaced immediately upon detection.
- Electrical enclosures (switches, outlets, receptacles, and junction boxes) have tight-fitting covers or plates.
- Surge protectors are used for computers, fax machines, and printers.
- Heavy items are securely placed on sturdy stands close to walls.
- Computer components are kept out of direct sunlight and away from heaters.

Emergency Preparedness

- Emergency phone numbers (hospital, fire department and police department) are posted at the alternate work site.
- A first aid kit is easily accessible and replenished as needed.
- Portable fire extinguishers are easily accessible and serviced as needed.
- An earthquake/storm preparedness kit is easily accessible and maintained in readiness.

Ergonomics

- Desk, chair, computer, and other equipment are of appropriate design and arranged to eliminate strain on all parts of the body.
- Telecommuter agrees to read and to implement the District's ergonomic principles.

I have reviewed and understand the items outlined in this checklist.

Telecommuter's Signature

Date

San Mateo County Harbor District

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Title: Employer-Employee Relations Policy	Prepared By:	Approved By: Board of Harbor Commissioners	Page: Page 1 of 11
Purpose: To establish an employer-employee relations policy			

STATEMENT OF PURPOSE

The purpose of this policy is to promote full communication between the Harbor District and its employees by providing a reasonable method of resolving disputes regarding wages, hours, and other terms and conditions of employment between the Harbor District and its employees and their employee organizations. It is also the purpose of this policy to promote the improvement of personnel management and employer-employee relations within the Harbor District administration, by providing a uniform basis for recognizing the right of Harbor District employees to join employee organizations of their own choice and to be represented by such organizations in their employment relationships with the Harbor District. Nothing contained herein shall be deemed to supersede the provisions of the Harbor District Ordinance Code, or the Personnel Policies and Procedures, Rules and Regulations which regulate the Harbor District Merit System.

DEFINITIONS

The following shall have the meaning indicated, when used in connection with this policy:

- A. **CONFIDENTIAL EMPLOYEE:** An employee who assists and/or acts in a confidential capacity to persons who formulate, determine and/or effectuate management policies in the field of labor relations.
- B. **CONSULT:** Verbal or written communications for the purpose of presenting and obtaining views or advising of intended actions on matters within the scope of representation.
- C. **HARBOR DISTRICT:** The San Mateo County Harbor District, a political sub-division of the State of California, or its duly authorized management representative.
- D. **DAYS:** Calendar days, unless otherwise defined in this policy.
- E. **EMPLOYEE:** Any person employed by the Harbor District in an authorized position as listed in the current salary ordinance, except elected officers.
- F. **EMPLOYEE ORGANIZATION:** Any lawful organization which includes, as members, employees of the Harbor District and which has, as one of its purposes, representation of such employees in their relations with the Harbor District.
- G. **EMPLOYEE RELATIONS:** The relationship between the Harbor District and its employees and their employee organizations, are, when used in a general sense, the relationship between management and employees or employee organizations.
- H. **GRIEVANCE:** Any dispute involving the application or interpretation of the provisions of the memorandum of understanding between the employee organization and the Harbor District.
- I. **IMPASSE:** A deadlock in negotiations between a recognized employee organization and the Harbor District concerning matters about which they are required to meet and confer in good faith.

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J. MANAGEMENT EMPLOYEE: Any employee having significant responsibility for formulating, administering or managing the implementation of Harbor District policies or programs, or having responsibility for directing the work of subordinates through lower level supervision.

K. MANAGEMENT REPRESENTATIVE: The General Manager, or any person designated by the General Manager to represent the Harbor District in employer-employee relations.

L. MEDIATION: The efforts of an impartial third person(s), functioning as an intermediary, to assist the parties in reaching a voluntary resolution of an impasse through interpretation, suggestion, and advice.

M. NEGOTIATE: Meet and confer in good faith.

N. PROFESSIONAL EMPLOYEES: Employees engaged in work requiring specialized knowledge and skills obtained through completion of a recognized course of instruction, including, but not limited to, attorneys, physicians, engineers and architects.

O. PROOF OF EMPLOYEE APPROVAL: When used herein means that the employee organization submitting a petition to the General Manager has demonstrated proof of approval by the employees whom it reports to represent by means of any one, or any combination of the following:

1. Signed and dated signatures on a petition.
2. Signed and dated employee authorization forms.
3. Documented evidence of current dues/paying employee organization membership, or payroll dues deductions using the payroll period immediately prior to the date the petition is filed.

For purposes of (1) and (2) above, only signatures of employees currently employed in permanent positions within the proposed representation unit on the date the petition is filed and whose signatures have been executed within one hundred eighty (180) calendar days prior to the date the petition is filed, shall be accepted as proof of employee approval.

The total number of employees in a proposed representation unit shall be determined by using the Harbor District Ordinance Code and Salary Ordinance, adjusted to reflect the positions occupied as of the date of the petition.

P. RECOGNIZED EMPLOYEE ORGANIZATION: Shall mean a recognized employee organization which has been certified in accordance with Section X of this Policy.

Q. REPRESENTATION UNIT: A unit composed of Harbor District Employees for the purpose of employee representation, and which has been established in accordance with Section X of this Policy.

R. SCOPE OF REPRESENTATION: All matters relating to employment conditions and employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment, except however, that the scope of representation shall not include consideration of the marriage, necessity, or organization of any service or activity provided by law or executive order.

S. SUPERVISORY EMPLOYEE: Any employee having authority, in the interest of the Harbor District, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, for having the responsibility to direct them or to adjust their grievance, or

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effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not merely of a routine or clerical nature, but requires the use of independent judgment.

EMPLOYEE RIGHTS

Employees of the Harbor District shall have the right to form, to join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employee relations.

Employees of the Harbor District shall also have the right to refuse to join or participate in the activities of the employee organizations, provided, however, that during meet-and-confer sessions with the Harbor District, an employee filling the position allocated to a specific representation unit may be represented only by that recognized employee organization certified to represent that specific unit.

HARBOR DISTRICT RIGHTS

The Harbor District retains the exclusive right to determine the methods, means, and personnel by which Harbor District operations are to be conducted, to determine its mission, as well as to set standards of service to be offered to the public. It also retains the right to administer the merit system, to classify positions, add or delete positions or classes from the salary ordinance; to establish standards for employment, promotion, and transfer of employees, to direct its employees, take disciplinary action for proper cause, to schedule work and to relieve its employees from duty because of lack of work or other legitimate reasons.

The Harbor District reserves the right to take whatever action may be necessary in an emergency situation, however, a recognized employee and management representatives shall, upon request by either party involved, be referred by the General Manager for hearing and final determination to the Harbor Commission.

SCOPE OF CONSULTATION AND NEGOTIATION

A. All matters affecting employee relations, including those that are not subject to negotiations, are subject to consultation between management representatives and representatives of recognized employee organizations.

B. The scope of negotiation between management representatives and the representatives of recognized employee organizations includes wages, hours, and other terms and conditions of employment affecting the employee representation unit, or units represented by the employee organization with which the Harbor District is meeting and conferring at the time.

REQUIREMENTS FOR RECOGNITION OF EMPLOYEE ORGANIZATIONS

An organization which wishes to be recognized as an employee organization shall submit to the General Manager a request signed by a duly authorized officer of the organization and containing the following information:

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- A. Name and address of the employee organization.
- B. Names and titles of its officers, as well as designation of the officials authorized to act as representatives of the organization in employer-employee relations with the Harbor District.
- C. A statement of whether or not the organization is a chapter or local office, or affiliated with a regional, state, national or international organization, and, if so, the name and address of each such regional, state, national or international organization.
- D. A statement that the organization includes employees of the Harbor District along with proof that a majority of these employees are members and have designated the organization to represent them. Proof of employee approval which must be supplied is defined in Section III (O) of this policy. The subsection does not apply to employee organizations which are receiving dues deductions through Harbor District payroll.
- E. A certified copy of the organization's constitution and/or by-laws and, if not contained in the constitution or by-laws, a statement that the organization has, as one of its purposes, representation of Harbor District Employees in their employer-employee relations.
- F. A designation of the names and addresses of no more than three (3) persons to whom notices sent by regular United States mail will be deemed sufficient notice to the organization for all purposes.
- G. A statement that the organization recognizes Government Code Section 3509.
- H. A statement that the organization has no restriction on membership based on race, color, religion, national origin, sex or handicap.
- I. A statement that the organization agrees to abide by all of the provisions of this policy except that this shall not preclude the right of the organization to challenge by court action any provisions it deems to be invalid.

RECOGNITION OF EMPLOYEE ORGANIZATION

- A. Upon receipt of all the information required by Section VII of this policy the General Manager shall either notify the organization that it has been duly recognized as an employee organization, or may call for a secret ballot election.
- B. The Harbor District is under no obligation to consult with employee organizations which do not satisfactorily comply with the requirements of Section VII, and subsection "VIII C."
- C. A recognized employee organization shall report in writing to the General Manager within ten days any changes in the facts submitted pursuant to Section VII.

When an employee organization which has been recognized in accordance with this policy no longer is designated by any employees as their representative, the organization shall promptly notify the General Manager, who will thereupon terminate the organization's recognition. Following initial recognition, the General Manager may require verification of proof that an organization continues to represent one or more employees of the Harbor District.

- D. If, in the opinion of the General Manager, a decision of the Harbor Commission has the result of moving from one representation unit to another, a sufficient number of employees to possibly affect the representative status of the recognized employee organization representing the unit from which or to which such employees were transferred, a secret ballot election shall be held to determine the wishes of the

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employees remaining in the unit from which or to which other employees were transferred. Any recognized employee organization may be listed on said secret ballot if that organization has petitioned for a place on said ballot and submitted proof to the General Manager (as defined in subsection "III O"), signed by at least 51% of the employees in the unit. The ballot submitted to said employees shall include a no representative organization choice.

E. Notwithstanding any other provisions of this policy, should the decision of the Harbor Commission have the result of moving some employees from one representation unit to another, and should the General Manager believe that such a decision raises a question concerning the continuing representative status of any recognized employee organization, the General Manager shall so advise the Harbor Commission. The Harbor Commission shall designate a representative to meet with the recognized employee organization for the purpose of investigating whether or not a substantial question of representation exists. If, on the basis of such investigation, the General Manager concludes that a substantial question of representation exists, he/she may direct that an election be held in either the unit from which employees were moved or in the unit to which employees were moved; or both units for the purpose of determining employee's wishes, concerning the employee organization to represent them. The choice shall be by secret ballot and any recognized employee organization may be listed thereon if it has petitioned for a place on said ballot and submitted proof, as described in subsection "E" above. The ballots submitted to the employees shall include a no representative organization choice.

F. Should the decision of the Harbor Commission have the result of moving some employees from one representation unit to another, such employees will continue to work at the rate of pay, and under the same terms and conditions of employment which they had in the unit from which they were transferred until the Memorandum of Understanding for the unit from which they were transferred shall expire.

CRITERIA FOR ESTABLISHING AND MODIFYING REPRESENTATION UNITS

In determining the appropriate employee representation units the following factors, among others, shall be considered:

- A. Minimizing fragmentation of units by achieving the largest feasible group of employees having a community of interest.
- B. The effect of the proposed unit on the efficient operation of Harbor District services and employee relations.
- C. The history of employee relations in the unit, among other employees in the Harbor District, and in similar public employment and private industry.
- D. Similarity of duties, skills, wages, and working conditions of employees.
- E. Whether management officials at the level of the unit have the power to agree or to make effective recommendations to other administrative authority, to the Harbor Commission with respect to wages, hours, and other terms and conditions of employment subject to negotiation.
- F. The effect on the existing classification structure of dividing a single classification among two (2) or more units.
- G. Professional employees shall not be denied the right to be represented separately from non-professional employees by a professional employee organization consisting of such employees.

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H. Management and confidential employees shall not be included in the same unit with non-management or non-confidential employees. Supervisory employees and non supervisory employees may be included in the same unit. Supervisory employees shall not represent a recognized employee organization in negotiating with management representatives where conflict of interest may occur as determined by the General Manager, subject to appeal to the Harbor Commission.

I. All petitions for modification of units shall be set for hearing before the Harbor Commission, which shall make the final determination on the appropriateness of all units. In making such determination, the Harbor Commission shall not be limited to consideration of the unit or units requested, provided, however, that if the Harbor Commission is considering the establishment of a representation unit other than one described in a petition, the following procedure shall be followed:

1. The Commission shall set a date when it will act on establishing the representation unit or units, and shall direct the General Manager to cause timely notice of the date and purposes of said hearing to be given to all employees whose removal is being considered, and to all recognized employee organizations.
2. At the time set for the hearing, the Commission shall afford all persons present an opportunity to be heard on the question of establishing the representation unit or units which were not described in a petition or petitions.
3. After all persons who wish to be heard on the matter have been afforded an opportunity to be heard, the Commission shall render its decision on establishing the representation unit or units.

CERTIFICATION AND DECERTIFICATION OF A RECOGNIZED EMPLOYEE ORGANIZATION

A. Any organization which seeks recognition as the recognized employee organization for a representation unit which has been requested or already established shall file a petition with the General Manager at any time. The petition shall be accompanied by proof, as defined in subsection "III O", that the organization represents at least 51% of the employees in the representation unit. The General Manager shall give notice of any request for certification or decertification to the employees in the unit, to any employee organization currently certified as the representative of the unit, and to any employee organization that has filed a request for such notice. The General Manager shall give such notice within five (5) working days following receipt of the request. Upon determining that the petitioning employee organization represents at least 51% of the employees in the representation unit, the General Manager shall notify any employee organization which has requested such notice and shall arrange for a secret ballot election to ascertain the free choice of a majority of such employees. Any other employee organization shall be shown as one choice on the ballot upon filing of a petition and presentation of proof, as defined in subsection "III O", that the organization represents at least 51% of the employees in the representation unit. Such petition for a place on the ballot must be filed within seven (7) calendar days after notice of the petition for election has been mailed by the General Manager to the employees. In all certification or decertification elections the choices on the ballot shall be:

1. the currently recognized employee organization for the unit (if any), unless such organization requests that the General Manager not place it on the ballot;
2. challenging employee organizations;

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3. and no representative organization.

B. In an election where there are more than two choices on the ballot and none of the choices receives a majority of the votes cast by the employees within the representation unit, a run-off election shall be conducted between the two choices receiving the largest and second largest number of votes.

C. Employees entitled to vote in a representation election shall be those permanent, provisional, probationary or unclassified employees in permanent positions as defined in subsection "III E" within the representation unit who have been employees for at least fifteen days prior to the date of the election. Employees who did not work during the above described time period because of illness, vacation, or authorized leave of absence, and who are otherwise eligible, shall be permitted to vote.

D. The recognized employee organization shall be representative of all the employees in such unit for purposes of meeting and conferring in good faith on matters within the scope of representation. This shall not preclude other employee organizations, or individual employees, from consulting with management representatives on employer-employee relations matters of concern to them.

E. Provided that at least 36 months have elapsed from the most recent date of certification of said organization, requests for decertification of that employee organization may be initiated by a petition from employees or by any employee organization. Such request shall be processed only if filed no sooner than 135 and no later than 90 calendar days before the expiration of the then current Memorandum of Understanding or agreement covering the unit for which decertification is requested. A petition for decertification shall be submitted to the General Manager during the month of January and must be accompanied by proof of employee approval as defined in subsection "III O", of at least 51% of the employees within the representation unit. The General Manager shall give notice and arrange for a secret ballot election in the manner set forth in subsection "X A".

F. Notwithstanding any other provisions of this policy, the Harbor District may seek decertification of an employee organization at any time that it appears to the General Manager that such action is warranted because of substantial changes in Harbor District functions, organizational structure or classifications. In such a case the General Manager shall arrange for a secret ballot election in the manner provided for in subsection "X A"; provided, however, that no such election shall be held until the employee organization then recognized as the representative of the unit or units involved, has been given at least 60 days notice of the date which the election will be held. Any organization may be listed on said ballot if said organization petitions for a place thereon and submits proof, as defined in subsection "III O", that the employee organization represents at least 51% of the total number of employees in the representation unit or units affected by the election. The ballot shall contain a no representative organization choice.

G. The General Manager shall certify the choice of representation as indicated on the ballot which receives a majority of the valid ballots cast by the employees in the representation unit. Notification of certification shall be made to the Harbor Commission and to employees in the unit or units being represented, challenging employee organizations, and such other persons or organizations as the General Manager deems appropriate. The General Manager may refuse to certify the winner of an election as the recognized employee organization for that unit or units if he/she concludes that the winner of such election has coerced, intimidated, or grossly misled employees in securing or attempting to secure their votes. Such refusal by the General Manager to certify an employee organization on these grounds shall be referred to the Harbor Commission for review at an open meeting at which all interested parties shall be afforded an opportunity to be heard. The Commission shall either require the General Manager to certify the winner of the election as the recognized employee organization for that unit or units, or uphold the determination of the General Manager and require him/her to arrange for another election.

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CLOSED SESSIONS

Nothing in this policy shall be interpreted as preventing, or limiting, the right of the Harbor Commission to hold closed sessions with the General Manager, or other duly designated management representatives, prior to and during consultations and discussions with representatives of employee organizations regarding the salaries, salary schedules, or compensation paid in the form of employee benefits in order to review its position and instruct its designated representatives.

NEGOTIATIONS

- A. Only recognized employee organizations in established representation units shall be entitled to negotiate with duly designated management representatives on wages, hours, and other terms and conditions of employment for the employees in such units.
- B. Negotiations shall not be required on any subject pre-empted by Federal or State law, nor shall negotiations be required on Employee or Harbor District Rights defined in Sections IV and V. Proposed amendments to this policy are excluded from the scope of negotiation, but shall be subject to consultation in good faith after reasonable notice.
- C. Agreements reached as a result of negotiations shall be included in a Memorandum of Understanding signed by the General Manager as well as the duly designated representatives of the recognized employee organizations. Such Memoranda of Understanding shall not be binding unless approved by the appropriate governing bodies of the Harbor District and the recognized employee organization.

