

Clara Bernardo

From: C Weaver <cweaver@pacificemployers.com>
Sent: Thursday, March 24, 2022 12:09 PM
To: Clara Bernardo
Cc: - Tiffany Harris
Subject: Employee Handbook Meeting 3/23/22

Hi Clara,

It was good to see you again at the meeting of the Ad Hoc committee of your Board of Trustees. Following is a summary of the final changes to be presented to the Board at today's meeting.

1. Change "Tulare Public Cemetery" to "Tulare Public Cemetery District" throughout in order to follow the district mandates.
2. Change "President" to "Board of Trustees" throughout.
3. Page 6 – add "may require a current DMV report" to the fifth bullet point.
4. Page 10 – Change the copying rate from 12 cents per page to 15 cents per page to account for the rising costs of time and materials.
5. Page 17 – Delete the reference to piece rate on the paycheck stub as you do not have employees who earn wages through piece rate. This will need to be added back in the future and clearly "line itemed" on the paycheck stub.
6. Page 17 – Add the available PTO hours to the same list.
7. Page 17 – Add Cal PERS to the list of mandatory deductions at the bottom of the page.
8. Page 18 – Add the statement that the Floating Holiday earned on Memorial Day must be taken in the year it was earned in order to avoid a compounding liability from year to year if the employee never takes it.
9. Page 20 – Correct the typo in PTO accruals for twenty-one years and thereafter from 160 hours to 232 hours.
10. Page 20 – Remove the line "Each week of Paid Time Off pay will be paid at the average number of hours worked weekly at the straight time (S/T) rate earned." as this statement can be widely misconstrued and does not accomplish anything that is not otherwise covered in policy.
11. Page 21 – Change the Retirement Plan section to specifically address the basic requirements of Cal PERS.
12. Page 27 – Add a statement to Bereavement Leave that documentation of the need for bereavement leave may be requested.
13. Page 28 – Change the number of PAID jury duty leave days from two to five and add statement that documentation will be required each day the employee is required to report for jury duty.

Please feel free to contact myself or Tiffany Harris if you or the board have any questions or need further clarification.

Have a great day,
Candice Weaver

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working in the job position held only if they do not work in direct supervisory relationship with one another or in job positions involving conflict of interest.

REQUIREMENTS FOR EMPLOYMENT

The following are requirements for employment with Tulare Public Cemetery:

- Must have a valid Social Security Number;
- Must complete an I-9 form with appropriate documentation establishing right to work in the United States in compliance with state and federal law;
- Must complete a W-4 form;
- Must have completed an employment application;
- If you will drive, you must display a valid driver's license with correct class rating and photograph;
- If you are under 18 years of age, you must state your age. If you are required to attend school, you must also have a work permit issued by your school;
- All employees with driving-related duties must maintain a satisfactory record. Anyone with excessive tickets or other driving problems will not be retained in employment;
- Must attest to physical condition, with reasonable accommodation, appropriate to perform the job applied for;
- **Insurability** - All employees must remain insurable under our general and/or vehicle liability insurance policy. If any employee is declared uninsurable or a higher rate is charged by our insurance carrier due to the employee's driving record, the employee will immediately be considered ineligible for further employment and will be considered to have voluntarily terminated their employment as of the date of notification by the insurance carrier; and,
- **Drug and Alcohol Program** - Tulare Public Cemetery reserves the right to require drug and/or alcohol testing of any applicant or employee to the extent permitted by law. The testing program supplements other means, such as personal observation, by which the use of drug and alcohol can be detected.

ATTENDANCE

Employees should only be on the premises during their scheduled hours of work, arriving for work early enough to begin work at the scheduled starting time, but not so early as to create overtime. Departure should be promptly after the quitting time scheduled by the supervisor.

Regular attendance during all scheduled hours of work, reporting for work on time and continuing to work to the end of the work period are expected of every employee of Tulare Public Cemetery.

You may designate a representative to conduct the inspection of the record or receive a copy of the records. However, any designated representative must be authorized by you in writing to inspect or receive a copy of the records. Tulare Public Cemetery may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.

The personnel records may be made available to you either at the place where you work or at a mutually agreeable location with no loss of compensation for going to that location to inspect or copy the records. The records will be made available no later than 30 calendar days from the date your written request to inspect or copy your personnel records is received. You may agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request.

