

PERSONNEL POLICY

**Clinton
County
Soil and
Water
Conservation
District**

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Plattsburgh, NY

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Revised November 2015

The personnel policies of the Clinton County Soil and Water Conservation District apply to all employees of the District. These policies are created to provide consistency and understanding of District policy and procedure regarding personnel issues. The Board of Directors of the Clinton County Soil and Water Conservation District reserve the right to modify these policies as authorized by New York State Conservation District Law.

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Clinton County SWCD: Purpose, History and Function

The Clinton County Soil and Water Conservation District (District) was created on December 1, 1949 by the Clinton County Board of Supervisors, by authority of NYS Soil and Water Conservation District Law (Part 52b of McKinney’s Consolidated Laws of NY). The District is a legal subdivision of state government, formed as a special district as per NYS law. Each county in New York State has a Soil and Water Conservation District.

All Conservation Districts are administered and controlled locally, by an Board of Directors, all of which are appointed by the Clinton County Board of Legislators on pre-established terms. The mission of the District is to to protect and improve the lakes, rivers, streams, soils and other natural resources of Clinton County through locally-led conservation projects and programs. The District is not a regulatory body, and has no statutory regulatory authority. It is primarily a technical assistance and conservation project development organization, whose primary goals are to develop and implement conservation projects, and to assist landowners and municipalities with conservation issues and initiatives.

The District is considered a “contractual” or “partnering” agency with Clinton County. The District receives an annual funding allocation from Clinton County (its primary funding source), a reimbursement stipend from New York State for technical services, and it also generates income from numerous grant sources and contracts. The Clinton County SWCD has a five member Board of Directors and a professional staff, which are primarily natural resources and technically based.

The Clinton County SWCD is tremendously active and has a strong reputation for its technical abilities and grantsmanship, and has developed a very strong and proactive program to benefit the people and resources of Clinton County.

Office Hours and Procedures

Normal operational hours of the District shall be from 8:00 AM to 4:30 PM, Monday through Friday. Seasonal adjustments to the work schedule can be arranged if approved by the District Manager or Board of Directors. Lunch shall be for 30 minutes, and will be a non-paid break time. A coffee break of fifteen minutes may be taken once in the AM and once in the PM. If so desired, these breaks may be utilized during the lunch time to extend the lunch break to one hour, but no morning or afternoon break will be allowed. Employees are expected to answer the phone and assist the public during the breaks and at lunch if the need occurs.

If all employees are absent from the office, the phone system will collect incoming calls which will be returned as soon as possible. When leaving the office, all employees must notify at least one other employee as to his/her destination and when he/she can be expected back. All full time employees are expected to attend monthly board meetings and give reports if called upon.

Full time permanent employees (40 hours per week) will be granted full benefits as herein provided. Part time permanent employees (30 hours or less per week) will not be granted prorated benefits. In addition, seasonal or temporary employees will not receive benefits as provided in the District personnel policy.

SWCD Board of Directors

The Clinton County SWCD Board of Directors shall consist of five (5) voting members. These members shall be appointed by the Chairman of the County Board of Legislators with the following distribution: two (2) members from the Board of Legislators, serving one year terms, one member from a list provided by the Grange, one member from a list provided by Farm Bureau and one at-large representing the non-farm, non-ag interests. These members serve three year terms; a Secretary and a Treasurer is appointed by the Chairman of the Board for a one year term, and may be any Board member or employee if so desired.

Board Powers and Duties, as per NYS SWCD Law

- ✓ May delegate powers and duties to Chairman or one or more members
- ✓ Must name a Secretary and Treasurer, neither of which need be a member
- ✓ Shall provide for the execution of surety bonds for members or employees entrusted with funds or property
- ✓ May establish and abolish positions of employment and may fix the compensation and time of payment (See Personnel Committee-page)
- ✓ Shall keep full and accurate record of all proceedings, resolutions, regulations and orders issued or adopted
- ✓ Shall provide for full and accurate records of all financial transactions, and provide monthly review of SWCD financial transactions
- ✓ Shall provide for annual audit of their accounts
- ✓ Shall furnish the NYS Soil and Water Conservation Committee information as it is requested
- ✓ May enter into agreements with and furnish available aid to cooperators in carrying out the purposes of the district subject to such conditions as the directors deem necessary
- ✓ May acquire property
- ✓ May act as agent of the United States or any of its agencies
- ✓ May accept money, services, materials, etc., from the United States or the state or any of their agencies and expend same in carrying on district operations
- ✓ May sue and be sued in the name of the district
- ✓ May have a seal
- ✓ May make and execute contracts and other instruments
- ✓ May make, amend and repeal rules and regulations not inconsistent with the law
- ✓ May require contributions or performances as a condition to extending the benefit of district cooperation
- ✓ May call upon the county attorney for legal services
- ✓ May contribute toward the support of the New York Association of Conservation Districts, Inc.