IMPASSE PROCEDURES

Impasse procedures may be invoked only after all other attempts made by both parties to reach agreement through good faith negotiation have been unsuccessful.

- A. **Impasse Meeting:** Any party involved in the negotiation of specific issues may invoke the impasse procedure by filing with the other party (or parties) affected a written request for an impasse meeting together with a statement of its position on the disputed issues. An impasse meeting shall then be promptly scheduled by the parties involved. The purpose of such impasse meeting is to permit review of the position of all parties in a final good faith effort to reach agreement on the disputed issues.
- B. If agreement is not concluded at the impasse meeting, the parties together may mutually agree upon mediation as defined in Section III. Unless the parties in writing mutually request them to do so, mediators shall make no public recommendation nor take any public position regarding the issues. All mediation sessions shall be conducted in private.
- C. The cost for the services of a mediator used by the parties, and other mutually incurred costs of mediation shall be borne equally by the Harbor District and the recognized employee organization.

UNFAIR EMPLOYEE RELATIONS PRACTICES

- A. It shall be unfair employee relations practice for the Harbor District to:

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1. interfere with, restrain, or coerce employees in the exercise of the rights recognized or granted in this policy.

2. dominate or interfere with the formation of any employee organization or contribute financial support to it, provided that the Harbor District may permit the use of District facilities, make dues deductions, and permit employees who are officers or representatives of employee organizations to confer with District officials during working hours without loss of time or pay, subject to applicable regulations.

3. refuse to negotiate with representatives of recognized employee organizations on negotiable matters during the periods prescribed by this policy.

4. refuse or fail to cooperate with any duly designated mediator.

B. Charges of violations of this section or of this policy may be initiated by management or any employee organization. Such charge shall be filed in writing with the Harbor Commission. Each charge so filed shall be processed in accordance with the rules and regulations of the Commission.

1. If the Harbor Commission's decision is that the District has engaged in an unfair employee relations practice, the Commission shall take appropriate corrective action within 30 days.

2. If the decision is that an employee or employee organization or its agents, has engaged in an unfair employee relations practice, the Commission shall request the offending party to take appropriate corrective action. If compliance with the Commission's request is not obtained within 30 days, the Commission shall direct the General Manager to take appropriate action.

GRIEVANCES

A. All employees of the Harbor District are free to present grievances. They are guaranteed freedom from discrimination, coercion, restraints or reprisals.

B. The grievances of any employees in representation units covered by a Memorandum of Understanding which includes a grievance procedure shall be processed according to that procedure.

C. Supervisory employees shall not represent non-supervisory employees in a grievance procedure where such activity might result in a conflict of interest.

ADVANCE NOTICE TO RECOGNIZED EMPLOYEE ORGANIZATIONS

A. Except in cases of emergency as provided in subsection "B" of this section, each recognized employee organization affected shall be given reasonable advance written notice of any ordinance, policy, rule or regulation proposed to be adopted by the Harbor District and shall be given the opportunity to meet with the appropriate management representatives prior to adoption.

B. In cases of emergency when the foregoing procedure is not practical or in the best public interest, the Harbor District may adopt or put into practice immediately such measures as are required. At the earliest practicable date thereafter the recognized employee organizations shall be provided with the notice described in paragraph "A" above and be given an opportunity to meet with the appropriate management representatives.

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ATTENDANCE AT MEETINGS BY EMPLOYEES

Harbor District employees who are official representatives or stewards of a recognized employee organization shall be given reasonable time off with pay to meet and confer or consult with management representatives, or to be present at hearings where matters within the scope of representation are being considered. The use of official time for this purpose shall be reasonable and shall not interfere with the performance of Harbor District services as determined by the General Manager. Such representatives or stewards shall submit a written request for excused absence to the General Manager at least two (2) working days prior to the scheduled meeting whenever possible. Except as provided by a Memorandum of Understanding the number of employees excused for such purposes shall not exceed two (2) for any one employee organization. If any employee's request for excused absence is not approved, such disapproval shall be subject to appeal to the Harbor Commission, whose decision shall be final.

USE OF HARBOR DISTRICT FACILITIES

A. Communication with Employees

A recognized employee organization which represents employees of the Harbor District shall be allowed use of space on available bulletin boards for communications having to do with official organization business, such as times and places of meetings, provided such use does not interfere with the needs of the District. A recognized employee organization may distribute materials to employees within the unit it represents through District mail distribution channels if approved by the General Manager. This privilege may be revoked in the event of abuse after the General Manager consults with representatives of the recognized employee organization. Any representative of an employee organization shall give notice to the department head or his/her designated representative before contacting departmental employees on District facilities during the duty period of the employees, provided that solicitation for membership or other internal employee organization business shall be conducted during the non-duty hours of all employees concerned. Pre-arrangement for routine contact may be made, and when made shall continue until revoked.

B. Harbor District Buildings

District buildings and other facilities may be made available for use by employees or an employee organization or their representatives in accordance with such administrative procedures as may be established by the General Manager or department heads concerned.

C. Dues Deductions

A recognized employee organization may have the regular dues of its members within a representation unit deducted from the employee's pay checks under procedures prescribed by the General Manager for such deductions. Dues deduction shall be made only upon signed authorization from the employee on a form approved by the District and shall continue (1) until such authorization is revoked, in writing, by the employee; or (2) until the transfer of the employee or any recognized employee organization. All elections authorized by this policy shall be conducted by the State Reconciliation Service or some other party agreed on by the District and concerned employee organizations.

ADMINISTRATION

The General Manager is authorized to establish rules and procedures to carry out the intent of this policy and has authority for the administrative interpretation of this policy. Interpretations made by the General

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Managers are subject to appeal to the Harbor Commission by any employee or any recognized employee organization. All elections authorized by this policy shall be conducted by the State Reconciliation Service or some other party agreed on by the District and concerned employee organizations.

CONSTRUCTION

- A. Nothing in this policy shall be construed to deny any person, employee, or employee organization the rights by Federal and State Laws.
- B. The rights, powers and authority of the Harbor Commission and the rights of employee organizations in all matters, including the right to maintain any legal action, is not modified or restricted by this policy.
- C. The provisions of this policy are not intended to conflict with, nor shall they be construed in a manner inconsistent with the provisions of Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500 et seq.) as amended.

SEPARABILITY

If any provision of this policy, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this policy or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.21	Date: 5/6/98	Revision:
Title: Badges and Identification Cards	Prepared By: Grenell	Approved By: Resolution 15 — 98	Page: Page 1 of 1
Purpose: To establish procedures for the issuance and turning in of badges and identification cards			

STATEMENT OF POLICY

It is the policy of the District that Commissioners and certain employees will be issued badges and all employees will be issued identification cards when they assume office or are hired, respectively. Badges and identification cards will be relinquished to the Personnel Officer when employment is terminated.

DESCRIPTION OF PROCEDURE

The Personnel Officer is responsible for the issuance and collection of badges and identification cards. The General Manager, Harbor Commissioners, Harbormasters, Deputy Harbormasters, and Security personnel will be issued badges. Each badge will have a number assigned to it which will enable the District to track any misplaced badges or to prosecute in the event a badge is stolen.

San Mateo County Harbor District

Policies and Procedures	Number: 6.1.24	Date: 03-20-2002	Revision:
Title: Criminal Offender Record Information (CORI)	Prepared By: Peter Grenell General Manager	Approved By: Resolution 08-02	Page: Page 1 of 1
Purpose: To Meet the Requirements of the State of California Department of Justice			

1. STATEMENT OF POLICY

This policy has been developed to meet the requirements of the State of California, Department of Justice, Division of Criminal Justice Information Services, for any agency that receives Criminal Record Information (CORI).

To all employees: To insure the suitability of employees accessing confidential criminal history records, all employees with access to CORI shall be fingerprinted and processed through the California Department of Justice.

The overall responsibility for the administration of this rests with the agency head or person in charge.

- A. **Record Security:** any questions regarding the release, security and privacy of Criminal Offender Record Information (CORI) are to be resolved by the agency head or person in charge.
- B. **Record Destruction:** It is recommended that the stated summary of CORI obtained for employment, licensing or certification purposes be destroyed once a decision is made to employ, license or certify the subject of the record. Retention beyond this time should be based on documented legal authority and need.
- C. **Record Dissemination:** CORI shall be used only for the purpose for which it was requested.
- D. **Record Storage:** CORI shall be securely maintained and accessible only to the agency head or his/her designee who are committed to protect CORI from unauthorized access, use, or disclosure.
- E. **Record Reproduction:** CORI may not be reproduced for secondary dissemination.
- F. **Training:** The agency head shall:
 - 1. Understand and enforce this policy.
 - 2. Be fingerprinted and have a criminal history clearance.
 - 3. Have on file a signed copy of the attached Employee Statement Form (which is itself a part of this policy), which acknowledges an understanding of law prohibiting misuse of CORI.
- G. **Penalties:** Misuse of CORI is a criminal offense. Misuse of CORI may result in Criminal or civil prosecution and/or administrative action up to and including loss of access to information maintained by the Department of Justice.

San Mateo County Harbor District

Policies and Procedures	Number: 6.2.1	Approved Date: 12/3/97	Revision: 9/21/05
Title: District Personnel Conduct	Prepared By: E. Wilkerson	Approved By: Resolution 39-97 Resolution 27-05	Page: 1 of 3
Purpose: To provide guidance to District Personnel on acceptable conduct while on official duties representing the District.			

1. Statement Of Policy

All District personnel shall maintain high standards of cooperation, integrity and ethical standards of conduct in dealing with the general public and while performing official duties. This policy is intended to provide positive direction to District Personnel in order to prevent potential conflicts of interest and inappropriate conduct.

2. Conflicts Of Interest

No District personnel shall engage in any act that is in conflict, or creates an appearance of unfairness or conflict with the performance of official duties. An employee who engages in a conflict of interest may be subject to discipline up to and including termination. District personnel shall be deemed to have a conflict if the individual:

- A. Has any financial interest in any sale to the District of any goods or services when such financial interest was received with prior knowledge that the District intended to purchase the property, goods, or services.
- B. Solicits, accepts, or seeks a gift, gratuity, or favor from any person, firm, or cooperation involved in a contract or transaction that is or may be the subject of official action by the District.
 - Recognizing that personal friendships often precede and can evolve from official contact between District personnel and persons engaged in business with the District, reasonable exceptions to this section are permitted for those occasions that are social in nature and are not predicated on the person's ability to influence, directly or indirectly, any matter before the District.

District personnel will be guided in interpreting this section by the distinction between a gift, gratuity, or favor given or received which has significant monetary value and is offered or accepted in expectation of preferential treatment, and an expression of courtesy. Examples of acceptable courtesies include: a meal or social event, exchanges of floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays, promotions; a sample or promotional gift of nominal value (\$25.00 or less).

- C. Participates in his/her capacity as District personnel in the issuing of a purchase order or contract in which he/she has a private pecuniary interest, direct or indirect, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the District.
- D. Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or gives the appearance of the above.

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- E. Except for courtesies as stated above, no District personnel shall give or receive, directly or indirectly, or agree to receive any compensation, gift, reward, commission or gratuity from any source except the District for any matter directly connected with or related to his/her official duties as District personnel.
- F. Discloses or uses without authorization confidential information concerning property or affairs of the District to advance a private interest with respect to any contact or transaction which is or may be the subject of official action of the District.

3. MISCONDUCT

The following conduct is defined as misconduct and will not be tolerated. This list is not all-inclusive of misconduct, but contains the most common unacceptable behavior:

- A. The use of profanity or abusive language towards a member of the general public or towards another employee while performing official duties as a District employee.
- B. The use of force towards a member of the public or towards another employee, to include physical violence.
- C. Divulging or misusing confidential information, including removal from District premises, without proper authorization, any employee lists, records, designs, drawings, or confidential information of any kind will not be tolerated.
- D. Accepting fees, gifts, or other valuable items in the performance of the employee's official duties for the District.
- E. Removing money, merchandise, or property belonging to the District without permission from Harbormaster or General Manager.
- F. Dishonesty, including intentionally giving false information, intentionally falsifying records or making false statements.
- G. Reporting to work while under the influence of alcohol and/or illegal drugs.
- H. Insubordination inclusive of not following the Captain's direction while a crewmember onboard a vessel.
- I. Boarding a berthed vessel, under non-emergency conditions, for Harbor District non-business reasons without proper notification to the owner at least twenty-four hours prior to boarding.
- J. Selling drugs while on duty or dispensing prescription drugs.
- K. Drinking alcohol or using illegal drugs while on duty.

Employees may be disciplined if found to be inappropriate in their conduct while performing official duties as employees of the San Mateo County Harbor District or found to be inappropriate in their conduct towards members of the public or other employees.

Elected officials of the District upon hearing complaints from members of the general public or employees relative to District personnel shall immediately transmit the complaint to the Personnel Officer of the District, who is the General Manager or the General Manager's designee. The elected official shall take no further action of the complaint.

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4. EMPLOYEE ASSISTANCE PROGRAM

The District contracts with an Employee Assistance Program provider for all employees who want to seek assistance for help with work and life style issues including drug and alcohol problems.

San Mateo County Harbor District

Policy Title Computers, Electronic Communications, and Social Media	Number: 6.2.4	Date of Approval: 2/20/2019
Other Revisions: 9/21/2005 (Resolution 05-29)	Prepared By: Julie van Hoff	Approved by: Resolution 19-04
Purpose: To set the conditions for use of District electronic communications equipment, to notify employees that they have no privacy in the use of this equipment, and to set forth the District Social Media Policy.		

STATEMENT OF POLICY

This policy sets forth guidelines for appropriate and permissible use of technology to conduct business on behalf of the District. This policy applies to access to and usage of the Internet, the transmission and exchange of electronic mail (E-mail) and other electronic messages (such as text messages or instant messages), the use of computers, networks, servers, cell phones, landline phones, portable electronic devices (PEDS), voicemail, and any other forms of electronic communication. This policy applies whenever District Commissioners and staff are conducting business on behalf of the District, regardless of location or time. This includes the access to cell phones, landline phones, PEDS; and the use of text instant messages, social media, websites, and voicemails. This policy covers all District-issued equipment. Further, this policy serves to give Commissioners and staff notice that there is a lack of privacy in any of these systems at the District. Additionally, this policy contains the District's Social Media Policy.

Access and use of District owned computers, networks, servers, cell phones, landline phones, PEDS and District social media platforms is provided by the District to facilitate the performance of District work. The District provides electronic communications facilities and equipment in order to facilitate communications and enable Commissioners and staff to perform their duties more efficiently and productively. To achieve this objective, this policy requires all Commissioners and staff who access and utilize District electronic communications to follow the guideline set forth herein.

All electronic communications and use of associated equipment must be used in compliance with applicable statutes, regulations, and District policies including those that require a work environment free from discrimination and harassment. Commissioners and staff are expected to use common sense and judgment to avoid any communication that is disrespectful, offensive or illegal.

GUIDELINES AND CONDITIONS

A. Administration

1. Access to Internet sites, newsgroups, chat rooms, and other Internet-related services may be blocked to comply with this policy.
2. Staff's misuse of electronic communications or use in violation of any provisions set forth in this policy may subject a staff member to discipline, up to and including termination of employment.
3. Any Commissioner's misuse of electronic communications or use in violation of any provision set forth in this policy may subject the elected official to public censure.

B. Conditions

1. District Property. All communications, information and content created, sent, received, deleted, stored, or otherwise associated in any way with the District's systems are the property of the District. None of such content is the property of any Commissioner, staff member, or other user.
2. Business Use. The District's electronic communications systems are the property of the District. Messages are to be professional and courteous, composed in a business-like manner consistent

with the professional agency image Commissioners and staff are to maintain on behalf of the District.

3. Personal Use. Limited, occasional or incidental personal use of the District's electronic communications systems is permitted under the following conditions:
 - a. Personal use does not interfere with the productivity of the staff member or his or her co-workers;
 - b. Personal use does not disrupt or delay the performance of District business;
 - c. Personal use does not include any activity performed in connection with work for another employer or in connection with self-employment;
 - d. Personal use does not include any activity related to the campaign of any individual running for public office; and
 - e. Personal use does not include any activity otherwise in violation of this policy.
 - f. Staff is not authorized to access personal E-mail accounts on District equipment.

4. Improper Use of District-Owned or Sponsored Electronic Communications Systems. Commissioners and staff are expressly prohibited from abusing the District's electronic communications systems in any way, including, but not limited to the following:
 - a. Threatening or harassing other staff or any other persons;
 - b. Using obscene or abusive language;
 - c. Online gaming or gambling;
 - d. Creating, displaying, downloading, transmitting or storing offensive or derogatory photographs (including but not limited to pornography or sexually oriented materials), images, messages or cartoons regarding federal, state, and locally protected classes, or which in any way violates the District's policy on prohibiting employment discrimination and harassment;
 - e. Violating any laws including use of unauthorized or pirated software or data. Information systems may not be used for any illegal purposes such as violating intellectual property rights, or participating in chain letters and pyramid schemes, or breaking into or "hacking" into the computers or intercepting the transmissions of others outside the District;
 - f. Soliciting or proselytizing others for commercial ventures or for religious, charitable or political causes or political candidates. Included are "for sale" and "for rent" messages or any other personal notices;
 - g. Sending another person's confidential or private information, inappropriate personal messages, or sensitive information such as performance review or other personal information not subject to public disclosure;
 - h. Sending personal or general announcements not related to District business unless approved in advance by the General Manager or designee for posting in District-approved electronic areas such as a bulletin board or Intranet;
 - i. Creating congestion or other disturbances. Information systems may not be used in a manner that is likely or intended to cause unwarranted congestion or breakdown of any component of the system or other disturbances;
 - j. Excessive transmission. Messages and copies of messages are to be sent only to persons with an immediate business need-to-know;
 - k. Computer snooping or "hacking". Notwithstanding the District's right of access provided in section 4. below, no Commissioner or staff member is permitted to use information systems to access content created by others, except as authorized and reasonably necessary to perform the staff member's job. The District's information systems may not be used without appropriate authorization from the General Manager to monitor the electronic files or communications of others, nor to obtain unauthorized access to files or networks through

"hacking", using others' log-in information or passwords, or otherwise breaching security measures;

- i. Destroying or altering content: defined as the destruction or alteration of content of electronic communications with the intent to cause harm, injury or deception, or in a manner that is inconsistent with the District's Records Management and Retention Policy;
- m. Misleading others concerning source of communication: defined as using another's computer, user identification or password without prior authorization to mislead the recipient into believing that the message originated from another person or another's computer.
- n. Using District facilities to knowingly or intentionally propagate any computer virus or malware;
- o. Downloading software from the Internet for business or non-business purposes or without prior approval of the General Manager;
- p. Uploading software licensed to the District or data owned or licensed by the District without prior approval of the General Manager; and
- q. Interfering with District security systems, including any attempt to disable, defeat, or circumvent any District security facilities or systems.