If you request a copy of the contents of your file, you will be charged the actual cost of copying at the rate of ~~12~~¹³ cents per page.

Disclosure of personnel information to outside sources, other than your designated representative, will be limited. However, we will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

You are responsible for your schedule so that you are ready to begin work at your scheduled start time. Arriving at your work station after your scheduled start time is considered a tardy, even if it is only one (1) minute late! Excessive tardies or unexcused absences may result in discipline, up to and including termination.

PAY CHECK

At the time of each payment of wages, you will receive an itemized statement in writing showing:

- The name of the employee;
- An employee identification number or the last four digits of the social security number;
- The gross wages earned;
- All deductions;
- Net wages earned;
- Sick days available;
- The total hours worked;
- The applicable hourly rates and the corresponding number of hours worked at each rate;
- ~~The number of piece rate units earned and the applicable piece rates;~~
- The inclusive dates of the period for which the employee is paid; and,
- The name and address of the legal entity that is the employer.

DEDUCTIONS

There may be additional deductions from your payroll check in the form of repayments of payroll advances, insurance premiums, self-contributed retirement and others. If there is to be additional withholding, other than the mandatory withholding, written authorization allowing Tulare Public Cemetery to deduct the amounts desired will be required.

We discourage payroll advances, but if an emergency necessitates such an advance, it is to be understood that payroll advances are a form of payment for services to be performed, whether this be for a Paid Time Off advance or any other advance on payroll to be earned. Inasmuch as the payroll advance is for work to be performed, any outstanding payroll advance will be collected in the terminal check upon separation.

As a result of current laws, you will notice that certain deductions will be taken out of your payroll check. These mandatory deductions are:

- Federal Income Tax (FIT);
- Social Security Tax (FICA);
- Medicare Tax & Additional Medicare Tax;
- State Income Tax (SIT);
- State Disability Tax (SDI) includes Paid Family Leave (PFL);
- Sick days used; and,
- Any garnishments.

CALPERs

TULARE PUBLIC CEMETERY

EMPLOYEE BENEFITS

BENEFIT INFORMATION

Tulare Public Cemetery provides certain mandated and discretionary benefits to qualified employees. These benefits are described below to provide you a brief summary of selected features of the benefit program. Tulare Public Cemetery reserves the right to modify, supplement, curtail, or eliminate any feature of a benefit plan, or the entire benefit program, if the employer determines, in its sole discretion, that such action is warranted.

Temporary, leased, casual, seasonal, inactive, common law, relief, occasional or on-call employees are **excluded** from all discretionary benefits. "Regular part time employees" may be excluded from all or some discretionary benefits described. "Regular full time employees" and, in some cases where benefits are offered, "regular part time employees" must meet specific eligibility requirements before being offered certain discretionary benefits.

After reading the benefits described herein, employees should contact Personnel to obtain the qualification criteria, review the official plan documents and, where applicable, the actual insurance policies, to identify all of the terms. If any real or apparent conflict exists between the brief benefit summaries in the handbook and the actual provisions of the official plan documents, the terms of the official plan documents will control.

HOLIDAYS

The following days will be designated as paid holidays. Eligible employees will be paid "holiday pay" of one day's pay at the employee's regular straight time rate of pay for their regularly scheduled hours:

- New Year's Day - January 1st
- President's Day - Third Monday in February
- Good Friday - Friday before Easter Sunday
- Easter
- Memorial Day - Last Monday in the month of May (Floating Holiday)
- Independence Day - July 4th
- Labor Day - First Monday in September

(184 hours) Paid Time Off.
Accrues at .0928 hours per S/T hour worked.

- Sixteen (16) years through twenty (20) years of continuous employment:
(208 hours) Paid Time Off.
Accrues at .1050 hours per S/T hour worked.
- Twenty-One (21) years of continuous employment and thereafter:
~~(160 hours)~~ Paid Time Off.
²⁶⁰ Accrues at .1170 hours per S/T hour worked.

Employees are encouraged to take Paid Time Off in one week segments. Paid Time Off time-off should be requested at least one month in advance or earlier to secure a desired date. If there is a conflict between employees requesting the same Paid Time Off date, normally the first person requesting the date will be the one having the choice. No Paid Time Off requests may be taken May 16-31.

Paid Time Off time ceases to be earned when the employee has accumulated the listed amounts in the chart below and will not resume until the accumulation falls below the maximum accumulation amount for that earning year.