Board meetings are held monthly, on the 3rd Thursday of every month at 7 PM. Modifications to this schedule may be made by the District Board by majority vote. A quorum consists of 3 of the 5 board members being present at the time of vote.

All Clinton County Soil and Water Conservation District Directors are expected to attend all regular board meetings, which take place approximately once per month. However, it is recognized that there will be times when a Director will not be able to attend these scheduled meetings. Therefore, District policy regarding Director attendance at meetings will be such that 3 absences will be allowed per year. Further absences will be cause for relief of that Director's term with the District, at the discretion of the Board.

Directors are entitled to a stipend of \$8 per meeting and mileage costs will be reimbursed to Directors for attending Board Meetings and other District business, at the Clinton County rate established at that time (currently \$0.555 but subject to change) with the exception of the two members of the County Legislature who are not compensated by the District. Yearly vouchers for stipend and mileage reimbursement should be sent to the District's Office Manager, for payment the following month.

District Directors are expected to keep apprised of District policies, projects, and programs, and are encouraged to contact District staff at any time with questions or comments about the program. Directors are also required to attend occasional training events to increase their knowledge and effectiveness, as stated in NYS Conservation District Law and administered by the NYS Soil and Water Conservation Committee.

Full Time SWCD Personnel and Civil Service Provisions

The SWCD Board of Directors has sole authority over the hiring of paid personnel for the Soil and Water Conservation District, and do so at their discretion based upon the best interests of the District. These hiring practices must be conducted under the methods, statutes and requirements of NYS Civil Service Law. All salaries of District staff are set by the Board, by majority vote, traditionally during the budget process for implementation the following calendar year.

All new District employees will serve a 6 month probationary period. Upon completion of this period, the Board of Directors shall determine whether that employee will continue working for the District, based upon that employee's overall performance. All technical personnel hired by the District are classified as "open competitive" positions, and are testable positions through NYS and Clinton County Civil Service. Under SWCD Law, the Board of Directors may hire a staff person who serves "at the pleasure of the board" and is exempt from most Civil Service hiring requirements and protections. In Clinton County, that person is the District's Clerk. For further information regarding Civil Service Law, contact the Clinton County Department of Civil Service.

Employee Salaries and Performance Evaluations

The salary of each employee shall be determined solely by the District Board based upon the responsibilities of the employee's position, as well as the employee's education and experience. Each employee will be evaluated annually on overall job performance, according to established forms. Evaluations will be performed for each employee by the District Manager, and performance evaluations of the District Manager will be performed by the District Board. All

evaluations should be completed by the end of July to prepare for the annual county budget process.

The performance evaluation will serve as the basis for the retention, promotion, rewarding, or termination of an individual's employment with the District. An employee may appeal his/her evaluation to the Board of Directors and request a re-evaluation by the full Board of Directors. Final authority for granting re-evaluations rests with the District Board.

Health Care Plan

Full time permanent employees of the District will receive health care benefits. The costs to the employee and to the District are set by the Board of Directors.

Various coverages will be available to the employee, at differing costs. Employees are required to pay a portion of their health care coverage, depending upon the policy chosen. Employees are required to pay 20% of the cost of the plan that is selected whether it is a single, double or family policy.

The District Board of Directors has the right and responsibility to ensure that the best health care will be provided to District employees at a reasonable rate. Part time and seasonal employees of the District will receive no health care benefits as provided herein. Full time permanent staff who elect to decline District health coverage and obtain coverage from a spouse's policy will be compensated at a rate to be established by the SWCD Board of Directors.

Retirement Plan

The Clinton County SWCD is a participating member of the New York State Retirement System, and as such, is bound by the terms and conditions set forth through that program. All new full time permanent employees are required to be members of the State Retirement System, but part-time employees have the option of not joining the system. A percentage of the employee's gross salary may be used to maintain benefits in this system, taken out at each pay period as a deduction. These rates are set by NYS. The District is also required to pay an employer share into the State Retirement System. Further details of this retirement program are available at the website of the NYS Employees Retirement System.