C. Operations

1. Public Records. Electronic communications generally are public records and may be subject to public inspection and copying under the Public Records Act.
2. Retention. Refer to the District's Records Management and Retention Policy 2.1.4.
3. Limits on Accessibility. The information sources accessible via the Internet are worldwide and constantly growing in kind and number. It is not possible for an Internet access provider to fully manage the types of information accessible by its systems and users, especially with regard to content limitations. Nonetheless, the District reserves the right to restrict access to any data source if/when, in its sole discretion and after appropriate review, the District determines such a source to be problematic. Such restrictions do not constitute an implication of approval of other non-restricted sources.
4. Other Limitations. Some delivery methods and networks impose legal restrictions regarding the nature of messages allowed. Users are expected to comply with all such restrictions.

SOCIAL MEDIA POLICY

A. Purpose

This Social Media Policy ("Policy") sets forth guidelines for the appropriate and permissible creation, maintenance and use of all District social media platforms, accounts and content. The term "social media" refers to activities that integrate technology, social interaction and content creation. Social media enables users to create online communities to share information, ideas, messages, and other content by various means, including, but not limited to, Really Simple Syndication (RSS) and other web feeds, blogs, wikis, podcasts, and photo- and video-sharing. This Policy is designed to protect the San Mateo County Harbor District and its Commissioners and staff and is in no way intended to restrict the flow of useful and appropriate communications or to abridge Commissioners' and staff's exercise of rights to the extent such speech is protected under the First Amendment of the United States Constitution, the National Labor Relations Act or any other applicable statutes.

B. Compliance with Applicable Policies and Laws

The District's social media platforms, accounts and content shall comply with all appropriate District policies and procedures. The District's social media platforms, accounts and content shall also comply with District conflict-of-interest rules, applicable ethics rules and policies, the Public Records Act, the District's Records Management and Retention Policy, and other provisions of law.

C. Policy Statement

The District permits and encourages the creation and use of social media platforms, accounts and content to facilitate the productive use of the Internet for business purposes and to disseminate information about the District. To effectuate this objective, this Policy requires all Commissioners, staff, and hired representatives who create and/or use the District's social media platforms, accounts and content to follow the guidelines set forth herein.

D. Administration and Conditions

1. Administration of Social Media for District Business

- a. The General Manager or his/her designee(s) is solely authorized to create social media platforms for District business purposes.
- b. The District General Manager or his/her designee(s) is responsible for ensuring compliance with this Policy, as well as applicable federal, state, and local laws. The District may restrict or remove any content that is deemed to be in violation of this Policy or any applicable law, or contrary to the District's goals and/or interests, or unrelated to the subject of the original posting.
- c. Content on District social media sites is likely subject to the California Public Records Act. Any content maintained in a social media format that is related to District business, including a list of subscribers and posted communication, may be a public record. Wherever possible, such sites shall indicate that any content posted or submitted for posting, including comments, may be subject to public disclosure upon request. The District shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a District server in a format that preserves the integrity of the original record and is easily accessible.

2. Conditions of Use of District-Maintained Social Media

- a. The General Manager and his/her designees are solely authorized to speak on behalf of the District.
- b. The same standards, principles, and guidelines that apply to District staff in performance of their assigned duties also apply to staff's social media use. Staff may not engage in the use of Social Media platforms to publish, post, report on or discuss information or data about District programs or activities that are considered sensitive, confidential, preliminary, or not yet available to the public.
- c. Content posted by members of the public on any social media website maintained by the District is the opinion of the poster only, and does not necessarily reflect the positions, policies, or opinions of the District.
- d. All social media platforms, accounts and content created by the District must make known that they are maintained by the District and that they abide by the terms of this Policy to the extent possible.

3. Access and Links to District-Maintained Social Media

- a. All social media websites, to the extent possible, should contain a hyperlink to the District's Official website.
- b. This Policy should be made accessible to users visiting the District's social media platforms, either directly or through a hyperlink to the District's official website, to the extent possible.
- c. The District reserves the right to deny access to District social media platforms to any individual who violates this Policy or any applicable law at any time and without prior notice.

4. District Staff Use of Social Media

- a. Any creation, use, or monitoring of social media by staff of the District relating to District business or employment at the District is subject to all federal, state, local laws and District administrative policies and procedures, including without limitation, this Policy 6.2.4 in its entirety.
- b. Staff may use District information resources only for business purposes. Therefore, unless authorized to do so by the General Manager, staff may not use social media while at work, except on their own media devices during rest and meal periods.
- c. Commissioners, staff, Public Members of Committees, and other users are not authorized to use the District's trademarks or service marks (logos) in their postings to non-District owned or controlled social media platforms or accounts.
- d. The District disclaims any and all liabilities for losses or costs incurred as a result of content posted on or via social media platforms or accounts maintained by the District, or as a result of conduct deemed to be in violation of this Policy, or any applicable laws. The District does not necessarily endorse, and is not responsible for, any content that has been submitted by any other party. The District shall inform all visitors and users of its social media sites of this disclaimer by posting the same to the District's social media sites, when feasible.
- e. Prohibited Content. For District social media sites, certain types of content are prohibited and may be removed by General Manager or his/her designee(s), including, but not limited to the following:
 - i. Content and/or language a reasonable person would find offensive, including but not limited to profane, obscene, pornographic content and/or language, or not consistent with community standards;
 - ii. Content that promotes, fosters or perpetuates discrimination on the basis of any class protected under local, state or federal law;
 - iii. Comments that are not topically related to the District or the particular posting being commented upon;
 - iv. Defamatory or libelous content;
 - v. Sexual content or links to sexual content;
 - vi. Threats to any person or organization;
 - vii. Solicitation of commerce, including but not limited to advertising of any business or product/service for sale;
 - viii. Conduct in violation of any federal, state or local law;
 - ix. Encouragement of illegal activity;
 - x. Information that may tend to compromise the safety or security of the public or public systems;
 - xi. Content that violates a social media platform's policies or terms of use, as may be updated;
 - xii. Uploading or attaching files or links to files that contain viruses, corrupted files, or any other similar software or program that may damage the operation of the District's or another's computer;
 - xiii. Materials that falsify the origin or source of software or other material contained in a file that is uploaded;
 - xiv. Content that violates a legal ownership interest, such as a copyright or trademark, of any party; and/or
 - xv. Content that violates another person's right to privacy.
- f. Standard Guidelines. On any District social media site, the following will be posted, when feasible:

“This is an official page of the San Mateo County Harbor District (District). For more information about the District, please visit <http://www.smharbor.com>. This site is intended to serve as a mechanism for communication between the public and the District and as a forum to further the District’s mission. Any comment submitted to this page and its list of followers may be considered a public record which is subject to disclosure pursuant to the California Public Records Act.”

For any site that allows comments, the page shall also include a Comment Policy Box, when feasible, with the following disclaimer:

“Comments posted to this page will be monitored and inappropriate content will be removed. Under the District’s Social Media Policy, the District will remove any prohibited content, including, but not limited to: (1) information that may compromise public safety, public security or efficient District operations; (2) conduct or encouragement of illegal activity; (3) sexual content or links to sexual content; (4) profane language or content; (5) threatening, violent, hateful, or malicious statements concerning individuals; (6) content that is false, factually inaccurate, or materially misleading; (7) content that violates a legal ownership interest of any other party, such as trademark or copyright infringement; (8) content that violates a social media platform’s policies or terms of use, as may be updated; (9) comments or content not germane to the District; (10) solicitations of commerce, such as product advertisements; (11) content that promotes, fosters , or perpetuates discrimination on the basis of any class protected under local, state or federal law; (12) content that defames or threatens to defame the District, any third party, any individual or any group of individuals; (13) uploading or attaching files that contain viruses, corrupted files, or any other similar software or programs that may damage the operation of the District’s or another’s computer; (14) materials that falsify the origin or source of software or other material contained in a file that is uploaded; and (15) unauthorized disclosure of confidential, sensitive, or proprietary information. The District disclaims any and all responsibility and liability for any materials that are prohibited under the District’s Social Media Policy, which cannot be removed in an expeditious and otherwise timely manner. The District does not necessarily endorse, and is not responsible for, any content that has been submitted by any other party.”

PRIVACY NOTICE

District staff using the Internet, E-mail, voice-mail, and social media while performing District-related duties and/or using District technology are advised that the District will from time to time monitor systems activities through automated computer programs and other means. In that regard, the District may conduct reviews of the content of messages and files, and websites visited on the Internet, including random reviews when in the exercise of its business judgment, the District determines that it would be prudent to do so. As a result, District Commissioners and staff have no expectation of privacy in any District-provided computer equipment or electronic communications equipment.

SAN MATEO COUNTY HARBOR DISTRICT

Policy Title: Sexual & Unlawful Harassment Policy	Policy Number: 6.2.5	Date of Approval: 05/20/2020
Other Revisions: N/A	Prepared By: James B. Pruett	

The San Mateo County Harbor District plays an important role in the community, interacts with customers and members of the public, and is held accountable for the behaviors and actions of its employees and Commissioners. A fair and non-discriminatory harassment prevention policy is an important part of that accountability and is required under California law.

Therefore, the District is committed to providing a workplace free from any form of unlawful harassment, discrimination, intimidation, or abusive conduct. This policy sets expectations of behaviors aligned with the District's values and supports positive working relationships and a professional work environment. This policy also defines various forms of harassment and unacceptable behavior and identifies the parties responsible for reporting, investigating, and responding to any reports of harassment.

This policy will be provided to all employees and Commissioners and will be available via the Commissioners' policy book, employee handbook, and the District's website.

A. Coverage

This policy applies to all District employees, including all members of the District Board of Harbor Commissioners, and anyone performing work for the District, including independent contractors, volunteers, and interns. The District will not tolerate its employees engaging in harassing or abusive conduct towards any person while the employee is acting in his or her official capacity, during work hours, or while participating in any District activity. The District will take all reasonable and lawful measures to protect its employees from unlawful harassment by any non-employee if the harassment occurs in connection with the employee's performance of his or her work for the District or while engaged in District business.

If the District receives a complaint regarding an independent contractor engaging in behavior that would violate this policy, it will take immediate steps to investigate the complaint and, if appropriate, may remove the contractor from performing work for the District.

B. Definitions

1. "Employee" means any individual performing services for the District, whether paid or unpaid, and acting under the direction and control of the District. "Employee" also includes Commissioners.
2. "The District" (or the "District" or "we") means the San Mateo County Harbor District.
3. "You" means employees and others covered by this policy.
4. "Investigator" means a person with the skills, experience, and proficiencies in examining, reviewing, and scrutinizing harassment and discrimination claims such that the investigator is competent to complete the work and provide a written report to the District.

C. Requirements

The District strictly prohibits and does not tolerate unlawful harassment of any kind.

It is the District's policy that everyone should work in an environment free from unlawful harassment. Approval of, or participation in, unlawful harassment will be considered a violation of this policy. This policy prohibits conduct that violates anti-harassment laws or is not aligned with the District's values, policies, or behavioral expectations. This includes conduct in any work-related setting, whether on the District premises, during working time, or while participating in District activities outside the workplace such as District social events and travel.

Conduct prohibited by this policy includes, but is not limited to, unwelcome and offensive conduct, whether verbal, physical, or visual, that is based upon race, religious creed (including religious dress and grooming practices), ethnicity, color, ancestry, age (40 and over), genetic information, disability (mental and physical, including HIV and AIDS), medical condition (cancer/genetic characteristics & information), national origin (including language use restrictions), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender (including gender identity and gender expression), sexual orientation, marital status, familial status, parental status, domestic partner status, citizenship status, pregnancy (including perceived pregnancy, childbirth, breastfeeding or related medical conditions), military caregiver status, military status, veteran status, use of or request for family and medical leave, or any other status protected by federal, state, or local law.

The District will not tolerate harassing conduct that affects the terms and conditions of employment or tangible job benefits, interferes with work performance, or creates a hostile, intimidating, or offensive work environment. Further, it is a violation of this policy to engage in abusive conduct, as defined by Government Code section 12950.1(i)(2): conduct of an employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interest. Abusive conduct may include repeated infliction of verbal abuse, such as derogatory remarks, insults, and epithets, verbal and physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. A single act shall not constitute abusive conduct unless especially severe or egregious.

Prohibited harassment may take different forms:

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and conduct of a sexual nature in the workplace or in the course of conducting District-related business and the following occurs:

1. Submission to, or tolerance of, such behavior is made a condition of employment; or
2. Submission to, tolerance of, or rejection of such behavior is used as the basis for an employment-related decision (e.g., hiring, promotion or demotion, pay raises, etc.); or

Policy 6.2.5 – Sexual & Unlawful Harassment Policy

3. Such behavior interferes with an employee's ability to perform District work, or creates an intimidating and hostile work environment.

Sexual harassment may be a single incident or a series of harassing acts. Inappropriate conduct that is sexually harassing in nature can involve individuals of the same or opposite sex, a supervisor (or manager) and subordinate, or co-workers of any rank or title. While the District cannot control the conduct of non-employees engaging in District-related business (e.g., customers, contractors, vendors, suppliers, etc.), the District is committed to protecting its employees from harassment by third parties and will respond promptly to employee complaints and take action to the extent permitted by law to ensure a harassment-free workplace.

Sexual harassment may result from a range of subtle to not-so-subtle conduct, depending on the circumstances and can cause emotional distress, anxiety, and other mental harm. It can result from verbal, visual, or physical conduct. Examples of sexual harassment and similar inappropriate conduct prohibited by this policy include, but are not limited to:

1. Unwelcome sexual advances, demands, pressures, or requests for sexual acts or favors.
2. Making or threatening reprisals, whether explicitly or implicitly, after a negative response to sexual advances.
3. Repeated, unwanted sexual flirtations, advances, or propositions.
4. Unwelcome physical contact such as patting, hugging, grabbing, pinching, or brushing against another's body.
5. Offensive visual conduct, including leering, making sexual gestures, or the display of sexually suggestive objects, pictures, artwork, cartoons, or posters.
6. Offensively suggestive or sexually explicit communications in any form, including but not limited to letters, notes, invitations, email, text messages, social media platforms (if work-related or directed towards a District employee), blogs, instant messaging, or voicemail.
7. Sexually-oriented verbal teasing or jokes, inquiries into one's sexual experiences, or discussions of one's sexual activities.
8. Graphic or degrading comments about an individual's appearance or sexual activity.
9. Sexually explicit or offensive images in emails or other forms of electronic messaging.

The legal definition of sexual harassment is broad and, in addition to the above examples, other unwelcome sexual conduct that has the effect of creating a workplace environment that is hostile, offensive, chilling, intimidating, or humiliating to other workers may also constitute sexual harassment.

Other Forms of Harassment

The following is a non-exhaustive list of additional behaviors based upon protected categories listed in Section C above that will be considered harassment and are prohibited by this policy:

1. Derogatory and defamatory comments, epithets, slurs, or jokes.
2. Posting or sharing derogatory materials such as posters, cartoons, drawings, or gestures.
3. Aggressive or unwelcome physical conduct such as assault, blocking normal movement, restraint, touching, or other physical interference.
4. Abusive conduct, including but not limited to threats, intimidation, coercion, excessive ridicule, insults, or belittling, carried out with malice and not for a legitimate business reason.
5. Spreading false, vicious, or malicious rumors.
6. Other behavior that creates a workplace where an employee reasonably feels threatened, humiliated, intimidated or bullied in the workplace.
7. The sabotage or intentional undermining of a person's work performance.

D. Reporting, Investigation, and Findings

1. Reporting

You must report any violations of this policy that you experience or witness. If you believe in good faith that you have been subjected to, witnessed, or otherwise learned of harassment (or any other conduct prohibited by this policy) by anyone, including supervisors, managers, Commissioners, co-workers, or non-employees conducting business with or for the District, you must immediately report the incident.

Verbal or written reports may be made to your supervisor, the Director of Administrative Services, or the General Manager. You are not required to report directly to your supervisor, or to any person engaging in the unwelcome behavior or any other person who is the subject of the report. You can also report a violation to the Department of Fair Employment & Housing ("DFEH") <https://www.dfeh.ca.gov> or the U.S. Equal Employment Commission ("EEOC") <https://www.eeoc.gov>.

Supervisors or managers who receive reports or observe harassing conduct must immediately report it to the Director of Administrative Services or the General Manager. If the Director of Administrative Services is implicated in the report or observation, the conduct may be reported to the General Manager. If the General Manager is implicated, the conduct may be reported to the District's General Counsel. Supervisors and managers should maintain employee privacy to co-workers and not engage in gossip or discussion that could impact any investigation.

2. Investigation

When the District receives a complaint of harassment (or other conduct prohibited by this policy), it will conduct a fair, timely, and thorough investigation of the allegation

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that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. The alleged victim of a harassment complaint shall be updated monthly on the status of the administrative investigation, limited to reporting the investigation is “still active” or “complete pending review.”

Where practicable, the investigation will be conducted by the Director of Administrative Services or his/her designee. The investigation must be thorough and include examining all relevant documents, interviewing witnesses, analyzing witness statements, performing any necessary research, inspecting physical property, and performing any other aspects of the investigation required to create findings and recommendations.