One (1) to three (3) years	168 hours Cap
Four (4) to five (5) years	204 hours Cap
Six (6) to ten (10) years	240 hours Cap
Eleven (11) to fifteen (15) years	276 hours Cap
Sixteen (16) to twenty (20) years	312 hours Cap
Twenty-One (21) years and thereafter	348 hours Cap

Each week of Paid Time Off pay will be paid at the average number of hours worked weekly at the straight time (S/T) rate earned. ~~Salaried employees will receive their regular salary.~~

On December 1st of each year employees may request to cash out 1/2 of their accrued and unused Paid Time Off (PTO). This is the only time of the year an employee can cash out other than during separation of employment.

Terminating employees will be paid their prorated Paid Time Off pay.

Temporary, part-time, leased, casual, seasonal, inactive, common law and occasional employees are not eligible to receive Paid Time Off pay.

GROUP INSURANCE

Group health insurance with dental coverage will be offered as part of Tulare Cemetery District's benefit program for "*regular full-time employees,*" who have served their introductory period and become a regular full-time employee employed at least 32 hours per week. When employment drops below 32 hours per week, eligibility ends.

Tulare Cemetery District will pay the employee's premium for the group insurance. If you wish to have dependent coverage, the cost of the dependent coverage will be paid solely by you and deducted from your check as a payroll deduction.

An employee of Tulare Cemetery District covered by group insurance who works less than 40 hours per week during a 30-day period or less will be eligible for coverage again at the first of the month following return to full-time work. An eligible employee of Tulare Cemetery District covered by group insurance who is off work due to a leave of absence, sick leave, work incurred injury or other reason, must consult the group insurance plan description to determine the availability of continued coverage. You may contact the carrier or administrator for more information. Tulare Cemetery District reserves the right to make changes in medical benefits and carriers.

If insurance coverage is provided during employment, under certain conditions, state and federal rules under COBRA or Cal/COBRA may require Tulare Cemetery District's insurance carrier to provide continuing coverage at your expense when you are no longer employed. Please contact the carrier or administrator for more information.

This plan is not available to temporary, part-time, leased, casual, seasonal, inactive, common law and occasional employees.

RETIREMENT PLAN

A retirement program ~~may be made~~ ^{will be} available to you as a "*regular full-time employee*" continuously employed by Tulare Cemetery District. If available to you, details of the plan will be provided to you and included in a Plan Document that gives full disclosure on the program.

UNEMPLOYMENT INSURANCE

If your employment terminates, you may be eligible to receive Unemployment Insurance. The cost of this coverage is completely paid for by Tulare Public Cemetery through taxes imposed by both the State and Federal governments.

Unemployment Insurance is not charity or welfare, but insurance. We pay the cost so you will have a weekly income when you are out of work through no fault of your own.

exhaust your sick leave, accrued and unused vacation or PTO can be used to supplement your PFL benefits.

If you are unable to work due to injury or illness for more than three (3) days, you must provide appropriate medical evidence of your illness and/or medical certification of your fitness to return to work.

Sick leave is not available to employees who work less than thirty (30) total days of employment.

DOMESTIC VIOLENCE LEAVE

Under Labor Code Section 230, employees who are victims of domestic violence are eligible for leave. You may request leave if you are involved in a judicial action, such as obtaining restraining orders, appearing in court to obtain relief to ensure your health, safety or welfare, or that of your child. This leave is limited to 12 weeks in a 12-month period.

You should provide notice and certification of your need to take leave under this policy. Certification may be sufficiently provided by any of the following:

- A police report indicating that the employee was a victim of domestic violence;
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee appeared in court; or,
- Documentation from a medical professional, domestic violence advocate, healthcare provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

We will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision. If you wish to receive compensation for Domestic Violence Leave, you may use up to three (3) days of your available sick pay for the period of time needed. Paid domestic violence leave is not available to employees who work less than thirty (30) total days of employment.

BEREAVEMENT LEAVE

When death occurs in a regular full time employee's immediate family the employee shall be entitled to up to 5 days paid time off for bereavement per occurrence.

“Immediate family” is defined as being a spouse, domestic partner, parent, step-parent, child, stepchild, brother, sister, grandparents, grandchild, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law or any other person who is the legal dependent of the employee