Compensatory Time

Any employee who exceeds 40 hours of work in any one work week shall receive compensatory time at the rate of 1.5 hours for each hour worked over 40. Employees will only work overtime on items (meetings, projects, etc..) which must be worked on that day. Routine District activities which can be completed during regular working hours should be put off until the following work day. The District Manager must be notified of any work by an employee which is expected to exceed 40 hours per week. Employees are encouraged to take time off during the same 2 week pay period the extra time was accrued. Time taken in this manner allows for a normal 40 hour work week. When this is not possible or practical, any hours worked over 40 hours will be credited as compensatory time at the rate of time-and-a-half. No more than 100 hours of compensatory time may be accrued.

Holidays

All employees of the District shall be entitled to the following paid holidays, as per the Clinton County SWCD schedule:

New Year's Day
Martin Luther King Jr. Day
Lincoln's Birthday
Washington's Birthday
Good Friday (1/2 day)
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Friday following Thanksgiving
Christmas Day

If a holiday falls within a vacation period, the day will not be charged against the employee's vacation credits. If a holiday falls on a Sunday, it will be observed on the following Monday. If it falls on a Saturday, it will be observed on the preceding Friday. Any employee required to work on a scheduled holiday will receive time and one-half the employees regular rate.

Vacation Leave

All full time District employees shall be entitled to vacation time with pay after completing one year of continuous service as follows:

1 year of service = 10 working days
2 years of service = 11 working days
3 years of service = 12 working days

An additional day of vacation shall be added each year until a maximum of 20 working days are attained. Vacation leave time is granted on the first day of every year, and reflected upon the employees timesheet.

For the first year of employment, an employee shall be entitled to the following vacation days following the employee's date of employment:

<u>Month of Employment:</u>	<u>Vacation Days during Year:</u>
Jan, Feb, March	5 days
April, May, June	4 days
July, Aug, September	3 days
Oct, Nov, Dec	2 days

Vacation time may not be taken in increments of less than one hour.

Notification and prior approval by the District Manager (or the Board for the Manager) is necessary to guarantee that vacation time will be granted for the specified time interval sought to be used for vacation leave.

Vacation time may be carried over from year to year in an amount not to exceed 240 hours.

At the time of severance from District service, the employee will be compensated for unused vacation upto 240 hours.

Sick Leave

Absence from duty by an employee by reason of sickness or disability of himself, herself or an immediate family member shall be considered "sick leave". A full time employee who is paid on an annual basis shall earn sick leave with pay at the rate of 1.5 hours per week up to a maximum of 80 working hours per year. The District Manager may require a physician's statement for any absence of more than three consecutive days. In the event that any employee uses sick leave while not actually sick, that employee may be subject to disciplinary proceedings. Notification of the District Manager or the office is expected when an employee cannot report to work due to sickness.

Sick leave may be accumulated from year to year, with a maximum credit of 1200 working hours. In the event that an employee has not used all of his/her sick leave at the time of separation of service with the District, he/she will forfeit the leave credits. Employees shall take sick leave in no less than one-hour intervals.

Personal Leave

Personal leave is leave with pay for personal business, including religious observance, without charge to accumulated vacation or sick credits. All employees in full time District employment shall receive a total of 40 hours of personal leave each year. Personal time will be pro-rated for new employees based on their hire date. Personal leave shall not be cumulative, and therefore cannot be carried over from year to year. Unused personal leave shall not be liquidated in cash at the time of separation, retirement, or death. Employees wishing to use personal leave must notify the District Manager that day and time can not be taken on increments of less than one hour.

Bereavement/Funeral Leave

Employees may be absent from work utilizing Personal, Vacation or sick leave credits without loss of pay or loss of benefit by reason of death in the immediate family up to a maximum period of three working days, commencing from the date of death of the family member or day before the funeral. Immediate family includes only mother, father, husband, wife, brother, sister, child, grandparent, grandchild, or any relative or person residing in the immediate household of that employee. Employees may also be absent from work utilizing Personal, Vacation or sick leave credits without loss of pay or leave credits for one day to attend the funeral of the employee's in-laws.

Jury Duty

If an employee gets called for jury duty and is accepted into a panel of jurors, the employee will accept the jury duty pay (usually approx.. \$15) and subtract this same amount from his/her regular paycheck for the time that he/she is on jury duty. The employee shall return to work immediately following the completion of duty, without interruption of salary or benefits. A jury duty certificate, signed by an official of the court, must be given to the District Manager for filing.

Witness Service

If an employee is called to testify as a witness in a court case, that employee will be granted that time off with pay. The employee may be required to furnish a statement that he/she is in active witness service for the specified time interval. Any fees paid to a witness should be collected by the employee and turned over to the office manager. The employee may, however, retain any and all travel expenses paid to him/her.