If a complaint involves the Director of Administrative Services, the General Manager, or a Commissioner, or if the nature of the allegations would make it difficult for the Director of Administrative Services to be impartial in the investigation, the District Board of Harbor Commissioners will designate an independent investigator, and take action up to and including hiring outside counsel, subject matter experts, or other professionals to investigate, examine documents, interview all witnesses, analyze witness statements, perform research, inspect physical property, and perform any other aspects of the investigation that can be required to create findings and report to Commissioners. Not all such actions will be appropriate for every investigation, and how each investigation is handled will depend on the nature and severity of the allegations.

3. Guidelines

The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. While absolute confidentiality cannot be guaranteed, the District recognizes the importance of its employees’ privacy and acknowledges that employees are more truthful and forthcoming in investigations when they can speak without fear of public exposure.

4. Findings

When the investigation is completed, the person filing the complaint and the person alleged to have committed the conduct will, to the extent appropriate, be informed, both verbally and in writing, of the results of that investigation. If it is determined that a violation of policy occurred, appropriate remedial measures will be taken, up to and including termination or a request for resignation.

E. Non-Retaliation

One of the most important protections for employees is being free from retaliation after making a complaint, providing witness information, or participating in any way in an investigation. The District strictly prohibits retaliation in any way against anyone who has lodged a harassment complaint, has expressed a concern about harassment, including sexual harassment, or has participated in a harassment investigation. Further, the initiation of a truthful complaint made in good faith, shall not under any circumstances be grounds for discipline. It is a violation of the District’s policy for an individual to be disciplined or otherwise disadvantaged or harmed because of their activities related to a harassment complaint or investigation.

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Persons engaging in any form of retaliation or retribution against any witness or complainant will be subject to disciplinary action, up to and including termination, censure, or a request for resignation.

F. Annual Report

It is important for accountability that the District actively track complaints, investigations and resolutions. To that end, the District will publish a report annually identifying the following information:

1. Number of complaints received;
2. Type of complaint received;
3. Status of accused (employee, contractor, volunteer, Commissioner);
4. Number of investigations initiated;
5. Number of open investigations;
6. Number of completed investigations; and
7. Resolution of each closed investigation, limited to “allegations were supported by the investigation” or “allegations were not supported by the investigation.”

No personal identifiable information shall be included in the annual report.

The report shall be reported out to the Board of Harbor Commissioners in February each year at the regularly scheduled Board Meeting.

San Mateo County Harbor District

Policy	Number: 6.2.6	Date of Adoption: 12/3/97	Revision: 9/21/05 4/20/16
Title: Personal Use of District's vehicles, vessels, equipment and office equipment	Prepared By: E. Wilkerson	Approved By: Resolution 39-97 Resolution 28-05 Motion, April 20, 2016	Page: Page 1 of 1
Purpose: To restrict the personal use of District owned vehicles, vessels, and equipment including office equipment.			

STATEMENT OF POLICY

With the exception of office equipment, which use may be allowed on a limited basis, the personal use of District vehicles, vessels and equipment is not allowed.

San Mateo County Harbor District

Policies and Procedures	Number: 6.2.7	Date of Adoption: 12/3/97	Adopted By: Resolution 39-97
Title: Contributions And Honorariums	Prepared By: P. Grenell	Approved By: Board of Harbor Commissioners	Page: Page 1 of 1
Purpose: To establish a policy and procedure for reporting contributions and honorariums.			

1. STATEMENT OF POLICY

Speeches and presentations related to San Mateo County Harbor District services and activities which are delivered by District personnel to community and professional groups, public agencies, and other organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the District, not to the individual employee.

Any honorarium or contribution for a speech or other presentation made by District personnel to any group as identified above, either during working hours or for which the District provided travel expenses, will also be made to the District.

Such contributions and honorariums shall be turned over to the Director of Finance for disposition.

San Mateo County Harbor District

Policies and Procedures	Number: 6.2.8	Date of Adoption: 12/3/97	Adopted By: Resolution 39-97
Title: Political Activities	Prepared By: P. Grenell	Approved By: Board of Harbor Commissioners	Page: Page 1 of 2
Purpose: To provide guidance to District personnel while on duty or acting in an official capacity on behalf of the District on engaging in political activities.			

1. STATEMENTS OF POLICY

The San Mateo County Harbor District promotes public confidence in the integrity of District operations and ensures that District personnel will be free to choose their levels of involvement in political activities as citizens without coercion or pressure from the District and that the Harbor Commissioners will not make or be perceived as making decisions on the basis of political loyalties.

2. PROHIBITED ACTIVITIES DURING WORKING HOURS

No District personnel shall, while on duty or acting in an official capacity on behalf of the District or while in the uniform of the District:

1. Request or solicit contributions or anything of value for any political candidate or cause.
2. Participate in any political campaign by:
 - Speaking in favor of any candidate or cause;
 - Distributing literature;
 - Picketing or demonstrating on behalf of or in opposition to any political candidate or cause;
 - Organizing, planning or in any other way participating in the administration of any political campaign.

No District personnel or volunteer shall, while on duty or acting in an official capacity on behalf of the District or while in the uniform of the District, or while in or operating any District vehicles or vessels, display any badge, button, sign or sticker promoting or opposing any political cause or candidate.

No District personnel shall use public funds, property, or any other instrumentality or thing of value belonging to the District to promote or oppose any political cause or candidate.

Nothing in this policy shall be interpreted as prohibiting an employee:

1. From stating any opinion regarding any political issue in ordinary conversation during working hours providing that such a conversation does not interfere with the employee's assigned job duties.
2. Who does not have direct citizen contact from wearing a pin or button promoting or opposing any cause or candidate.

Policies and Procedures	Number: 6.2.8	Date of Adoption: 12/3/97	Adopted By: Resolution 39-97
Title: Political Activities	Prepared By: P. Grenell	Approved By: Board of Harbor Commissioners	Page: Page 2 of 2

3. COERCION, INTIMIDATION OF PUBLIC EMPLOYEES

No District personnel shall use his/her public office or employment for the purpose, or with the effect of:

1. Coercing or intimidating any District employee with respect to contributing to, opposing or promoting, or refraining from contributing to, opposing or promoting any political cause or candidate.
2. Obtaining a benefit as a result of any political activity by:
 - Intentionally committing an unauthorized act under law;
 - Intentionally refraining from performing a duty imposed upon him/her by law.

4. ILLEGAL POLITICAL ACTIVITIES

No District Personnel shall engage in any political activity which is prohibited under state or federal law. Any personnel engaging in such activity shall be subject to disciplinary action, including immediate dismissal.

6.2.9 Policy Against Workplace Violence

1. STATEMENT OF POLICY

The San Mateo County Harbor District is committed to providing a safe work environment that is free of violence and the threat of violence. Effectively handling critical workplace incidents, especially those dealing with actual or potential violence, is a top priority.

1. Violence, or the threat of violence, against or by any employee of the San Mateo County Harbor District or any other person is unacceptable.
 - 1.1 Should a non-employee or Harbor District elected official, on San Mateo County Harbor District property, demonstrate or threaten violent behavior the District will call law enforcement and he/she may be subject to criminal prosecution, or
 - 1.2 Should an employee demonstrate or threaten violent behavior, he/she may be subject to disciplinary action up to and including termination.
2. The following actions are considered violent acts:
 - 2.1 Striking, punching, slapping or assaulting another person.
 - 2.2 Fighting or challenging another person to a fight.
 - 2.3 Grabbing, pinching or touching another person in an unwanted way whether sexually or otherwise.
 - 2.4 Engaging in dangerous, threatening or unwanted horseplay.
 - 2.5 Possession, use, or threat of use, of a gun, knife or other weapon of any kind on San Mateo County Harbor District property, including parking lots, other interior and exterior premises, San Mateo County Harbor District vehicles and vessels, or while engaged in activities for the San Mateo County Harbor District in other locations, unless such possession or use is a requirement of the job.
 - 2.6 Verbal assaults. Verbal assaults are statements that would place a reasonable person in fear of harm for the safety of himself/herself or others and that serve no legitimate workplace purpose.
 - 2.7 Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
3. Any employee or Harbor District elected official who is a victim of any violent threatening or harassing conduct, any employee or Harbor District elected official witness to such conduct, or any employee or Harbor District elected official receiving a report of such conduct, whether the perpetrator is a San Mateo County Harbor District employee or a non-employee, shall immediately report the incident to their supervisor or other appropriate person in the chain of command.

Law Enforcement	911
Harbor Master, OPM	650-952-0808
Harbor Master, PPH	650-726-4382
Human Resource Manager	650-583-4400
General Manager	650-583-4400
4. No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment by the District.

5. Any employee reported to be a perpetrator, will be provided both due process and representation before the San Mateo County Harbor District takes disciplinary action.
6. Anyone who fears for the safety of persons at the scene of the violent act should call law enforcement immediately.

San Mateo County Harbor District

Policies and Procedures	Number: 6.3	Date of Adoption: 10/1/97	Revision: Procedural Revision: 5/4/2016
Title: Compensation	Prepared By: P. Grenell G.Lazof	Approved By: Resolution 28 — 97; Procedure Revision: S. McGrath	Page: Page 1 of 2
Purpose: To establish policy and procedures for compensating District employees.			

1. STATEMENT OF POLICY

The provisions of this policy apply to all employees of the San Mateo County Harbor District not covered by a labor agreement including the Memorandum of Understanding (MOU) between the District and the Operating Engineers Union Local 3. Employees covered by a labor agreement, including said MOU between the District and Local 3, shall be provided for by the terms, conditions, and procedures of said labor agreement.

It is the policy of the San Mateo County Harbor District and the purpose of this plan to establish a compensation system that will allow the District to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee.

The salary schedule shall be adopted by the Board of Harbor Commissioners and shall apply to all employees not covered by a labor contract. Employees covered by labor contract shall be compensated as referenced in the agreement. Copies are available for viewing in the General Manager's Office.

The District reserves the right to cap all compensatory increases to a maximum of eight percent (8%) per fiscal year inclusive of both merit increases and COLA adjustments. This cap shall be based on the District's total personnel costs.

2. Pay Rates Exceeding Range Maximum

Any employee whose pay rate exceeds the maximum prescribed for his/her classification as a result of a reallocation of his/her position to a lower classification when there have been no recent, dramatic changes in assigned duties and responsibilities will not be reduced in pay.

This does not apply to demotions. The employee will not be eligible for future salary increases until he/she occupies a position for which the salary range maximum is more than the pay rate he/she currently receives.

Policies and Procedures	Number: 6.3	Date of Adoption: 10/1/97	Revision: Procedural Revision: 5/4/2016
Title: Compensation	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 2 of 2

3. Maintenance of the Compensation Plan

The Finance Office shall be responsible for the maintenance and administration of the District's Compensation Plan with the supervision of the General Manager. The review may include an analysis of prevailing rates of pay for similar positions in comparable labor markets, organizations, cost-of-living factors, budgetary considerations, and other related factors. On the basis of this information, the General Manager's office shall, from time to time, recommend to the Board of Harbor Commissioners changes to keep the plan current, uniform and equitable.

San Mateo County Harbor District

Policies and Procedures	Number: 6.3.1	Date of Adoption: 10/1/97	Revision:
Title: Salary/Wage Advancement	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish merit-based criteria, procedures and incentives for salary/wage advancement.			

1. STATEMENT OF POLICY

The provisions of this policy apply to all employees of the San Mateo County Harbor District not covered by a labor agreement including the Memorandum of Understanding (MOU) between the District and the Operating Engineers Union Local 3. Employees covered by a labor agreement, including said MOU between the District and Local 3, shall be provided for by the terms, conditions, and procedures of said labor agreement.

No later than April 30 of each fiscal year and as an integral part of each employee's annual performance evaluation, the General Manager will review each employee's evaluation performed by the employee's supervisor, and notify the employee's supervisor as to approval or disapproval. The supervisor will then inform the employee of the General Manager's decision. If the employee has not been notified of the General Manager's decision in accordance with Policy Number #6.3.1 by April 30th, the employee's evaluation shall be considered satisfactory; however, this shall not preclude any wage advancement if it is so recommended on the evaluation. The employee may appeal the decision to the General Manager and, if an impasse is reached, appeal the General Manager's decision to the Board of Harbor Commissioners, which shall have final decision authority. Any merit increases in salary due an employee will be made applicable as of July 1 of the fiscal year immediately following that for which the merit review was done.

Provision of merit increases within a salary range shall take into account the overall fiscal condition of the District and budgetary considerations for the fiscal year in which merit increases are being considered. Merit increases as a percentage of total District fiscal year budget may therefore increase or decrease depending upon overall operations and administrative cost and revenue factors.

The District reserves the right to cap all compensatory increases to a maximum of eight percent (8%) per fiscal year inclusive of both merit increases and COLA adjustments. This cap shall be based on the District's total personnel costs.

Hourly wage rate will be computed to two decimal digits with rounding off formula so that the third decimal digit ending between 1 through 4 will be rounded down to reflect 0 in the second decimal digit; the third decimal digit ending between 6 through 9 will be rounded up to reflect 1 in the second decimal digit. An example of this rounding off figure is as follows: .002 will be rounded down to .00 and .007 will be rounded up to .01.

San Mateo County Harbor District

Policies and Procedures	Number: 6.3.2	Date of Adoption: 10/1/97	Revision: 11/20/02
Title: Overtime	Prepared By: P. Grenell	Approved By: Resolution 34 — 02	Page: Page 1 of 2
Purpose: To establish policy guidelines for the recording, utilization, and auditing of overtime performed by employees of the District.			

1. STATEMENT OF POLICY

Any non-management employee who works in excess of the employee's regularly scheduled work day, on the employee's regularly scheduled days off, or in excess of forty (40) hours in any one workweek must receive permission from their immediate supervisor to work the extra hours. The compensation rate for overtime is: for every one hour worked the employee is entitled to one and one-half hours compensation.

The employee may choose to be paid the overtime wages or can accrue these hours to their individual PTO bank.

2. DEFINITIONS

- A. Overtime: Any and all work performed in excess of the employee's regularly scheduled work day, on the employee's regularly scheduled days off, or in excess of forty (40) hours per the workweek. Overtime shall be paid at a rate of one and one-half times the employee's straight time hourly rate.
- B. Paid Time Off: Paid Time Off is defined as paid time off granted an employee by the District.

3. RESPONSIBILITIES

A. Department Heads:

- 1) It shall be the responsibility of each Department Head to equitably administer the provisions of this policy within their respective departments.
- 2) Department Heads are the authorized authority for the approval of overtime requests.
- 3) Department Heads shall ensure that all overtime earned is recorded on the employee's time card as it occurs.
- 4) Department Heads will exercise extreme discretion in the utilization of overtime within their departments. Temporary adjustments in working hours or realignment of duties within the department should be considered as alternatives to the use of overtime. Overtime shall be considered necessary only in emergency situations, wherein additional effort is needed to complete a task which is critical in nature.

Policies and Procedures	Number: 6.3.2	Date of Adoption: 10/01/97	Revision: 11/20/02
Title: Overtime	Prepared By: .P. Grenell	Approved By: Resolution 34-02	Page: Page 2 of 2

B. **Individual Employee:** It is the responsibility of the individual employee to request accrual of their overtime to their individual PTO bank, if they choose not to be paid for their overtime hours.

C. **Director of Finance:**

1. The Director of Finance shall ensure that a permanent record of overtime accrued to PTO is kept on all employees based on information provided by Department Heads, and that the proper financial transactions are completed at the end of each pay period.
2. Upon termination, the Director of Finance shall ensure that eligible employees are given credit for all PTO inclusive of overtime within the limitations established by the personnel policies.
3. The Director of Finance shall conduct a semi-annual audit of the overtime record of each employee through a comparison of payroll office records and individual departmental records.

San Mateo County Harbor District

Policies and Procedures	Number: 6.3.3	Date of Adoption: 10/1/97	Revision:
Title: Bonuses	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To provide guidance for bonus incentives.			

1. STATEMENT OF POLICY

Any employee who performs exceptional service to the District as recommended by the employee's supervisor and determined by the General Manager and/or Board of Harbor Commissioners may be given a one-time monetary bonus relative to his/her special circumstance. All bonus amounts and the reason for the bonus shall be public knowledge.

Policies and Procedures	Number: 6.3.5	Date of Adoption: 10/1/97	Revision:
Title: Salary/PTO Advances	Prepared By: P. Grenell	Approved By: Resolution 33-99	Page: Page 1 of 1
Purpose: To establish a uniform policy for District employees regarding salary and PTO advances.			

1. STATEMENT OF POLICY

Requests for advancements of regular pay will be granted to employees on an emergency basis only.

An employee may request an advance on payroll by:

- (1) Providing his/her Department Head with a written request.
- (2) Department Head will recommend approval or disapproval of a written request. Approved requests will be forwarded to the Finance Department who will recommend approval or disapproval. The General Manager shall have final approval or disapproval.

Requests for advance payment of accrued PTO must be submitted to the General Manager at least two weeks prior to check issuance and shall be for an amount equal to or less than eighty (80) hours. Cash advances on employee's PTO bank may only be taken to maximum of 160 hours per calendar year.

Those who are away on the regular pay date may have their checks mailed to them upon request. In the absence of specific instructions, checks will be held in the safe by the Director of Finance until the employee returns to work. Employees who terminate employment or retire in the middle of the fiscal year will be paid upon separation from the District only for PTO accrued up to the termination, separation or retirement.

San Mateo County Harbor District

Policies and Procedures	Number: 6.3.8	Date of Adoption: 1/7/98	Adopted By: Resolution 2 -98
Title: Severance Pay	Prepared By: P. Grenell	Approved By: Board of Harbor Commissioners	Page: Page 1 of 1
Purpose: To provide guidance to employees of the District who separate from District employment beyond the control of the employee.			

STATEMENT OF POLICY

The provisions of this policy apply to all employees of the San Mateo County Harbor District not covered by a labor agreement including the Memorandum of Understanding (MOU) between the District and the Operating Engineers Union Local 3. Employees covered by a labor agreement, including said MOU between the District and Local 3, shall be provided for by the terms, conditions, and procedures of said labor agreement.

The San Mateo County Harbor District recognizes that its employees deserve fair and equitable compensation and professional placement services for displacement from District employment beyond the control of the employee. In the event that the employee is terminated from the employ of the District because of a reduction in force, general lay-off, dissolution of the District, or other similar, non-disciplinary reason beyond the control of the employee, said employee shall be entitled to severance pay.

DESCRIPTION OF PROCEDURE

Severance pay is determined as follows:

1. For each year of service the employee shall receive an amount equal to two (2) weeks pay, to a maximum of one (1) years pay for twenty-~~six~~ (26) years service. The severance pay shall be computed at the highest salary achieved by the employee over the last three (3) years of service.
2. The District will provide professional placement services at no cost to the employee as necessary to place employee in a similar or superior position, for a period not to exceed six (6) months.

All employees leaving District employment shall receive all of their accumulated hours in their individual PTO bank and fifty percent (50%) of accrued sick leave hours in their old sick leave bank.

San Mateo County Harbor District

Policies and Procedures	Number: 6.4.1	Date: 4/5/2006 Rev. 11/05/2014	Revision: Resolution 39-97
Title: Group Health and Medical Insurance	Prepared By: P. Grenell E. Wilkerson M. Harris	Approved By: Resolution 09-06 Resolution 30-14	Page: Page 1 of 2
Purpose: To establish procedures for the administration of the District's personnel health and medical program and to establish guidelines for eligibility.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District offers to all regular full-time employees and all eligible dependents group health and medical insurance. Coverage for regular full-time employees becomes effective the first day of the month following the date of employment. Medical coverage may be continued during an approved leave of absence at the employee's own expense.

The District reserves the right to seek out and obtain comparable coverage on an annual basis in order to effect cost savings to the District.

The San Mateo County Harbor District offers group health and medical insurance to Harbor Commissioners (and eligible dependents) who were in office as of June 18, 2014. Those commissioners may maintain or elect benefits as long as they remain in office by re-election or appointment, with no breaks in service.

Harbor Commissions newly elected after November 4, 2014 are not eligible to receive health and medical insurance benefits.

2. DESCRIPTION OF PROCEDURES

During the in-processing of regular, full-time employees, the Human Resource Manager shall provide the eligible employee with enrollment forms for the District's health insurance carrier.

Enrollment forms should be completed in the various instances, including but not limited to:

- 1.) New regular, full-time employees beginning service with the District.
- 2.) Adding an eligible dependent.
- 3.) Deleting a dependent.
- 4.) Change in marital status.

Enrollment cards are available from the Administration office. It is the employee's responsibility to notify the Administration of any change in dependent status by completing updated enrollment cards.

A regular, full-time employee on an approved leave of absence may continue health and medical insurance coverage under the same basis by paying the full cost to the District in advance for each month or portion thereof of which he or she is absent, subject to limitations set by the insurance carrier.

San Mateo County Harbor District

Policies and Procedures	Number: 6.4.1	Date: 4/5/2006 Rev. 11/05/2014	Revision: Resolution 39-97
Title: Group Health and Medical Insurance	Prepared By: P. Grenell E. Wilkerson M. Harris	Approved By: Resolution 09-06 Resolution 30-14	Page: Page 2 of 2
Purpose: To establish procedures for the administration of the District's personnel health and medical program and to establish guidelines for eligibility.			

Employees on Family Federal Leave Absence (FMLA) shall be entitled to maintain group health coverage on the same basis as if he/she had continued to work at the District. The District shall continue paying the employee's benefits during the FMLA leave.

Upon termination of employment with the District, the employee may elect to continue health and medical insurance coverage under the Consolidated Omnibus Budget Reconciliation Act (R.L. 99-272) (COBRA). The Administration or their designee provides eligible employees with information on COBRA.

San Mateo County Harbor District

Policies and Procedures	Number: 6.4.2	Date of Approval: 4/5/2006 11/5/2014	Adopted By: Resolution 10-06 Resolution 31-14
Title: Group Dental Plan	Prepared By: E. Wilkerson M. Harris	Approved By:	Page: Page 1 of 1
Purpose: To establish procedures for the administration and eligibility of the group dental plan.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District offers to all its regular full-time employees, and their eligible dependents group dental coverage. Coverage is currently available through Operating Engineers Public Employees Health & Welfare Trust Fund and Teamsters Local Union No. 856.

The San Mateo County Harbor District offers group dental insurance to Harbor Commissions (and eligible dependents) who were in office as of June 18, 2014. Those commissions may maintain or elect benefits as long as they remain in office, by re-election or appointment, with no breaks in service.

Harbor Commissions newly elected after November 4, 2014 are not eligible to receive group dental insurance.

Specific benefits of the plans are described in insurance brochures provided to each new employee by the Human Resource Manager.

The District reserves the right to seek out and obtain comparable coverage on an annual basis in order to effect cost savings to the District.

San Mateo County Harbor District

Policies and Procedures	Number: 6.4.3	Date: 4/5/2006 11/5/2014	Adopted By: Resolution 11-06 Resolution 32-14
Title: Employee Optical Benefit Program	Prepared By: E. Wilkerson M. Harris	Approved By: Board of Harbor Commissioners	Page: Page 1 of 1
Purpose: To establish guidelines pertaining to the eligibility, application and administration of employee vision care.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District offers to all its regular full-time employees, and their eligible dependents group optical coverage. Current coverage is available through Operating Engineers Public Employees Health & Welfare Trust Fund and Teamsters Local Union No. 856.

The San Mateo County Harbor District offers group dental insurance to Harbor Commissioners (and eligible dependents) who were in office as of June 18, 2014. Those commissioners may maintain or elect benefits as long as they remain in office, by re-election or appointment, with no breaks in service.

Harbor Commissions newly elected after November 4, 2014 are not eligible to receive group dental insurance.

Specific benefits of the plans are described in insurance brochures provided to each new employee by the Human Resource Manager.

Optical benefits for represented employees shall be administered in accordance with current labor agreements.

The District reserves the right to seek out and obtain comparable coverage on an annual basis in order to effect cost savings to the District.

San Mateo County Harbor District

Policies and Procedures	Number: 6.4.4	Date of Approval: 01/18/2006	Adopted By: Resolution 12-06 Resolution 33-14
Title: Life Insurance	Prepared By: E. Wilkerson M. Harris	Approved By: Resolution 12-06	Page: Page 1 of 1
Purpose: To define policy for District personnel relative to life insurance.			

1. STATEMENTS OF POLICY

The District recognizes and appreciates its employees and to that end, pays premiums for life insurance and accidental death and dismemberment (AD&D) for those employees who are classified as full-time. Paying for life insurance coverage and AD&D coverage to District employees and the District recognizes the importance of financial security to employee's family and loved ones in case of accidental death or dismemberment.

The District reserves the right to seek out and obtain comparable coverage on an annual basis in order to effect cost savings to the District.

2. LIFE INSURANCE

Coverage for life insurance is effective the first day of the month following the first day of employment. Changes in coverage amounts will become effective the first day of the month following the date of change. Coverage will terminate upon the employee or Commissioner leaving District employment, the employee moves to a part-time status, or the policy is discontinued completely by the District.

Specific benefits and terms of the policy are provided each new employee by the Human Resource Manager. It is the employee's individual responsibility to keep information on file related to this policy up-to-date as to name, address, and beneficiary(s).

3. ACCIDENTAL DEATH AND DISMEMBERMENT

Accidental death and dismemberment (AD&D) is also proved to full-time employees.

Coverage for accidental death and dismemberment is effective the first day of the month following the first day of employment. Changes in coverage amounts will become effective the first day of the month following the date of change. Coverage will terminate upon the employee or Commissioner leaving District employment, the employee moves to a part-time status, or the policy is discontinued completely by the District.

Specific benefits and terms of the policy are provided each new employee by Human Resource Manager. It is the employee's individual responsibility to keep information on file related to this policy up-to-date as to name, address, and beneficiary(s).

Only those Harbor Commissioners in office as of June 18, 2014, and who remain in office, by re-election or appointment, with no breaks in service, are eligible to receive the District's Life Insurance or Accidental Death and Dismemberment.

San Mateo County Harbor District

Policies and Procedures	Number: 6.4.5	Date: 4/19/2006 9/21/11 11/5/2014	Adopted by: Resolution 39-97 Resolution 25-06 Resolution 19-11 Resolution 34-14
Title: Group Health and Medical Insurance Pay Out Program	Prepared By: E. Wilkerson M. Harris	Approved By: Board of Harbor Commissioners	Page: Page 1 of 2
Purpose: To establish procedures for the administration of the District's personnel health and medical insurance pay out program and to establish guidelines for eligibility			

1. STATEMENT OF POLICY

The San Mateo County Harbor District offers to all regular full-time employees and eligible Harbor Commissioners and all eligible dependents group health and medical insurance, inclusive of medical, dental and vision. For those employees and Commissioners who provide evidence of alternative health and medical insurance, the District offers a Health and Medical Insurance Pay Out Program.

The District's Pay Out Program is available for health and medical insurance, dental insurance, and vision insurance. If the District is contracting with a carrier for a package of insurance, the payout is based on the package and the employee or Commissioner must show alternative evidence of coverage for all insurances in the package. If the District is contracting with individual carriers the payout may be on one or all of the eligible insurance (e.g. health and medical, dental and vision.)

The District reserves the right to seek out and obtain comparable coverage on an annual basis in order to effect cost savings to the District.

Only those Harbor Commissioners in office as of June 8, 2014, and who remain in office, by re-election or appointment, with no breaks in service, are eligible to participate in the District's Pay Out Program.

2. Payout

A. Employees

Any regular, full-time employee who provides evidence of alternative health and medical insurance may opt to withdraw from the District's health and medical insurance program. If the District will affect savings as a result of not having to pay premiums for these employees who withdraw from the program, fifty percent (50%) of such savings shall be returned to the individual in the form of a bonus payable concurrent with the regular payroll. For employees who are eligible for the single plan but opt out, they shall receive fifty percent (50%) of District savings from the premiums for the single rate. Likewise for employees eligible for the family plan but opt out, they shall receive fifty percent (50%) of District savings from the premiums for the family rate.

B. Commissioners

Any eligible Harbor Commissioner who provides evidence of alternative health and medical insurance may opt to withdraw from the District's health and medical insurance program. Upon receipt of evidence of the Commissioner's payment of his or her own health and medical insurance premiums, deductible and/or co-payments, the District shall reimburse the Commissioner the amount the Commissioner paid for said insurance premiums,

Policies and Procedures	Number: 6.4.5	Approved Date:	Effective Date: 11/5/2014
Title: Group Health and Medical Insurance Pay Out Program	Prepared By: E. Wilkerson M. Harris	Approved By: Board of Commissioners	Page: Page 2 of 2

deductibles and /or payments for him/herself and his/her dependents up to the amount the District currently pays for the same level or coverage (e.g. single or family) under the District's health and medical insurance program. As an alternative if the Commissioner prefers and is eligible for family plan coverage, the Commissioner shall receive fifty percent (50%) of the District's current costs or \$400, whichever is less. Under no circumstances shall the total reimbursement or payment exceed the District payment for the same level of coverage under the District health and medical insurance program.

Notwithstanding any provision above, any Harbor Commissioner newly elected or appointed after June 18, 2014 is not eligible to participate in the Harbor District Pay Out Program.

San Mateo County Harbor District

Policy	Number: 6.4.6	Date of Approval: 4/19/2006	Adopted By: Resolution 26-06
Title: CalPERS Retirement System	Prepared By: E. Wilkerson	Approved By: Resolution 26-06	Page: Page 1 of 1
Purpose: To outline procedures for the administration of the District's Retirement System.			

1. STATEMENT OF POLICY

All regular full-time San Mateo County Harbor District employees shall participate under the California Public Employees' Retirement System (CalPERS). Commissioners appointed or elected prior to 1/1/1994 shall participate under CalPERS. Commissioners appointed or elected on 1/1/1994 or later are not eligible to participate under CalPERS (See Policy 6.4.8 Social Security).

Part-time employees working over 1000 hours in a year are required to participate in the CalPERS retirement system based on CalPERS retirement law.

Retirement benefits accrue from both employee and employer contributions. Contributions to the retirement system are mandatory for eligible positions and are deducted from the member's salary each payroll period.

The Retirement System provides for retirement benefits and disability protection when a member meets the plan requirements. Employer contributions are not refundable under any circumstance. Employees are vested with a minimum of five years of service under the plan.

If a member terminates service without retiring, accumulated contributions, with earned interest, are refundable upon request through CalPERS. Annual benefit statements are provided by the Retirement System to participating members. Employees may request an estimate of benefits from the retirement system at any time to obtain an approximate projected retirement benefit figure.

Enrollment and benefits forms are available through the District and CalPERS. It is the employee's individual responsibility to keep information on file up to date related to their retirement account as to name, address and beneficiary(s).

Employees who plan to retire from the system are encouraged to contact the Retirement System at least 90 days in advance of the anticipated retirement date to secure estimate of benefits information and to finalize the retirement date. This action should also be coordinated with the Administration.

San Mateo County Harbor District

Policy	Number: 6.4.7	Date of Approval: 06/07/2006	Adopted By: Resolution 27-06
Title: Longevity Health Insurance Program	Prepared By: E. Wilkerson	Approved By: Resolution 38-06	Page: Page 1 of 2
Purpose: To establish procedures for the administration of the District's longevity health insurance program and to establish guidelines for eligibility.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District has established the longevity health insurance program to recognize and benefit those long time employees who have worked for the harbor district not less than twelve (12) years. Commissioners appointed or elected after January 1, 1995 are not eligible to participate in the longevity health insurance program (G.C. §53201).

Resolution 28-87 was adopted July 15, 1987 and provided for the following:

Any employee, officer, or official of the San Mateo County Harbor District, including members of the Board of Harbor Commissioners, (all hererinafter referred to as the "individual") and any of their eligible dependents, shall be entitled to continue the individual's and dependent's then existing health, dental and vision benefits, and life insurance, at District expense, upon leaving District employment, or leaving office, provided that the individual meets all of the following conditions:

- A. the individuals total service at the time of termination or leaving office, for any reason, is not less than twelve (12) years, even if said service occurred prior to January 1, 1981;
- B. the individual was an employee or served in office after January 1, 1981;
- C. in the case of an employee, the individual's employment was not terminated for good cause; and
- D. in the case of a Commissioner, he/she shall be deemed to have fulfilled the requisite twelve (12) years of service if he/she was appointed or elected to serve three (3) terms in office and actually served at least eleven (11) years and six (6) months in office.

The District shall pay the premiums or other charges for qualifying individual's continuing coverage for health, dental, vision and life insurance benefits pursuant to the following formula: for each two months of service of an individual, the District will pay one month's premium for said life insurance. The premium paid shall be that to provide, at the minimum, the standard health, dental, and vision and life insurance benefits provided to the individual and/or his/her dependents at the time the individual leaves District employment, or leaves office, plus any additions to coverage or increased policy limits provided to continuing employees, or Board members, subject to the provisions of the insurance itself which may limit the level of continuing benefits or coverage. Thereafter, the individual may continue the health and welfare or insurance benefits by personal payment if authorized by the respective carriers. If a qualified individual dies before the District's obligation to pay premiums expires, the District will continue to pay the applicable premiums for the individual's and/or dependents, if any, until the District's obligation under this resolution expires.

If any individual who is otherwise eligible for these continuing benefits obtains similar (not necessary comparable) benefits through any new employment or service with a public or private entity, other than

Policy	Number: 6.4.7	Date of Approval: 06/07/2006	Adopted By: Resolution 27-06
Title: Longevity Health Insurance Program	Prepared By: E. Wilkerson	Approved By: Resolution 38-06	Page: Page 2 of 2

benefits provided as a self-employed individual, the premiums paid by District for said benefit shall cease permanently, regardless of the cessation of said secondary employment benefit(s).

Any qualified individual has the right to demand that the District make direct payment of the cost of the then applicable health and welfare or life insurance premiums to any other carrier or provider of the individual's choosing. Such payments shall not exceed that which the District would have paid had the individual remained in the District's available program(s).

San Mateo County Harbor District

Policy	Number: 6.4.8	Date of Approval: 04/05/2006	Adopted By: Resolution 16-06
Title: Social Security (FICA)	Prepared By: E. Wilkerson	Approved By: Resolution 16-06	Page: Page 1 of 1
Purpose: To define participation by District employees in the Social Security System.			

1. Statement Of Policy

All Full-time employees and Commissioners (appointed prior to 1994) do not receive Social Security benefits other than Medicare. See Policy 6.4.4 Medicare.

All part-time employees and Commissioners (appointed after 1994) are automatically included as participants in the Social Security System (FICA) which provides workers with the following benefits: retirement insurance, survivor's insurance, disability insurance, Medicare for the disabled and the aged, Black Lung benefits, and supplemental security income.

Financing of the program is accomplished by employee payroll deduction contributions and through a match paid by the San Mateo County Harbor District. Employee contributions stop each year once the required percentage has been paid as designated by the Federal government. The salary limit and percentage are subject to change at the beginning of each year according to Federal guidelines.

San Mateo County Harbor District

Policy	Number: 6.4.9	Date of Approval: 04/05/2006	Adopted By: Resolution 17-06
Title: Medicare	Prepared By: E. Wilkerson	Approved By: Resolution 17-06	Page: Page 1 of 1
Purpose: To define participation by District employees in the Medicare System.			

1. Statement Of Policy

All employees and Commissioners are automatically included as participants in Medicare, which provides workers with benefits for the disabled and the aged. These benefits are in addition to Public Employees' Retirement System benefits and District Retiree medical, dental, and life insurance benefits for which the employee may be eligible to receive.

Financing of the program is accomplished by employee payroll deduction contributions and through a match paid by the San Mateo County Harbor District.

Employees hired prior to 1991 are not eligible for Medicare benefits through District employment except as provided for in the 2006 Division Election.