Fire and Ambulance Volunteers

Employees who are members of local fire and/or ambulance corps will be allowed to be absent during the workday, without loss of pay, for an emergency call within the same town as the District office is located for fire or ambulance personnel. Emergency calls outside of the town where the District office is located may be taken, but without pay.

Blood Donations

An employee will be granted up to 3 hours off per day with pay for blood donations, up to 6 hours per year. The employee may be required to bring back a certificate or statement from the Red Cross certifying the donation.

The Family and Medical Leave Act (FMLA)

The FMLA of 1993 is a Federal law which entitles eligible employees (including the District) to take up to 12 weeks of unpaid, job protected leave each year for specified family and medical reasons. The employee's benefits shall be maintained during his/her absence. A statement from an employee's doctor or other verification may be required by the District Board of Directors before granting this leave. Employees on this type of leave shall not accrue sick time credits while absent from duty. For specifics and further elaboration on the FMLA, refer to the Clinton County human resources department.

Maternity and Paternity-Leave

Maternity leave is covered under the Family and Medical Leave Act and allows female employees to take up to 12 weeks of unpaid leave (and/or a combination of other paid leaves) for birth or adoption of a child. The employee's benefits shall be maintained during her absence for maternity leave. Refer to the FMLA for further details.

Paternity leave shall be granted to male employees whose wife has just given birth. Paternity leave allows employees in this situation to take up to ten working days of unpaid leave (and/ or a combination of paid leaves), unless it is medically necessary for the employee to remain on paternity leave after that period is up. If such case arises, extensions over the ten day leave period may be granted by the District Board of Directors.

Military Leave

District employees who are members of military reserve units and are required to go on active duty for training purposes shall be entitled to unpaid leave for such time as is necessary to fulfill such military training obligation, but not exceeding 30 workdays per calendar year. Payment shall not be made to such employee unless a copy of the military orders is submitted to the District Board of Directors.

Workman's Compensation

All employees of the District are covered under the Clinton County self-insurance program for on-the-job injuries. If such injury should occur, the injured party will notify the District Manager, who will notify the appropriate parties to ensure proper coverage. Workman's compensation is a program managed by NYS and Clinton County, and for more detail, contact the Clinton County Self Insurance Department.

Disability

The Clinton County SWCD is exempt from having to provide disability insurance. At this time employees are covered under a policy the District pays for. Employees may also purchase their own through AFLAC or other sources if they want additional disability coverage.

Unemployment Insurance

The Clinton County SWCD is mandated to provide for unemployment insurance for all full time permanent District employees, at the rates mandated by NYS Law. If a staff person's employment with the District is terminated, that employee may apply for unemployment insurance through the NYS Department of Labor. Rates and timeframes of unemployment compensation are set by NYS, and considerable information on this program is available on the NYS Department of Labor website.

The District has opted to pay on an "as required" basis, and pays all approved unemployment compensation claims out of its budget. All payments are made via the policies and statutes set forth by the NYS Department of Labor at the time of claim. Unemployment insurance benefits are provided for a finite amount of time, and employees eligible for coverage are encouraged to learn more from the NYS Department of Labor or the Clinton County Human Resource Department.

Employee Self-Motivation and Self-Regulation

Due to the nature of the work of the District, considerable self-regulation by the employee is the norm rather than the exception. An employee is expected to schedule his/her work in an efficient manner. Miscellaneous duties not mentioned in the job description will be expected of all employees, as the District undertakes a wide array of projects and services. Duties are to be performed with the personal attitude of rendering quality service to the public. A high degree of self-motivation on the job is expected of all employees.

Public Relations and Employee Conduct

Courteous and efficient treatment of the public will be provided at all times. A professional atmosphere will be used with both the public and other units of government. An employee may not be on duty while engaged in personal political or private activities.

Credit Card Policy

Employee(s) & Director(s) who are assigned District credit cards will follow the office policy related to purchasing (Procurement Policy). District credit card limits will be established by the Board of Directors and District Manager, before cards are requested & issued.

When traveling for the District, Employee(s) and Director(s) will be allowed to use the credit card for expenses &/or purchases as needed. The employee(s) & Director(s) must follow the office policy related to purchasing and use discretion.

All receipts upon use of the District credit card will be provided to the District Secretary once Employee(s) & Director(s) have returned to the office."