San Mateo County Harbor District

Policy	Number: 6.4.10	Date of Approval: 04/05/2006	Adopted By: Resolution 18-06
Title: Deferred Compensation	Prepared By: E. Wilkerson	Approved By: Resolution 18-06	Page: Page 1 of 1
Purpose: To outline procedures for enrollment and eligibility of the District's deferred compensation program.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District provides an option to District personnel to invest a portion of his/her earnings in a deferred compensation plan. Contributions to the program are financed solely by the employee either through direct deposit or payroll deduction.

Contributions to this plan are pre-tax dollars and are directly paid by the District, on behalf of the employee, to the company administering the program, thus the employee will only see a reduction in his/her paycheck. Contributions can be a certain dollar amount up to the approved limits set by the Internal Revenue Service.

The District-approved program includes various investment options and is currently administered by the International City Management Association (ICMA) Retirement Corporation and California Public Employees' Retirement System (CalPERS). Enrollment can be arranged through the Human Resource Manager and is open to any individual who has achieved "regular" employee status with the District or is a Harbor Commissioner.

Benefits received through this program are in addition to any Social Security or Public Employees' Retirement System benefits for which the participating employee would be eligible.

San Mateo County Harbor District

Policy	Number: 6.4.11	Date of Approval: 04/05/2006	Adopted By: Resolution 19-06.
Title: Employee Assistance Program	Prepared By: E. Wilkerson	Approved By: Resolution 19-06	Page: Page 1 of 1
Purpose: To establish procedures for the administration of the District's employee assistance program and to establish guidelines for eligibility.			

STATEMENT OF POLICY

The San Mateo County Harbor District offers to all regular full-time employees and Harbor Commissioners and all eligible dependents access to the District's group employee assistance program. Coverage for regular full-time employees becomes effective the first day of the month following the date of employment and coverage for Harbor Commissioners becomes effective the first day of the month following the official swearing in ceremony. The District pays the full premium.

The District reserves the right to seek out and obtain comparable coverage on an annual basis in order to effect cost savings to the District.

San Mateo County Harbor District

Policy	Number: 6.4.12	Date of Approval: 2/21/2007	Revision:
Title: Qualified IRS Section 125 Flexible Spending Accounts	Prepared By: E. Wilkerson	Approved By: Resolution 64-06 Resolution 07-07	Page: Page 1 of 1
Purpose: To establish a District flexible spending accounts program.			

STATEMENT OF POLICY

The San Mateo County Harbor District provides an option to District Employees and Commissioners to participate in a qualified IRS Section 125 flexible spending accounts program.

Contributions to this program are pre-tax dollars and are paid by the District on behalf of the Employee or Commissioner to the company administering the program, thus the employee will only see a reduction in his/her paycheck. Contributions can be a certain dollar amount up to the approved limits set by the Internal Revenue Service.

The District-approved program includes a health care flexible spending account and a dependent care flexible spending account. Enrollment can be arranged through the Human Resource Manager and is open to any employee upon date of hire or any Harbor Commissioner upon date of appointment.

Participation in this program is voluntary. Open enrollment is held annually.

The District pays all administrative fees required to provide the program.

San Mateo County Harbor District

Policy	Number: 6.4.13	Date Approved: 09/20/2006	Revision: Resolution 62-06
Title: Worker's Compensation	Prepared By: E. Wilkerson	Approved By: Resolution 56-06	Page: Page 1 of 1

STATEMENT OF POLICY

All employees and Harbor Commissioners of the San Mateo County Harbor District are covered by State Worker's Compensation, a program of industrial insurance to protect workers, their families and dependents from loss due to an industrial accident or illness. All approved medical treatment will be covered and paid through the District's insurance company.

The District will continue the employee's regular salary for the first day of absence to and including the third consecutive day of absence certified by a treating physician and approved as Workers' Compensation Leave without deduction from the employee's Personal Time Off Bank or Extended Illness Bank.

The District will continue paying premiums for health and medical insurance, dental insurance, vision insurance, and life insurance for the injured worker and their dependents until all approved paid leave has been exhausted (e.g. Extended Illness Bank (EIB), Personal Time Off (PTO), Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA)) and the employee is no longer eligible.

When all approved paid leave and FMLA/CFRA leave has been exhausted and the District no longer pays premiums for health and medical insurance, dental insurance, vision insurance, and life insurance for the injured worker and their dependents, the employee may choose to continue coverage for themselves and/or their dependents through the Consolidated Omnibus Budget Reconciliation Act (COBRA) (See Policy 6.4.16 COBRA and Policy 6.4.15 Coordination of Benefits).

San Mateo County Harbor District

Policy	Number: 6.4.14	Date Approved: 09/20/2006	Revision:
Title: Modified (Light) Duty	Prepared By: E. Wilkerson	Approved By: Resolution 57-06	Page: Page 1 of 1
Purpose: To provide a District-wide modified duty/return to work program for employees who have been injured while on duty or have a job-related illness. This policy applies to any situation where an employee is being treated for a work-related injury or illness and is determined fit by a District approved physician or practitioner to return to work on a temporary basis with modified duties. Exception: This program is not intended to include employees whose disability has been caused by an off-duty injury or illness.			

1. DEFINITION

- A. Work-related injury or illness: A physical injury or illness deemed to have been caused in the course of performing the employee's occupation.
- B. Employee: Any person who renders service to the District for pay, excluding persons who work under a professional service contract. "Employees" for purposes of this policy include persons in probationary, regular, casual, elected, or temporary status.
- C. Modified Duty: Work restrictions (modifications of work duties or tasks) determined and recommended by a District-approved physician or practitioner who has been rendering treatment to the employee, who is qualified to render an opinion on the employee's physical abilities.

2. STATEMENT OF POLICY

It is the policy of the District, as executed by all departments, to identify and assign modified duty, when feasible, to employees who are temporarily disabled from their regular job as a result of an on-the-job injury or illness.

All such modified duty assignments are to be within the limitation recommended by a State physician or practitioner.

All such modified duty assignments must be consistent with applicable laws, be a reasonable accommodation, and be approved by the General Manager prior to such assignments being made.

San Mateo County Harbor District

Policy	Number: 6.4.15	Date Approved: 09/20/2006	Revision:
Title: Coordination of Benefits	Prepared By: E. Wilkerson	Approved By: Resolution 58-06	Page: Page 1 of 1
Purpose: To coordinate benefits during temporary disability			

1. STATEMENT OF POLICY

The San Mateo County Harbor District desires to coordinate benefits to the maximum possible to assure employees a full paycheck, if possible, during intervals of temporary disability. Under no circumstances will an employee receive more than their regular salary.

Types of eligible temporary disability benefits include but are not limited to:

- Industrial Injury or Illness – Workers’ Compensation including light duty workday modification
- Family Medical Leave Act/California Family Rights Act (FMLA/CFRA)
- District Family Medical Leave
- Employment Development Department Paid Family Leave (PFL)
- State Disability Insurance (SDI) for non-work related injury or illness

To be eligible for continuation of benefits during temporary disability employees must provide a District-approved physician’s verification of illness. The District Extended Illness Bank (EIB), Personal Time Off Overtime (PTO-OT) or Personal Time Off (PTO) may be used until temporary disability is over or the employee’s EIB, PTO-OT, and PTO leave are depleted. Accrued leave must be used in increments consistent with the employee’s normal scheduled hours until (1) balances are depleted or (2) temporary disability is over.

San Mateo County Harbor District

Policies	Number: 6.4.16	Date of Approval: 04/05/2006	Adopted By: Resolution 21-06
Title: Continuance of Medical Coverage (COBRA)	Prepared By: E. Wilkerson	Approved By: Resolution 21-06	Page: Page 1 of 2
Purpose: To comply with the requirements of the Federal Comprehensive Budget Reconciliation Act (COBRA) in regards to the continuance of medical coverage			

1. Statements Of Policy

Employee and/or dependent medical coverage under the current plan may cease as a result of one of the following events:

- A. Termination of employment
- B. Change to nonparticipating employment status
- C. Divorce or legal separation
- D. Dependent child became ineligible (attained age 23)

Employees or dependents may elect to continue medical coverage beyond the date that it would otherwise terminate by doing one of the following:

- A. Convert the group medical coverage to an individual policy provided directly by the insurance carrier. Employees will be sent benefit information and rates regarding conversion options directly from the insurance company. For additional information, contact Human Resource Services.
- B. Continue to participate in the group medical coverage plan at the employee's or dependent's expense under the criteria outlined below:
 - 1. Rights of Employee. Employees presently covered by the insurance plan or health maintenance organization (HMO) may continue this coverage for up to 18 months from the date that employment terminates or status changed to a nonparticipating (non insured) employment status provided that the premium is paid in full and any administrative fee (up to a 2%) that may be imposed.
 - 2. Rights of a Spouse of Employee. The spouse of an employee covered by the medical plan or a sponsored HMO has the right to continue coverage if the employee was terminated or changed to nonparticipating employment status, or if a divorce or legal court-decreed separation from the employee took place. Coverage under these circumstances may continue for a period up to 36 months provided that the premium is paid in full and any administrative fee (up to a 2%) that may be imposed.

Policies	Number: 6.4.16	Date of Approval: 04/05/2006	Adopted By: Resolution 21-06
Title: Continuance of Medical Coverage (COBRA)	Prepared By: E. Wilkerson	Approved By: Resolution 21-06	Page: Page 2 of 2

3. Rights of Child(ren). Dependent children of an employee covered by the medical plan or a sponsored HMO has the right to continue coverage if group health coverage under the medical plan is lost because of termination of a parent's employment or change to nonparticipating employment status; parents' divorce or legal court-decreed separation; the dependent ceases to be a "dependent child" under the medical plan (attains age 23). Coverage under these circumstances may continue for a period up to 36 months provided that the premium is paid in full and any administrative fee (up to a 2%) that may be imposed.

2. Election

- A. If an employee or eligible spouse or dependent does not elect to continue coverage, group health insurance will end as scheduled under the plan.
- B. If an employee elects to continue group medical coverage, the employee or eligible spouse or dependent is responsible for paying the entire cost (both employer and employee share). This cost will be subject to periodic rate changes. Employees are not required to show that they are insurable (by taking a medical exam) to continue the coverage. The current monthly cost, including options, is specified on the attached summary of rates.
- C. Continued coverage may be terminated earlier than the 18 or 36 month period if group medical plans for all other employees are terminated, or if the employee or eligible spouse or dependent:
 1. fails to remit the required monthly payments within 31 days of the due date;
 2. becomes eligible under any other group medical plan;
 3. a covered spouse remarries and becomes eligible to be covered under a group medical plan;
 4. becomes eligible for Medicare;

San Mateo County Harbor District

Policies	Number: 6.4.17	Date of Approval: 04/05/2006	Adopted By: Resolution 22-06
Title: State Disability Insurance	Prepared By: E. Wilkerson	Approved By: Resolution 22-06	Page: Page 1 of 1
Purpose: To establish procedures for the administration of the District's State Disability Insurance Program and to establish guidelines for eligibility.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District is a covered employer under the State Disability Insurance Program. The basic objective of the program is to provide a partial replacement of wages for time away from work for a disability. Employees' contributions are used exclusively to finance disability insurance benefits.

Employees may obtain a claim form from any Employment Development Department (EDD) office by telephone, letter or in person.

San Mateo County Harbor District

Policy	Number: 6.4.18	Date of Approval: 04/05/2006	Adopted By: Resolution 23-06
Title: Unemployment Compensation	Prepared By: E. Wilkerson	Approved By: Resolution 23-06	Page: Page 1 of 1
Purpose: To establish a policy regarding the administration of unemployment compensation			

STATEMENT OF POLICY

The San Mateo County Harbor District is a covered employer under the Unemployment Compensation law. The basic objective of the program is to provide a partial replacement of wages for its employees during short periods of involuntary unemployment. The program is financed completely by the District.

To be eligible for unemployment compensation, a voluntary quit must have left employment for a "good cause" reason, must be unemployed, physically able to work, available for work, and actively seeking work. "Good Cause" reasons or reasons establishing eligibility for unemployment compensation are available from the State of California Employment Development Department.

The District may contest the claim of an employee who quits without "good cause" or who quits for other reasons considered disqualifying.

An individual who applies for Unemployment Compensation Benefits must obtain forms from the nearest Employment Development Department Office. Once the correct forms have been completed, the District Personnel Officer is notified so that the District may contest the claim, take part in the interview process or acknowledge the claim as valid.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.1	Date of Adoption: 6/3/98	Adopted By: Resolution 19 - 98
Title: Paid Time Off ("PTO")	Prepared By: P. Grenell	Approved By: Board of Harbor Commissioners	Page: Page 1 of 2
Purpose: To establish guidelines for the use of Paid Time Off.			

1. STATEMENT OF POLICY

The Paid Time Off Plan is a benefit designed to provide the employee with paid personal time away from work. PTO can be used for vacation, religious observances, personal or family business, other bereavement, illness, health or dental appointments, or any other reason deemed appropriate by the employee to maintain continuity of pay. PTO can be used due to emergencies or natural disasters. Eligibility begins with the first date of employment on a regular, full-time status. Each employee will have an individual employee PTO bank containing accrued hours designated for any and all of the above-mentioned purposes.

PTO does not include holidays, jury duty, military leave, or bereavement leave.

Although no explanation need generally be provided for use of PTO, employees must request PTO at least fourteen (14) days in advance to their supervisor for approval, unless for illness, medical emergencies, bereavement, health or dental appointments. Disputed requests may be referred to the General Manager. Such requests shall not be unreasonably denied. Employees using PTO for personal emergencies or other situations where scheduling is impractical shall notify their supervisor of their inability to work at least three hours prior to the beginning of the employee's shift or within one hour of the beginning of the employee's shift, if the three hour time requirement is impractical. Failure to provide the above referenced advance notices or an acceptable explanation upon return to work can result in discipline, up to and including discharge.

PTO accrual will begin upon the first day of employment. PTO cannot be used until it has actually been earned by an employee.

Employees may elect to accrue hours in their individual PTO bank when working overtime, and not desiring to get paid for their overtime hours. Management employees who work in excess of forty (40) hours in a workweek shall accrue to their individual PTO bank on a one to one basis those extra hours. Compensatory time is included in the employee's individual PTO bank.

Employees who require time off for illness or personal reasons before accruing PTO, or after exhausting earned PTO, may be entitled up to 12 workweeks unpaid time off. (See Family Medical Leave Policy).

Policies and Procedures	Number: 6.5.1	Date of Adoption: 6/3/98	Adopted By: Resolution 19-98
Title: Paid Time Off ("PTO")	Prepared By: P. Grenell	Approved By: Board of Harbor Commissioners	Page: Page 2 of 2

Accrual Basis: PTO is accrued on hours paid up to a maximum of eighty (80) hours in a pay period. PTO can be carried over from year to year up to a maximum of 540 hours, after which no additional PTO hours shall be accrued by an employee unless existing PTO is taken, and new PTO will be accrued only up to the maximum amount of 540 hours.

Accrual Rate: PTO is accrued according to the following rate schedule:

<u>Length of Service in</u> <u>Months</u>	<u>Rate/Hour Paid</u>	<u>Paid/Year</u>	<u>Maximum</u> <u>Accrued Hours</u>
1 - 60	0.0923	2080	192
61 - 120	0.1154	2080	240
121 - 180+	0.1230	2080	256

The pay rate for time provided under the PTO Plan shall be at the straight time rate of pay exclusive of differentials and shall be payable on the same bi-weekly schedule as regular earnings. PTO will be paid in regular paychecks.

When an employee elects to take PTO benefits for a day when also receiving State disability or Workers' Compensation benefits, the District's payment shall be integrated with those benefits so that the total payment for such day equals but does not exceed the employee's regular pay for scheduled hours.

Requests for advance payment of accrued PTO must be received in accordance with the respective policy.

SAN MATEO COUNTY HARBOR DISTRICT

Policy Title: Holidays and Floating Holidays	Number: 6.5.2	Date of Approval: 07/17/19
Other Revisions: 9/15/10 (Resolution 13-10)	Prepared By: Julie van Hoff	

1. STATEMENT OF POLICY

The San Mateo County Harbor District full-time staff are part of one of the following groups:

- 1) Administrative employees covered under the Teamsters Union Local No. 856 Memorandum of Understanding (MOU).
- 2) Operational employees covered under the Operating Engineers Local Union No. 3 MOU.
- 3) Management employees covered under separate employee contracts.

District Holidays Observed are as follows:

<u>Holiday Observed</u>	<u>Date Holiday Observed</u>
New Year's Day	January 1
Martin Luther King	3rd Monday in January
President's Day	3rd Monday of February
Memorial Day	Last Monday of May
Independence Day	July 4
Labor Day	1st Monday of September
Veteran's Day	November 11
Thanksgiving Day	4th Thursday of November
Day After Thanksgiving	4 th Friday of November
Christmas Day	December 25
3 Floating Holidays	

- A.** All full-time administrative employees covered under the Teamsters MOU and management employees with certain contract terms receive eight hours paid holiday leave for District Observed Holidays with the following considerations:

Employees may elect to substitute any other recognized holiday for Christmas Day. Such substitution must be requested at least fourteen (14) days in advance and approval obtained from the employee's supervisor.

In the event a holiday falls on a weekend (Saturday or Sunday), the holiday shall be celebrated on the date determined by the federal or state government.

Those employees working a flexible schedule, at their choice, with the workday exceeding eight hours may use PTO hours to make up the difference in holiday hours to meet the 40-hour workweek for payroll purposes.

Floating Holidays will be credited at the beginning of the calendar year. Employees must use the floating Holidays by the end of the calendar year, or the hours will be lost.

When a holiday falls within a period of paid leave, the holiday shall not be counted as a leave day in computing the amount of leave taken.

An employee who is absent without leave on the day immediately preceding or following a holiday shall lose the holiday pay as well as pay for that day and shall be subject to disciplinary action which may include possible termination.

New employees shall receive floating holidays according to the following schedule:

Start Date:	Jan 1-Apr 30	3 days (24 hours)
Start Date:	May 1-Aug 31	2 days (16 hours)
Start Date:	Sept 1-Dec 31	1 day (8 hours)

- B.** All full-time employees covered under the Operating Engineers MOU and management employees with certain contract terms, shall receive 100 hours of holiday leave which can be taken at any time they choose following the regular process for requesting time off.

Fifty (50) of these hours will be given to the employee with the first full pay period of each year, and the other fifty (50) hours will be given to the employee on the first full pay period following July 1 of each year, These hours may not be accumulated or carried over into the next calendar year. Overtime worked on a District Observed Holiday (as shown above) shall be paid at double the hourly rate.

New employees shall receive floating holidays according to the following schedule:

Start Date Jan 1-Jun 30: 10 hours for each District holiday remaining in the year less 50 hours that will be given in the first full pay period in July.

Start Date Jul 1-Dec 31: 10 hours for each District holiday remaining in the year will be given the first full pay period in July or the employee's first pay period.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.3	Date of Adoption: 10/1/97	Revision: 06/21/00
Title: Bereavement Leave	Prepared By: P. Grenell	Approved By: Resolution 30—00	Page: Page 1 of 1
Purpose: To establish guidelines for the use of bereavement leave.			

1. STATEMENT OF POLICY

All full-time or regular part-time employee who has a member of his/her immediate family taken by death shall receive up to three days (24 hours) off with pay as bereavement leave to arrange and/or attend funeral activities.

"Immediate family" shall be defined as spouse, domestic partner, mother, father, mother-in-law, father-in-law, children, sister, brother, daughter-in-law, son-in-law, sister-in-law, brother-in-law, grandparents and grandchildren, and step children.

If additional time is necessary, it shall be taken as PTO or unpaid leave if PTO has been exhausted with advance authorization by the appropriate Department Head.

The employee must notify his/her immediate supervisor upon making a determination to take time off from work.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.4	Date of Adoption: 10/1/97	Revision:
Title: Jury/Court Leave	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: To establish a policy for jury leave for District employees.			

1. STATEMENT OF POLICY

Any regular full-time or part-time employee who is required to serve on a jury, or as a result of official San Mateo County Harbor District duties is required to appear before a court, legislative committee or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay less any amount received for such service. A probationary employee called will have his/her probationary period extended by the same amount of time as required for serving on jury duty. An employee who receives notice of jury duty or witness service must notify his/her supervisor immediately in order that arrangements may be made to cover the position. The District reserves the right to request that an employee who is called for jury be excused if their absence would create a hardship on the operational effectiveness of the department to which they are assigned.

The employee is responsible to turn over jury or witness fees to the Finance Department, excluding mileage fees.

The District shall allow employees to serve on jury duty to a maximum of six months, unless approved by the General Manager. If jury duty is granted in excess of six (6) months, the employee shall be reinstated in a comparable position at the same rate of pay closest to the position as possible. Time away from District's employment for jury duty will not affect Paid Time Off (PTO) accruals.

2. PERSONAL-RELATED BUSINESS

Employees who appear in court for personal business, not related to official District duties or jury duty, shall not be paid for time away from work unless that time is requested from PTO and approved by the immediate supervisor. Court payments for travel expenses are to be retained by the employee.

The employee may keep any court payment for services performed on the days of his/her regularly scheduled weekend or performed while on PTO.

3. RETURN TO DUTY

Employees are to return to work after jury duty, although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact his/her supervisor and to report to work as instructed.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.5	Date of Adoption: 10/1/97	Revision:
Title: Leave of Absence Without Pay	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 1
Purpose: 1. To establish procedures by which an employee may request a leave of absence from employment with the District. 2. To establish conditions of which approved requests for leave of absence are administered.			

1. STATEMENT OF POLICY

Requests for leave of absence without pay shall be in writing on an official form and shall state specifically the reasons for the request, the date desired to begin the leave, and the date of return. The request shall be submitted by the employee to his/her supervisor, who will forward it to the General Manager with a recommendation. The General Manager shall recommend to the Board of Harbor Commissioners whether the request should be granted, modified, or denied. The Board shall then make a decision based upon the best interest of the San Mateo County Harbor District, giving due consideration to the reasons given by the employee, and the requirements of any applicable state and Federal laws.

The Board of Harbor Commissioners may grant a full-time regular employee a leave of absence without pay not to exceed one (1) year.

Under no circumstances may an employee use a leave of absence to work for another employer or to pursue self-employment. Leaves are designed to accommodate employees who have critical personal situations only.

No benefits shall accrue while the employee is on an approved leave of absence without pay. The employee's date of appointment shall not change.

Any employee on an approved leave of absence may continue his or her medical, dental and life insurance coverage by paying the full cost to the District in advance for each month or portion thereof of which he or she is absent, subject to limitations set by the insurance carrier.

Upon expiration of the leave of absence, the employee shall be reinstated at the rate of pay held at the time commencing the leave of absence.

Upon extenuating circumstances, the General Manager may grant an extension of a leave period upon written request by the employee, if the one year limit has not been exhausted. Such extension may not exceed three months and will be based on departmental as well as employee considerations.

Employees who fail to return to work on the date specified in the leave request shall be considered to have voluntarily resigned unless documented evidence is provided that communication was impossible.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.6	Date of Adoption: 6/3/98	Revision: 6/3/98
Title: Family Medical Leave	Prepared By: P. Grenell	Approved By: Resolution 19-98	Page: Page 1 of 3
Purpose: To establish a policy and guidelines for the use of family medical leave for District employees.			

1. STATEMENT OF POLICY

The San Mateo County Harbor District shall allow eligible employees up to twelve (12) weeks of unpaid leave in any twelve (12) month period for specified family and medical reasons. Health care providers shall include alternative health care providers.

2. DEFINITION

Eligibility: Eligible employees are those employees employed at least twelve (12) months with the District or have worked at least 1,250 hours in the preceding twelve (12) months at the District.

Serious health condition: A serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care;
- A period of incapacity of more than three (3) consecutive calendar days that involves (a) treatment two or more times by a health care provider or (b) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider;
- A period of incapacity due to pregnancy or for prenatal care;
- A chronic condition which (a) requires periodic visits for treatment by a health care provider, (b) continues over an extended period of time, and (c) may cause episodic rather than a continuing period of incapacity (e. g. asthma, diabetes, epilepsy, etc.);
- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective and the employee or family member is under the continuing supervision of a health care provider (e.g. Alzheimer's, a severe stroke, or the terminal stages of a disease);
- Any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in the period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.

Qualified health care providers include: doctors of medicine or osteopathy, podiatrists, dentist, clinical psychologists, optometrists, chiropractors, alternative health care providers, nurse practitioners, and nurse-midwives authorized to practice under State law and performing within the scope of their practice under state law.

Policies and Procedures	Number: 6.5.6	Date of Adoption: 6/3/98	Revision: 6/3/98
Title: Family Medical Leave	Prepared By: P. Grenell	Approved By: Resolution 19-98	Page: Page 2 of 3

3. LEAVE REQUIRED

Employees shall be entitled to twelve (12) weeks of unpaid leave during a twelve (12) -month period for one or more of the following reasons:

- 1) For birth of a son or daughter; and to care for the newborn child;
- 2) For placement of a child with employee for adoption or foster care;
- 3) To care for an employee's spouse, domestic partner, son, daughter, or parent who has a serious health condition or who is receiving treatment for substance abuse;
- 4) For employee's own serious health condition that makes the employee unable to perform the functions of his/her job.

Employees desiring to take unpaid leave should inform his/her Department Head and the General Manager at least thirty (30) days prior to initiating the leave if need for the leave is foreseeable and if not, notice must be given as soon as possible. Employee will provide the General Manager with a medical certification signed by a Medical Doctor. The District shall notify the employee within two (2) working days after receiving notice from employee if the employee is qualified for leave.

When seeking certification of a serious medical condition, an employee should ensure that the certification contains the following:

- 1) Date when the condition began, expected duration, diagnosis, and a brief statement of treatment.
- 2) If employee is seeking medical leave for his/her own medical condition, certification should also include a statement that the employee is unable to perform the essential functions of the employee's position.
- 3) For a seriously ill family member, the certification should include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.
- 4) If taking intermittent leave or working a reduced schedule, certification should include dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

If deemed necessary, the District may ask for a second opinion. The District will pay for the employee to get a certification from a second doctor, which the District will select. If there is a conflict between the original certification and the second opinion, the District may require the opinion of a third doctor. The District and the employee will jointly select the third doctor, and the District will pay for the opinion. The third opinion will be considered final.

4. Maintenance of Benefits

An employee on family medical leave shall be entitled to maintain group health insurance coverage on the same basis as if he/she had continued to work at the District. The District shall continue paying the employee's benefits during the leave; however, upon employee's return to employment, the employee will reimburse the District the cost of maintaining his/her health premiums and other premiums (life, short term disability, long term disability, etc.).

Policies and Procedures	Number: 6.5.6	Date of Adoption: 6/3/98	Revision: 6/3/98
Title: Family Medical Leave	Prepared By: P. Grenell	Approved By: Resolution 19-98	Page: Page 3 of 3

If the employee informs the District that he/she does not intend to return to work at the end of the leave period, the District's obligation to provide health benefits ends effective from the date of notice by the employee.

Certain types of earned benefits such as PTO and holidays may not be accrued during the leave period. However, the use of family or medical leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

5. Job Restoration

The employee is entitled to the same or equivalent position at the same or similar geographic location with equivalent benefits and pay unless the District determines that:

- the employee was hired for a specific time period,
- the employee is determined to be a "key employee",
- the employee is not fit for duty, or
- the employee would not have been employed at time of request for reinstatement.

The District may choose to exempt certain management employees, being "key employees" from this job restoration requirement and not return them to the same or similar position at the completion of medical leave. Employees who may be exempted will be informed of this status when they request leave. If the District deems it necessary to deny job restoration for a key employee on medical leave, the District will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

6. Use of Paid and Unpaid Leave

If an employee has accrued paid leave of less than twelve (12) weeks, the employee will use paid leave first and take the remainder of the twelve weeks as unpaid leave. If an employee uses leave because of his/her own serious medical condition or the serious health condition of an immediate family member, the employee will first use all PTO and then will be eligible for unpaid leave.

7. Intermittent Leave and Reduced Work Schedules

In certain cases, intermittent use of the twelve (12) weeks of family or medical leave or a part of a reduced work week may be allowed by the District. Employees wishing to use leave intermittently or to utilize a reduced work week for birth or adoption purposes will need to discuss and gain approval for such use from the employee's Department Head and the General Manager. Employees may also use family or medical leave intermittently or as part of a reduced work week whenever it is medically necessary. If the need to use leave is foreseeable and based on pre-planned and pre-scheduled medical treatment, then the employee is responsible to schedule the treatment in a manner that does not unduly disrupt the District's operations. This provision is subject to the approval of the health care provider.

In some cases, the District may temporarily transfer an employee using intermittent or a reduced work week to a different job with equivalent pay and benefits if another position would better accommodate the intermittent or reduced schedule.

Original 10/15/97, revision #1 6/3/98

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.7	Date: 9/16/98	Revision: 1
Title: PTO, EIB or Sick Leave (old) to Co-Workers in Need	Prepared By: AMWL	Approved By: Resolution 35 — 98	Page: Page 1 of 1
Purpose: To provide mechanism allowing employees to donate PTO, EIB and/or Sick Leave (Old) to co-workers in need.			

STATEMENT OF POLICY

This policy is to allow employees of the District to donate accrued PTO, EIB, and/or Sick Leave (Old) to co-workers in need.

DESCRIPTION OF PROCEDURE

Any District employee with accrued time, PTO, EIB, and/or Sick Leave (Old), will have the ability to request that hours be donated to a co-worker in need.

“Co-worker in need” is defined as an employee whose accrued hours have been depleted to zero due to illness or injury of the employee or immediate family member, which necessitates an extended absence from work. The absence from work must be for seven (7) days or greater. Any employee who is unable to work and is receiving workers’ compensation benefits, state disability, and/or long-term disability payments can be considered in need.

Hours donated will transfer over on a 1:1 ratio and retain the same classification after transfer. For example, PTO hours donated by employee A will become PTO hours for employee B who has received the hours.

A written request (signed and witnessed) to donate hours must be submitted to the General Manager for approval. Upon receipt of the request, the General Manager will have the hours verified by the Director of Finance to ensure sufficient hours are available for donation. Upon verification, the General Manager will make a determination. If approved, a written notice will be given to Finance to deduct the hours from the employee requesting to make the donation. The hours will be added to the recipient’s bank. Upon completion, of the transfer, written notices will be provided to the donor and recipient showing the donated hours and revised PTO, EIB, and/or Sick Leave (Old) bank balances.

If it is found that any employee is donating hours to a co-worker who is paid at a higher rate just to receive the higher dollar payout or is coercing donations, will be subject to disciplinary action.

Original 6/17/98

Revision 9/16/98: Change length of absence to seven (7) days.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.8	Date of Adoption: 10/1/97	Revision:
Title: Training and Continuing Education	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 1 of 2
Purpose: Establish guidelines for identification of training and promotion of educational opportunities for employees.			

1. Statement Of Policy

The provisions of this policy apply to all employees of the San Mateo County Harbor District not covered by a labor agreement including the Memorandum of Understanding (MOU) between the District and the Operating Engineers Union Local 3. Employees covered by a labor agreement, including said MOU between the District and Local 3, shall be provided for by the terms, conditions, and procedures of said labor agreement.

Training relevant to the needs of District employees' specific duties and classifications benefits both the employees and the District. The District therefore may provide the employee with time off for training, continuing education and certification that will benefit the District and the employee.

Training is defined as any work-related program, seminar, workshop, course, conference or convention attended by an employee or while the employee is in a paid status with the District, and which will enable the attending employee to render more efficient and effective services while in the employ of the District.

All training must be required for advancement within the District's classification system or be deemed necessary by the District to maintain the employee's certification and/or professional status, or maintain or improve employee competence essential to the satisfactory execution of the employee's specific duties and job-related responsibilities. The respective Department Head or Site Manager as appropriate must approve the training; however, the General Manager retains final authority to approve the training.

The General Manager, in consultation with Department Heads and employees as appropriate, may identify training and continuing education opportunities relevant to each job classification. Employees will be expected to identify and submit potential and continuation education opportunities to the General Manager for their consideration. Every effort shall be made to encourage employee participation in designing the training and continuing education program and availing themselves of educational opportunities to the extent that budgetary considerations permit. No employee shall be unreasonably precluded from participating in job-related training and/or continuing education activities determined by the General Manager to be necessary or significantly advantageous to improvement of the employee's job performance and the District's ability to provide effective and efficient services to the public.

Such activities may include on-site training provided by the District or by other organizations and institutions to maximize the usefulness of training for enhancing employee job performance and the District's ability to serve the public more effectively and efficiently.

Successful completion of approved training and/or continuing education courses/programs shall be considered as a factor in the employee's annual performance evaluation and in determination of merit salary increases by the General Manager. However, merit salary increases are not automatic upon successful completion of training and/or continuing education activities.

Policies and Procedures	Number: 6.5.8	Date of Adoption: 10/1/97	Effective Date:
Title: Training and Continuing Education	Prepared By: P. Grenell	Approved By: Resolution 28 — 97	Page: Page 2 of 2

Training and continuing education opportunities including on-site training as identified by the General Manager pursuant to the above will be appropriately noticed so that all employees can be aware of their existence and to facilitate efficient scheduling of employee training by Department Heads and Site Managers.

Time off must be scheduled in advance and must be convenient to the District. Courses requiring only a partial day or night should be taken by the employee on the employee's own time, or using PTO unless the employee has received prior authorization from the General Manager following consultation with the respective Department Head or Site Manager as appropriate.

Reimbursement for all training expenses incurred by such employee participation shall be accompanied by receipt and shall be authorized for job-related courses/programs and skill maintenance and development with prior approval of the General Manager, provided funds have been budgeted for such reimbursement.

Employees are encouraged to continue their formal education through participation in off-duty and/or non-working hours educational programs. Reimbursement for continuing education expenses incurred by such employee participation may be granted for job-related courses and skill maintenance and development with prior approval of the General Manager, provided funds have been budgeted for such reimbursement.

Any reimbursement for off-duty and/or non-working hours continuing education shall only be made after the employee successfully completes the course/program. Successful completion shall be defined as receipt of a certificate of satisfactory completion or a grade of C (2.0 grade point) or better in the case of academically rated courses (or attainment of "pass" in a pass/fail grading system). Tuition reimbursement is for the course only; no reimbursement will be allowed for books, lab fees, travel expenses or material costs. Approval for tuition reimbursement shall only be allowed for courses/programs offered by accredited colleges, universities, vocational training institutes or other recognized institutions.

Request for reimbursement for off-duty and/or non-working hours continuing education and training must be made within 30 days following the completion of the course of study. Continuing education and training reimbursement is available only to those employees who have successfully completed the employee's designated probation period.

Consideration of employee requests for off-duty and/or non-working hours continuing education tuition reimbursement is dependent upon budgetary constraints and the recommendation of that employee's Department Head or Site Manager as appropriate. Time spent in attendance at these courses/programs shall be considered the employee's personal time and is not counted as time worked.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.10	Date of Adoption: 07/01/2015	Effective Date: 07/01/2015
Title: California Paid Sick Leave Law	Prepared By: M. Schnapp	Approved By: Resolution 24-15	Page: Page 1 of 4
Purpose: To establish policies and procedures related to the California Paid Sick Leave Law for Temporary/Part-time employees			

1. STATEMENT OF POLICY

In accordance with the Healthy Workplaces, Healthy Families Act of 2014 (“California Paid Sick Leave Law”), the San Mateo County Harbor District (“District”) recognizes that employees will need days off from work from time to time to take care of their own health or the health of family members. This document establishes the policies and procedures to which the District shall adhere to with regards to paid sick leave in accordance with California Labor Code section 245 et seq.