Record Keeping and Personnel File

All District employees are required to keep records of time worked, as well as a record of current availability of leave. Time sheets must be filled out at the end of every day, and turned in to the District's Office Manager at the end of the pay period to be approved. Daily logs should be kept by each employee, regarding what he/she did and achieved during the week.

Each employee will have a personnel file, which is to be maintained by the Office Manager. This file will include employee evaluations, letters of recommendation, time sheets, and any other personnel paperwork necessary for employee records. This file will be open to the employee or the District Directors to look at whenever necessary.

Personal Appearance

No specific regulations are set forth regarding personal appearance, but it is expected that all employees will dress appropriately for the job at hand. Any personal appearance which would be considered offensive to the public or inappropriate to the working environment or task will be corrected. If questions and problems arise regarding appropriateness of dress, it will be left up to the District Manager's discretion to resolve the issue.

Tardiness

All employees have an obligation not only to report to work on time, but to start work at the appointed time. Employees are also expected to be on time for appointments, meetings, and programs, since failure to do so creates a poor public image and is unproductive to office operations. It is recognized that on occasion, one may be late for work for unforeseen circumstances. If an employee is going to be more than 15 minutes late, he/she is to call the office and so advise. Repeated tardiness will result in disciplinary action, and in severe cases, dismissal.

Absenteeism

All employees should notify the District Manager and/or the office as far in advance as possible when an absence is expected. When the reason for the absence is unexpected, the District Manager/office should be notified as soon as possible on the same day. Unauthorized absences will result in disciplinary action, and in severe cases, dismissal.

Complaints Against an Employee

If the public, a director, or cooperating agency personnel have a legitimate complaint about an employee, it will be discussed with the District Manager. Every effort should be made to resolve the problem at this level. If the aggrieved party is not satisfied with the handling of this matter, the District Manager will request an executive session of the Board of Directors. A decision on the matter, including any disciplinary action, will be made by the Board.

Causes for Dismissal

The following reasons will be sufficient grounds for the termination of an employee's position with the District:

- ✓ Valid and documented information of an employee's failure to meet satisfactory standards of conduct and performance.
- ✓ Misuse of District funds or equipment.
- ✓ Excessive or repeated unexcused tardiness or absenteeism.

If any of the above conditions exist, the Board of Directors will be notified immediately. A meeting of the Board with the employee and other appropriate individuals will take place. A written summary of the situation and documentation of the meeting will be placed in the employee's folder. Ultimate responsibility of dismissal of an employee rests with the District Board through Civil Service procedure.

Employee Training

Employees are the primary responsible party for developing their skills and abilities. The District is committed to providing high quality training or developmental activities for their employees, through internal efforts and outside training events. It is expected that employees will accept training in a certain area when the Directors or District Manager deem it necessary. Those employees wishing to further their formal education are encouraged to do so. Courses approved by the Board of Directors may be reimbursable to the employee through the District, depending upon availability of funds. Such courses will only be reimbursed after the employee provided proof of receiving a grade of "B" or better in that course. The course must be related to the employee's job to be considered for reimbursement.

Office Closing due to Inclement Weather

The District Manager may close the office during times of severe inclement weather, when it is judged that to keep the office open may result in high risk of employees returning home safely. The office will also be closed when the County Municipal Center offices close. It is the responsibility of the District Manager to notify all employees of office closure.

Separation From Service (Dismissal/Resignation)

Upon Separation from Service, the employee will have all compensatory time and annual leave paid in full to the employee, at the full rate of pay at the time of termination. Personal leave will not be reimbursed. A two week notice is expected of all employees who wish to terminate their service to the District.

District Vehicles

All vehicles owned or provided by tile District are for District business only. District vehicles will not be used for personal business. The vehicle will only be used by employees and Board members of the District, and only driven by individuals with a valid NYS drivers license. Maintenance of the District vehicle is the responsibility of the District Manager, although may be delegated to staff.

Any accident involving either the District vehicle or a private vehicle on District business will be reported to the District Manager. The District Manager will then notify the appropriate parties and insurance companies. Personal injury accidents will also be reported the day they occur, regardless of the seriousness of the injury.

When an employee is required to use his/her vehicle for District business, reimbursement for mileage will be paid at the current rate used by Clinton County. Meals, lodging, tolls, and parking fees for District related travel will be paid upon presentation of proper receipts and documentation. The District vehicle will be used whenever possible.

Clinton County Soil & Water Conservation District Personnel Policy

Revised 11/2015

**(Adopted on December 17, 2015, by a unanimous vote of the governing board of the
Clinton County Soil and Water Conservation District)**