2. POLICY AND PROCEDURES

This policy applies only to: temporary, and/or part-time employees, including seasonal employees, who work at least thirty (30) days within a year from the commencement of employment and who are not covered or entitled to receive more generous leave benefits pursuant to a memorandum of understanding, employment agreement, or the District’s personnel rules. Such employees are hereinafter referred to as “temporary/part-time employees.”

Effective July 1, 2015, the California Paid Sick Leave law requires the District to provide paid sick leave to temporary/part-time employees under the following conditions:

2.1 Beginning July 1, 2015, all temporary/ part-time employees will be provided twenty-four (24) hours, or three (3) days, whichever is greater, of paid sick leave at time of hire, and twenty-four (24) hours, or three (3) days, whichever is greater, at the start of every fiscal year thereafter. The fiscal year is determined by the District’s budget year (July 1- June 30), and any unused sick leave hours from the previous fiscal year do not carry over into the new fiscal year.

2.2 A temporary/ part-time employee is not eligible to begin using any provided paid sick leave until the 90th day of employment with the District.

2.3 There will be no more than 24 hours, or 3 days, whichever is greater, of paid sick leave provided to a temporary/part-time employee in any fiscal year.

2.4 Any sick leave taken beyond 24 hours, or 3 days, whichever is greater, in any fiscal year, shall be unpaid. Sick leave advances will not be provided.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.10	Date of Adoption: 07/01/2015	Effective Date: 07/01/2015
Title: California Paid Sick Leave Law	Prepared By: M. Schnapp	Approved By: Resolution 24-15	Page: Page 2 of 4
Purpose: To establish policies and procedures related to the California Paid Sick Leave Law for Temporary/Part-time employees			

2.5 In accordance with the California Paid Sick Leave law, a temporary/part-time employee may use 24 hours, or 3 days, whichever is greater, of paid sick leave during the District's fiscal year for one of the following reasons:

2.5.1 For the employee's own diagnosis, care, or treatment of an existing health condition or preventative care;

2.5.2 For the diagnosis, care, or treatment of an existing health condition or preventative care for an employee's family member, including:

2.5.2.a. *Child (including a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis.)*

2.5.2.b. *Spouse or Registered Domestic Partner*

2.5.2.c. *Parent (including biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.)*

2.5.2.d. *Grandparent*

2.5.2.e. *Grandchild*

2.5.2.f. *Sibling.*

2.5.3. To obtain any relief or services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:

2.5.3.a. *A temporary restraining order or restraining order;*

2.5.3.b. *Other injunctive relief to help ensure the health, safety or welfare of themselves or their children;*

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.10	Date of Adoption: 07/01/2015	Effective Date: 07/01/2015
Title: California Paid Sick Leave Law	Prepared By: M. Schnapp	Approved By: Resolution 24-15	Page: Page 3 of 4
Purpose: To establish policies and procedures related to the California Paid Sick Leave Law for Temporary/Part-time employees			

2.5.3.c. To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking;

2.5.3.d. To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking;

2.5.3.e. To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking;

2.5.3.f. To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

2.6 A temporary/part-time employee shall provide reasonable advance notification of his or her need to use accrued paid sick leave to his or her supervisor if the need for paid sick leave use is foreseeable (e.g., doctor's appointment scheduled in advance). If the need for paid sick leave use is unforeseeable, the employee shall provide notice of the need for the leave to his or her supervisor as soon as is practicable.

2.7 A temporary/part-time employee who uses paid sick leave must do so with a minimum increment of two hours of sick leave.

2.8 Paid sick leave will not be considered hours worked for purposes of overtime calculation.

2.9 A temporary/part-time employee will not receive compensation for unused paid sick leave upon termination, resignation, retirement or other separation from employment from the District.

2.10 If an employee separates from District employment and is re-hired by the District within one year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated to the extent required by law. However, if a rehired employee had not yet worked the requisite 90 days of employment to use paid sick leave at the time of separation, the employee must still satisfy the 90 days of employment requirement collectively over the periods of employment with the District before any paid sick leave can be used.

San Mateo County Harbor District

Policies and Procedures	Number: 6.5.10	Date of Adoption: 07/01/2015	Effective Date: 07/01/2015
Title: California Paid Sick Leave Law	Prepared By: M. Schnapp	Approved By: Resolution 24-15	Page: Page 4 of 4
Purpose: To establish policies and procedures related to the California Paid Sick Leave Law for Temporary/Part-time employees			

2.11 Should a temporary/part-time employee's status change to one where he or she becomes eligible for other District paid leave benefits, any unused sick leave under this policy will be available for use through June 30th of that year, after which any remaining, unused sick leave provided under this policy will expire as of June 30 to the extent permitted by law.

San Mateo County Harbor District

Policy	Number: 6.6.1	Date of Approval: 06/07/2006	Adopted By: Resolution 33-06
Title: Training, Education and Conferences for Commissioners	Prepared By: E. Wilkerson	Revised By: S. McGrath 9/1/2016	Page: Page 1 of 2
Purpose: Establish guidelines for identification of training, education and conference opportunities for commissioners.			

1.0 STATEMENT OF POLICY

Members of the Board of Harbor Commissioners are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operations. Attendance at such educational conferences and professional meetings are considered a part of an official's performance of their official duties for the District. Hence, there is no limit as to the number of commissioners attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District. "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted. Ethics training as described in Section 3.0 is mandatory.

2.0 REIMBURSEMENTS

It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. All reimbursement of actual and necessary expenses shall be pursuant to District Policy 4.2.4.

3.0 REQUIRED ETHICS TRAINING

All District Commissioners shall receive two hours of training in general ethics principles and ethics laws relevant to public service by January 1, 2007 and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2. All new commissioners must receive two hours of training in general ethics principles and ethics laws relevant to public service within their first six months of appointment.

- 3.1 This policy shall also apply to the General Manager, Director of Operations, Director of Administrative Services, and any other employees as designated by the Board of Harbor Commissioners.
- 3.2 All ethics training shall be provided by entities who have consulted with the California Attorney General and the Fair Political Practices Commission.
- 3.3 Commissioners shall obtain proof of participation after completing the ethics training.

Policy	Number: 6.6.1	Date of Approval: 06/07/2006	Adopted By: Resolution 33-06
Title: Training, Education and Conferences for Commissioners	Prepared By: E. Wilkerson	Revised By: S. McGrath 9/1/2016	Page: Page 2 of 2

3.3.1 District staff shall maintain records indicating both the dates that commissioners completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after commissioners receive the training, and are public records subject to disclosure under the California Public Records Act.

3.4 District staff shall provide the Board of Harbor Commissioners with information on available training that meets the ethics training requirements of this policy at least once every year.

3.5 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

3.6 Any District commissioner that serves on the board of another agency is only required to take the training once every two years.

4.0 Reporting Out

Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Commissioners will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Commissioners and staff.

Policy Title: Leave Policy During Pandemic	Number: 6.5.11	Date of Approval: 03/17/2021
Other Revisions: 01/20/2021; 04/15/2020; 05/20/2020; 10/21/2020	Prepared By: Julie van Hoff	

STATEMENT OF POLICY

On March 4, 2020 the Governor of the State of California proclaimed a State of Emergency as a result of the threat of COVID-19. Further, on March 19, 2020 the Governor issued Executive Order N-33-20 which ordered “all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors”. Order N-33-20 outlines 16 critical infrastructure sectors that are exempt from the shelter in place requirements. Among them is essential government functions.

The San Mateo County Harbor District’s goal is to support staff to the fullest extent possible while the District ensures the safety and security of the harbors and marinas under the District’s jurisdiction. The District is also committed to the continuation of income for District employees where legally possible during this State of Emergency.

The following guidelines are based on information available to date. The changes to the District’s current policies are temporary and will revert back once the State of Emergency is over but not later than June 30, 2021 unless otherwise noted. To the extent there are changes implemented by the State of California, Federal Government or Local Government that impact this policy, those changes will supersede this policy.

So long as this policy remains in effect, it is the District’s intention that it will equally apply to all District employees except as noted otherwise, including employees who are covered by the Memorandum of Understanding (MOU) with Operating Engineers Local Union No. 3 and Teamsters Union Local 856 and unrepresented employees.

Definition of District Leaves:

- 1) Paid Time Off (PTO)- Policy 6.5.1 and MOUs “PTO can be used for reasons including but not limited to “personal or family business,” “short-term illness,” health or dental appointments, or any other reason deemed appropriate by the Employees. PTO can be used due to emergencies or natural disasters.” Use of PTO generally requires a 14 day notice except for emergencies or illness which requires that employees “notify their supervisor at the earliest possible time of their inability to work” (generally, a three hour notification prior to the start of an employee’s shift or at least a one hour notification has been expected). For purposes of this Policy, the definition of PTO will also pertain to Floating Holidays and Comp time earned, as applicable.

2) Extended Illness Benefit (EIB)- EIB is not to be used for regular or routine medical or dental appointments for self or family unless the employee applies, qualifies and is determined to be eligible for FMLA/CFRA. Individual Employee accounts contain accrued hours designed for severe or long-term illness. The EIB will be used when an Employee is in one of these circumstances:

- Any medical absence from work of one (1) week (50% of the scheduled hours in a pay period) with physician's verification of illness/injury of employee or dependent minor; or
- When employee or dependent minor is admitted to a hospital or has a surgical procedure performed in a hospital or a surgery center and cannot return to work per medical direction or care for dependent minor is required; or
- Qualifies for State Disability; or
- Is eligible for Workers' Compensation benefits

Temporary Changes to above Leave Usage:

- 1) The District policy and the MOUs permit an employee to use PTO for emergencies and natural disasters. After supervisor approval, ensuring adequate staffing for essential services, effective March 17, 2020 until the State of Emergency has been released or June 30, 2021 (whichever is earlier), employees may use their EIB balances for COVID-19 related issues including but not limited to:
 - a) Staying home to care for dependent children
 - b) To care for a family member as defined by the State of California (spouse, former spouse, child, stepchild, grandchild, parent, stepparent, grandparent, niece, nephew, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother, sister, brother-in-law, or sister-in-law) who falls ill due to the COVID-19 virus
 - c) If an employee has an at-risk family member living with them and they wish to self-quarantine
 - d) Absence due to an employee's illness (not subject to the one-week requirement).

Employees are encouraged to apply for SDI benefits while on leave for COVID-19 related issues. To the extent employees receive SDI, SDI benefits will be integrated with PTO so that the employee receives full pay but no more than 100% of the employee's regular pay.

If EIB will be used for the sickness of the employee or to care for a family member, the requirement to provide a doctor's note for verification of sickness may be waived by the General Manager or designee.

- 2) Pursuant to the Families First Coronavirus Response Act ("FFCRA"), from April 1, 2020 through December 31, 2020, all employees can take up to two weeks (80 hours, or part-time employee's two-week equivalent) of Emergency Paid Sick Leave for the reasons set forth below and pursuant to the terms explained below. Leave

taken as Emergency Paid Sick Leave is in addition to any other accrued leave or time off. Emergency Paid Sick Leave pursuant to the FFCRA must be used prior to December 31, 2020. The federal government did not extend this benefit, however the District will allow extension of this leave through the end of the State of Emergency or June 30, 2021, whichever is earlier. Unused leave does not carryover for any employees and unused Emergency Paid Sick Leave pursuant to the FFCRA is not paid out to employees at the time of termination, resignation, retirement, or other separation from employment.

- a) Employees are entitled to Emergency Paid Sick Leave at their regular rate of pay if they are unable to work or telework for one of the following three reasons. Payments for such leave are capped at \$511/Day and \$5,110 in the Aggregate. Employees may choose to integrate EIB, PTO, Holiday Float, and Comp earned up to 100% of their regular rate of pay.
 - 1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
 - 2) The employee has been advised by a health care provider to self-quarantine related to COVID-19.
 - 3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

- b) Employees are entitled to Emergency Paid Sick Leave at two-thirds of the employee's regular rate of pay if they are unable to work or telework because of one of the following three reasons. Payments for such leave are capped at \$200/Day and \$2,000 in the Aggregate.
 - 1) The employee is caring for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or who has been advised by a health care provider to self-quarantine related to COVID-19.
 - 2) The employee is caring for his or her child whose school or place of care has been closed, or the child-care provider of such child is unavailable, due to COVID-19 related reasons.
 - 3) The employee is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

- 3) In addition to the Emergency Paid Sick Leave described above in section 2, pursuant to the FFCRA, from April 1, 2020 through December 31, 2020, employees who have been employed by the District for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave if the employee is unable to work or telework as a result of needing to care for his or her child whose school or place of care has been closed, or the child-care provider of such child is unavailable, due to COVID-19 related reasons ("Emergency Family and Medical Leave"). The District will allow employees to participate in this additional leave program until the end of the State of Emergency or June 30, 2021, whichever is earlier. The following terms apply to such leave:

- a) The first 10 days of such leave are unpaid. However, the employee may use Emergency Paid Sick Leave, provided such entitlement has not been exhausted, as explained above in section 2(b) during the first 10 days and may also use other forms of available paid leave to offset any otherwise unpaid time. Note: This will be equal to 80 hours for full-time employees.
- b) For the remaining 10 weeks, an employee will continue to be paid 2/3 of his/her regular pay capped at \$200 per day and \$12,000 in the Aggregate.

Emergency Family and Medical Leave is treated like FMLA Leave (See 6.5.6 District Policy on Family Medical Leave) and will reduce the amount of FMLA leave the employee can take for other reasons during the applicable FMLA year.

Employees out on Emergency Family and Medical Leave are generally entitled to reinstatement to their prior position or an equivalent position, with equivalent employment benefits, pay, and other terms and conditions of employment. However, an employee on Emergency Family and Medical Leave is entitled to no greater right to employment or reinstatement than had the employee not taken the leave.

- 4) Policy 6.3.5 allows employees to request payment of accrued PTO by submitting such request to the General Manager at least two weeks prior to check issuance. An employee may request an amount equal to or less than eighty (80) hours. An employee may request a maximum of 160 hours per calendar year.

During the State of Emergency, qualified employees may request additional payment of up to another eighty (80) hours from the period of January 1, 2021 through the end of the State of Emergency, but not later than June 30, 2021. In order to qualify for this additional PTO payout, an employee is required to have a balance of at least 40 hours in PTO.

Other Considerations:

- 1) If an employee exhibits symptoms associated with COVID-19, or had known contact with an infected individual, they should immediately contact their supervisor and stay home. If an employee tests positive for COVID-19 they should immediately contact the General Manager or Director of Administrative Services.

If a supervisor observes an employee at work that exhibits symptoms, the supervisor is obligated to send the employee home. At the employee's discretion, the employee may immediately access EIB leave. Once EIB leave is exhausted, an employee must use any available PTO, floating holiday leave, and comp time earned.

- 2) In the event that:
 - a.) An employee exhibits COVID-19 symptoms while at work, and
 - b.) The employer sends an employee home, and
 - c.) The employee has exhausted his/her leave, and

d.) The District is unable to provide remote work.

The District will ensure that the employee continues to be paid and will be placed on Administrative Leave. An employee should attempt to get tested as soon as possible so that he/she may be cleared to report back to work. Otherwise, symptoms should be absent for three days or as otherwise recommended by the CDC and/or any applicable federal, state or local agencies before returning to work.

- 3) Operations staff have been deemed to be essential employees. Operations staff must take all precautions as outlined by the San Mateo County Health Officer to include use of personal protective equipment (PPE) while cleaning public spaces, whenever possible social distancing of six feet is encouraged, frequent hand washing with soap and water for at least 20 seconds (or if not available use hand sanitizer of at least 60% alcohol), and avoid touching the face. All shared surfaces should be sanitized after use by an employee, including but not limited to District vehicles, shared computers, phones, radios and tools. Employees must also comply with all provisions of the District's COVID-19 Prevention Plan.
- 4) If an employee experiences symptoms of the COVID-19 virus, precautions should be taken to minimize the spread to others. The Center for Disease Control recommends that a person with symptoms isolate themselves from the rest of their family and animals while at home. This includes practicing the precautions as stated in 3 above. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html> for further information.
- 5) Except as discussed above with regard to Emergency Family and Medical Leave pursuant to the FFCRA, FMLA entitlement and eligibility is addressed in 6.5.6 District Policy on Family Medical Leave. FMLA leave is only available to District employees who have worked for the District for at least 12 months and have worked at least 1,250 hours in the 12 months preceding the leave and in most circumstances concern about contracting COVID-19 would not be considered a serious health condition entitling eligible employees to FMLA leave. However, during this State of Emergency, District employees may be authorized to take unpaid leave to self-quarantine if their supervisor confirms adequate coverage for essential services to be maintained and with the approval of the General Manager. While the District will make efforts to return the employee to his or her position at the conclusion of such leave, the employee will have no greater right to employment than if he or she had remained actively at work.
- 6) If an OE3 member or Harbormaster has used all 80 hours of Emergency Paid Sick Leave to which they are entitled by law and one of the following occurs, the District in its sole discretion will add up to 80 additional hours to the Emergency Paid Sick Leave bank. Use of such additional hours will follow the same limits and rules as provided above.

- a. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
- b. The employee has been advised by a health care provider to self-quarantine related to COVID-19.
- c. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- d. The employee is prohibited from working by the employer due to concerns related to the potential transmission of COVID-19.

The District may require that an employee provide supporting documentation to establish eligibility for additional Emergency Paid Sick Leave pursuant to subparagraphs a – c, above.

Any Emergency Paid Sick Leave hours provided to an employee under this paragraph 6 are in addition to and in excess of any leave to which an employee may otherwise be entitled by law or pursuant to a collective bargaining agreement.

The hours remaining in the Emergency Paid Sick Leave bank on December 31, 2020 may be carried forward regardless of whether or not required by Federal or State Government until the COVID-19 State of Emergency is lifted. Once lifted, the hours remaining in the Emergency Paid Sick leave bank will expire. In the event that the Federal or State Government requires additional Emergency Paid Sick Leave hours, any additional Emergency Paid Sick Leave hours provided to employees under this paragraph 6 shall reduce the District's requirement to add more hours to the extent allowable under applicable law.

Incorporation of New Mandates:

Any relevant mandates will supersede this policy and be disseminated by the General Manager.